

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA**

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
 Petitioner,)
vs.)
)
BILLY DISMUKE, a licensed bail bondsman in)
the State of Oklahoma,)
)
AND)
)
SAFETY NATIONAL CASUALTY)
CORPORATION, a licensed insurance company)
in the State of Oklahoma,)
 Respondents.

CASE NO. 11-0182-DIS

FILED
APR 12 2011
INSURANCE COMMISSIONER
OKLAHOMA

CONDITIONAL ADMINISTRATIVE ORDER
AND NOTICE OF RIGHT TO BE HEARD

COMES NOW the State of Oklahoma, ex rel., John D. Doak, Insurance Commissioner, by and through counsel and alleges and states as follows:

JURISDICTION

1. John D. Doak is the Insurance Commissioner of the State of Oklahoma and as such is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code 36 O.S. §§ 101-7004 and the Oklahoma Bail Bond Act 59 O. S. §§ 1301-1340.
2. Respondent Billy Wayne Dismuke (“Dismuke”) is a licensed bail bondsman in the State of Oklahoma holding license number 144708.
3. Respondent Safety National Casualty Corporation (“Safety National”) is an admitted insurer in the State of Oklahoma authorized to act as a bail surety company and holding certificate of authority number 7243.

FINDINGS

1. On or about September 16, 2009, an appearance bond was executed as follows:

Defendant:	Amanda Hensley
Case Number(s):	CM-09-3751
City/County:	Oklahoma County
Surety:	Safety National Casualty Corporation
Bondsman:	Billy Wayne Dismuke
Power Number(s):	1800070
Bond Amount(s):	\$500.00

2. On September 2, 2010, the Defendant failed to appear, and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued by the district court on September 23, 2010 and filed in the case. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondents with return receipt requested within thirty (30) days after the forfeiture.

3. Dismuke received a copy of the Order and Judgment of Forfeiture on September 24, 2010.

4. Safety National received a copy of the Order and Judgment of Forfeiture on September 27, 2010.

5. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture by Safety National was December 27, 2010. The Defendant was not returned to custody within ninety (90) days of receipt of the Order and Judgment of Forfeiture.

6. On December 27, 2010, Dismuke remitted payment of the face amount of the forfeited bond to the court clerk. A portion of the forfeiture was paid by check number 1492 drawn upon Bank of the West in the name of Billy D's Bail Bonds. The check was written for the amount of \$275.00 and was returned unpaid to the court clerk because there were not sufficient funds in the account upon which it was drawn.

7. The unpaid portion of the forfeiture resulting from the insufficient funds check was untimely paid on January 21, 2011, twenty five (25) days after the ninety-first (91st) day.

CONCLUSIONS OF LAW

The allegations are found to be true and correct, and Respondents have violated 59 O.S. § 1332 by failing to return the defendant within ninety (90) days or remit payment in the face amount of the bond forfeiture within ninety-one (91) days from receipt of the Order and Judgment of Forfeiture.

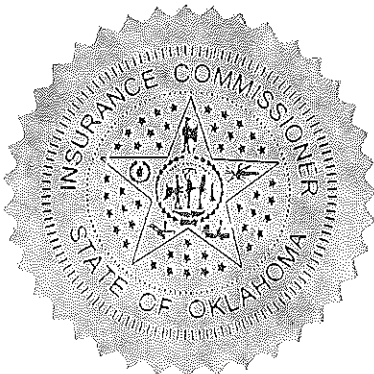
ORDER

IT IS THEREFORE ORDERED that Billy Wayne Dismuke and Safety National Casualty Corporation are each fined Two Hundred Fifty Dollars (\$250.00).

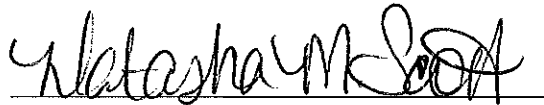
Respondents are further notified that they may request a hearing within 30 days of the receipt of this Order concerning this action, and upon such request, the Oklahoma Insurance Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to Natasha M. Scott, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Suite 100, Oklahoma City, Oklahoma 73112 and state the basis for requesting the hearing.

If Respondents do not request a hearing within the 30 days allotted, this Order shall become a **FINAL ORDER** on the 31st day following the receipt of the Order, and the fines ordered herein shall be due.

