

STIPULATIONS OF FACT

1. On or about November 9, 2009, an appearance bond was executed as follows:

Defendant:	Nyeshia Marie Porter
Case Number:	CF-2008-415
Court:	Tulsa County
Bondsman:	Virgil Lee Wallace
Surety:	Raymond Merrill
Power Number:	50 594
Bond Amount:	\$20,000.00

2. On October 18, 2010, the defendant failed to appear and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued by the Court and filed in the case. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondents within thirty (30) days after the date of the forfeiture.

3. Wallace received a copy of the Order and Judgment of Forfeiture on October 22, 2010. Merrill received notice of the Order and Judgment of Forfeiture on October 22, 2010. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was January 21, 2011. Respondents failed to return defendant to custody within ninety (90) days of receipt of the Order and Judgment of Forfeiture. Sums due on the forfeiture were not deposited with the clerk on the ninety first (91st) day.

4. The forfeiture was later paid on March 7, 2011.

CONCLUSIONS OF LAW

Wallace and Merrill have violated 59 O.S. § 1332(D) by failing to deposit cash or other valuable securities in the face amount of the bond with the Court Clerk ninety-one (91) days from receipt or mailing of the Order and Judgment of Forfeiture from the Court Clerk.

ORDER AND CONSENT

IT IS THEREFORE ORDERED by the Insurance Commissioner and CONSENTED to by Respondents that: the Conditional Order entered March 2, 2011, is vacated, Wallace is fined One Thousand Two Hundred Fifty and No/100 Dollars (\$1,250.00); Merrill is fined One Thousand Two Hundred Fifty and No/100 Dollars (\$1,250.00). Fines are to be paid immediately.


WITNESS My Hand and Official Seal on this 10 day of May, 2011.





PAUL WILKENING
Deputy Commissioner of Administration

APPROVED:



Kim M. Rytter
Assistant General Counsel

Virgil Lee Wallace



Fourth Scofous
Attorney for Raymond Merrill

ORDER AND CONSENT


IT IS THEREFORE ORDERED by the Insurance Commissioner and **CONSENTED** to by Respondents that: the Conditional Order entered March 2, 2011, is vacated, Wallace is fined One Thousand Two Hundred Fifty and No/100 Dollars (\$1,250.00); Merrill is fined One Thousand Two Hundred Fifty and No/100 Dollars (\$1,250.00). Fines are to be paid immediately.

WITNESS My Hand and Official Seal on this _____ day of _____, 2011.

PAUL WILKENING
Deputy Commissioner of Administration

APPROVED:

Kim M. Rytter
Assistant General Counsel



Virgil Lee Wallace

Fourth Scofous
Attorney for Raymond Merrill

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing Consent Order was mailed postage prepaid on this 10th day of May 2011, to:

Virgil Lee Wallace
6610 E Admiral Pl
Tulsa OK 74115

Fourth Scoufos
P.O. Box 787
Sallisaw OK 74955



Kim M. Rytter