WITNESS My Hand and Official Seal this 15th day of April, 2011.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



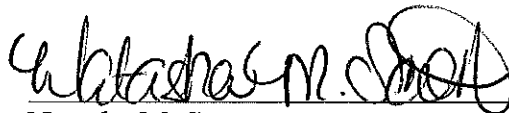
Natasha M. Scott
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 521-2746
Fax (405) 521-0125

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to Be Heard* was mailed certified, return receipt requested, on this 12th day of April, 2011, to:

Billy Wayne Dismuke
601 N. Walker Ave., Suite 104
Oklahoma City, OK 73102-1643

Safety National Casualty Corporation
ATTN: Jeffrey Otto
1832 Schuetz Rd.
St. Louis, MO 63146



Natasha M. Scott

7008 1830 0003 9411 5053

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OFFICIAL USE

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage		
Sent To		
Safety National Casualty Corp.		
Attn: Jeffrey Otto		
1832 Schuetz Rd.		
St. Louis, MO 63146		
sms/11-0182-DIS/NOSC		
PS Form 3800, August 2006		See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <i>Joe Bauer</i> <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input checked="" type="checkbox"/> C. Date of Delivery Joe Bauer APR 13 2011</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>APR 22 2011</p> <p>Safety National Casualty Corp. Legal Division Attn: Jeffrey Otto 1832 Schuetz Rd. St. Louis, MO 63146 sms/11-0182-DIS/NOSC</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p> <p>7008 1830 0003 9411 5053</p>	
PS Form 3811, February 2004	Domestic Return Receipt 102505-02-M-1540



Oklahoma Insurance Department
 Legal Division
 5 Corporate Plaza
 3625 NW 56th Street, Suite 100
 Oklahoma City, OK 73112

CERTIFIED MAIL™



7008 1830 0003 9411 5046



U.S. POSTAGE **RETNET BOWES**

 ZIP 73112 \$ **005.71⁰**
 02 1W
 0001363374 APR 13 2011

*LN
 4-14
 R3201*

RECEIVED
 OKLAHOMA INSURANCE DEPARTMENT

MAY 17 2011

Legal Division



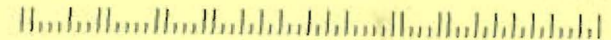
Billy Wayne Dismuke
 601 N. Walker Ave., Suite 104
 OKC, OK 73102

NAME _____
 1st Notice _____
 2nd Notice 4-23

NIXIE 731 DE 1 00 05/14/11

RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD

BC: 73112451125 *2557-04631-14-30



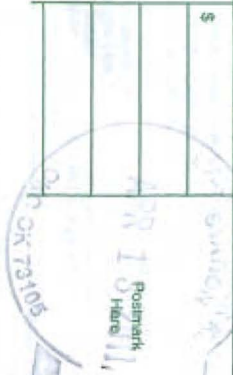
73112@4511

7008 1830 0003 9411 5046

PS Form 3800, August 2006

Start To _____
 Street, Apt. No. _____
 or PO Box No. _____
 City, State, Zi _____
 Billy Wayne Dismuke
 601 N. Walker Ave., Suite 104
 OKC, OK 73102-1643
 sms/11-0182-DIS/NO5C

Total Postage _____
 Postage \$ _____
 Certified Fee _____
 Return Receipt Fee _____
 (Endorsement Required)
 Restricted Delivery Fee _____
 (Endorsement Required)



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See Reverse for Instructions

U.S. Postal Service
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(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

5592 9078 2106 2655
 7001 0320 0004 4000 0260 1002

Postage \$
 Certified Fee
 Return Receipt Fee
 (Endorsement Required)
 Restricted Delivery Fee
 (Endorsement Required)
 Total Postage \$



Sent To
 Street, Apt. No.,
 or PO Box No.
 City, State, ZIP+4

Billy Wayne Dismuke
 217 N. Harvey Ave., Suite 203
 OKC, Ok 73102
 sms/11-0182-DIS/Cond. Ord.

PS Form 3800, January 2001

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Billy Wayne Dismuke
 217 N. Harvey Ave., Suite 203
 OKC, Ok 73102
 sms/11-0182-DIS/Cond. Ord.

2. Article Number

(Transfer from service label)

7001 0320 0004 2106 2655

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

- Agent
 Addressee

B. Received by (*Printed Name*)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 if YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (*Extra Fee*)

Yes

BBP-11-0003



PATRICIA PRESLEY
OKLAHOMA COUNTY COURT CLERK

194708
Billy
Pismohe
executed
bond. ed

JAMES W. MERRITT
ASSISTANT CHIEF DEPUTY

TIMOTHY E. RHODES
CHIEF DEPUTY

JANUARY 12, 2010

RECEIVED
OKLAHOMA INSURANCE DEPARTMENT

JAN 14 2011

Agent Licensing Division

OKLAHOMA INSURANCE DEPARTMENT
ATTENTION: ANNA DENMAN
3625 NORTHWEST 56TH STREET, SUITE 100
Oklahoma City, Oklahoma 73112

ATTN: Anna Denman
RE: Returned check to pay a bond forfeiture in CM-2009-3751 Amanda Hensley

I am sending you a copy of a check that was returned to us and written by Tracy Bias to pay a bond forfeiture in case number CM-2009-3751. The total amount that of the bond forfeiture is \$500.00, the amount of the check that was returned insufficient is \$275.00 and written under Billy D's Bail Bonds checking account.

Attached you will find a certified copy of the Order and Judgment of Forfeiture and proof of mailing to the bondsman and, if applicable, his/her surety as required by law. Copy of the returned check, certified copy of the docket sheet.

I wanted to bring this to your attention, if you need anything else from me, please do not hesitate to let me know.

Sincerely,

Retha Chamberlain
Deputy Court Clerk
Department Head of Bond Forfeiture
405-713-1726

RECEIVED
OKLAHOMA INSURANCE DEPARTMENT

JAN 13 2011

MAILROOM



111900057
01/03/2011
99010887

NCF

This is a LEGAL COPY of your check. You can use it the same way you would use the original check.

RETURN REASON-A
NOT SUFFICIENT FUNDS

1090970370
[111900057] 12/28/2010

BILLY D'S BAIL BONDS
405-238-2060
601 N WALKER SUITE 104
OKLAHOMA CITY, OK 73102


(111) 09-3751

1492
06-8811/3031

DATE 12-27-10

PAY TO THE ORDER OF Court Clerk \$ 275.⁰⁰

Two hundred seventy five DOLLARS

 Edmond Office
189 N SANTA FE AVE
EDMOND, OK 73003-1548
1-800-546-2777

BANK OF AMERICA

FOR Amanda Hensley Foster Jay Bica

⑈001492⑈ ⑆303188111⑆ 403069297⑈

⑈001492⑈ ⑆303188111⑆

403069297⑈ ⑆0000027500⑈





COMPANY: HEARTLAND BAIL BONDS
 217 N. Harvey, Ste. 410
 Oklahoma City, OK 73102
 (405) 236-2060

D.O.B. 1-14-79
 LIC. # 144208 00004

APPEARANCE BOND

STATE OF OKLAHOMA, OKLAHOMA COUNTY, OKLA.

vs. Armanda Hensley

Plaintiff
 SER 16 2009
 Defendant PATRICIA PRESLEY COURT CLERK
 by [Signature] Deputy

Case No. CM-09-3751

Know all men by these presents, that we, above named defendant, as principal and the undersigned **Billy Dismuke** and **Safety National Casualty**, as surety(ies), personally appeared before the undersigned authority and jointly and severally acknowledged themselves to be indebted to the State of Oklahoma in the sum of five hundred dollars (\$ 500) good and lawful money of the United States, to which payment well and truly to be made we bind ourselves, our assigns, heirs, executors and administrators jointly and severally, firmly by the presents.

The conditions of this bond are such that, if the above named defendant, who has been committed to the county jail of Oklahoma County, State of Oklahoma, shall personally appear the 16 day of Sept, 2009, at 1:30 o'clock P M. before Judge [Signature], of said day and from term to term, and from day to day of each term. To answer a charge preferred against him for the offense of Order to engage in bus bookkeeping and shall not depart the said Court, then this bond shall be void; otherwise, this bond shall remain in full force and effect.

Witness our hands and seals this 19 day of April, 2009

DEFENDANT: [Signature] ADDRESS: 1112 SW 77 Douglas OK OK

SURETY: **Safety National Casualty** ADDRESS: 2043 Woodland Pkwy., Ste. 200, St. Louis, MO 63146

SURETY: Billy Dismuke ADDRESS: 601 N. Harvey, Ste. 4002, Oklahoma City, OK 73102

Taken, Subscribed and Acknowledged, this 16 day of SEPTEMBER, 2009

Court Clerk Deputy

This undertaking approved this 16 day of SEPTEMBER, 2009.
 Court Clerk/Deputy/Judge of District Court

AFFIDAVIT AS TO UNDERTAKING

STATE OF OKLAHOMA, OKLAHOMA COUNTY, ss: the undersigned, being first duly sworn upon oath, says that he is a resident of Oklahoma County, State of Oklahoma and that neither he nor anyone for his use has received or been promised any security of consideration for making this undertaking except as hereinafter specified under one of more of the following to wit:

1. Consideration for this undertaking received or promised in the sum of \$ 200
2. Other security received or promised for making this undertaking is as follows:
 INDEMNITY AGREEMENT AND PROMISSORY NOTE [Signature]
3. Such promise, security or consideration was received from: DEFENDANT ET AL. Signed by IND/DEF [Signature]

I understand that any willful misstatement relating to the security or consideration promised or given shall make me liable to the same prosecution and penalty as one who commits perjury.

AFFIANT: [Signature] ADDRESS: 601 N. Harvey, Ste. 4002, Oklahoma City, OK 73102

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20____

My Commission Expires: _____
 Court Clerk/Notary Public





POWER OF ATTORNEY

SAFETY NATIONAL CASUALTY CORPORATION

1832 Schuerer Road
St. Louis, MO 63146
(314) 995-5200

POWER NO. 65-100070

POWER AMOUNT \$ 45,000.00

KNOW ALL MEN BY THESE PRESENTS that the Safety National Casualty Corporation, an insurance company duly organized and existing under the laws of the State of Missouri and by the authority of the resolution adopted by the Board of Directors by unanimous written consent on January 29, 1999, which said Resolution has not been amended or rescinded, does constitute and appoint and by these presents does make, constitute and appoint the named agent its true and lawful Attorney-in-Fact for it and in its name, place and stead, to execute, seal and deliver for and on its behalf and as its act and deed, as surely, a bail bond only. Authority of such Attorney-in-Fact is limited to appearance bonds and cannot be considered to guarantee defendant's future lawful conduct, adherence to travel limitation, fines, restitution, payments of penalties, or any other condition imposed by a court not specifically related to court appearance.

This Power of Attorney is for use with Bail Bonds only. Not valid if used in connection with Federal or Immigration Bonds. This power void if altered or erased, void if used with other powers of this company or in combination with powers from any other surety company, void if used to furnish bail in excess of the stated face amount of this power, and can only be used once.

The obligation of the company shall not exceed the sum of five thousand dollars and provided this Power of Attorney is filed with the bond and retained as a part of the court records. The said Attorney-in-Fact is hereby authorized to insert in this Power of Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, THE SAFETY NATIONAL CASUALTY CORPORATION has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this 19 DAY of July MONTH 09 YEAR

Bond Amount \$ 500 Premium \$ 200

Defendant Amanda Hervey

Charges offer to engage in bar of

Court D.S.

Case No. _____

City one State of

Rewrite, original No. _____

Executing Agent: [Signature] NAME _____



BY [Signature] Jeffrey W. Otto, Secretary

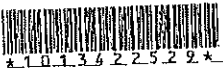
VOID IF NOT ISSUED BY 7/31/2010

FOR STATE USE ONLY
NOT VALID IF USED IN FEDERAL COURT

COPY FOR COURT

39967

BB-23A (05/08)



STRICT COURT OF OKLAHOMA COUNTY, STATE OF OKLAHOMA

THE STATE OF OKLAHOMA
PLAINTIFF,

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

VS.

SEP 28 2010

CASE NO. CM-2009-3751

AMANDA HENSLEY,
DEFENDANT

PATRICIA PRESLEY, COURT CLERK
by [Signature]
DEPUTY

ORDER AND JUDGMENT OF FORFEITURE

On the 2ND day of SEPTEMBER 2010, the above cause came on for hearing, according to regular assignment of the docket of this Court.

THE COURT FINDS that the above named defendant having heretofore been charged with the crime of COUNT 1: OFFERING TO ENGAGE IN AN ACT OF PROSTITUTION, committed to bail in the amount of \$500.00 was released on Appearance bond executed by BILLY DISMUKE as bondsman and SAFETY NATIONAL as surety, power as S5-1800070 (if applicable) his insurer; said bond conditioned as provided by law for the appearance of said defendant before this court as required, and the Court having ordered said defendant to appear on the 2ND day of SEPTEMBER 2010, and said defendant, being called three times in open court without sufficient excuse, failed to appear before the Court as ordered.

THE COURT FURTHER FINDS that said bondsman had due and legal notice as provided by law of the required appearance of said defendant.

THE COURT FURTHER FINDS that the conditions of said Appearance Bond have been broken by both defendant and said bondsman, and that an Order and Judgment of Forfeiture should be entered.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Appearance Bond of said defendant be, and the same is hereby declared and is ordered forfeited to the State of Oklahoma, and the amount of said bond is ordered paid to the Clerk of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Court Clerk shall immediately mail a copy of this Order and Judgment of Forfeiture to the bondsman and, if applicable, his insurer. The bondsman is hereby directed to deposit with the Court Clerk, the face amount of the said forfeited bond, to wit: \$500.00 such deposit to be made within 91 days from receipt of this Order and Judgment of Forfeiture, or the mailing of the notice if no receipt is made.

[Signature]
JUDGE OF THE DISTRICT COURT
JUDGE RUSSELL D. HALL

CERTIFICATE OF MAILING

I certify that I mailed a true and correct copy of this instrument to the above named bondsman, and, if applicable, his insurer to the last known address of each, by certified mail with return receipt requested this 23 day of Sept, 2010.

PATRICIA PRESLEY, COURT CLERK

BY: [Signature]

I, PATRICIA PRESLEY, Court Clerk for Oklahoma County, Okla., hereby certify that the foregoing is a true, correct and complete copy of the instrument herewith set out. Witness my hand and the seal of the Court Clerk's Office of Oklahoma County, Okla., this 28 day of Sept, 2010.
[Signature]
PATRICIA PRESLEY, Court Clerk
Deputy



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OFFICIAL USE

Postage \$ SEP 23 2010
 Certified Fee SEP 23 2010
 Return Receipt Fee (Endorsement Required)
 Restricted Delivery Fee (Endorsement Required)

TO **BILLY DISMUKE**
 601 N. WALKER AVE. STE 104
 OKLAHOMA CITY, OK 73102

PS Form 3811, February 2004 Domestic Return Receipt See Reverse for Instructions

1222 2012 4000 0292 5002

U.S. Postal Service
CERTIFIED MAIL[®] RECEIPT
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For delivery information visit our website at www.usps.com.

OFFICIAL USE

Postage \$ SEP 23 2010
 Certified Fee SEP 23 2010
 Return Receipt Fee (Endorsement Required)
 Restricted Delivery Fee (Endorsement Required)

TO **SAFETY NATIONAL CAS CO**
 1832 SCHUETZ RD.
 ST. LOUIS, MO 63146-3540

PS Form 3811, February 2004 Domestic Return Receipt See Reverse for Instructions

9222 2012 4000 0292 5002

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired, so that we can return the card to you. Attach this card to the back of the mailpiece.

BILLY DISMUKE
 601 N. WALKER AVE. STE 104
 OKLAHOMA CITY, OK 73102

COMPLETE THIS SECTION ON DELIVERY

A. Signature [Signature] Agent Addressee
 B. Received by (Printed Name) Patricia Presley Addressee
 C. Date of Delivery SEP 23 2010
 D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:
FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

2. Article (Rate) 7009 2820 0004 2102 7211
 PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

3. Service Type SEP 27 2010
 Certified Mail Express Mail
 Registered Mail Return Receipt with Restricted Delivery Signature Required Signature Required with Restricted Delivery Yes

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired, so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front, if space permits.

SAFETY NATIONAL CAS CO
 1832 SCHUETZ RD.
 ST. LOUIS, MO 63146-3540

COMPLETE THIS SECTION ON DELIVERY

A. Signature [Signature] Agent Addressee
 B. Received by (Printed Name) Patricia Presley Addressee
 C. Date of Delivery SEP 27 2010
 D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:
FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

2. Article (Rate) 7009 2820 0004 2102 7228
 PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

3. Service Type OCT 01 2010
 Certified Mail Express Mail
 Registered Mail Return Receipt with Restricted Delivery Signature Required Signature Required with Restricted Delivery Yes