BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

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MAY	1	0	2011	
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STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner, Petitioner, vs.	MAY 1 0 2011 INSURANCE COMMISSIONI OKLAHOMA
VIRGIL LEE WALLACE, a licensed surety bail	
bondsman in the State of Oklahoma,) CASE NO. 11-0216-DIS
AND	
RAYMOND MERRILL, a licensed professional bail bondsman in the State of Oklahoma, Respondents.)))

CONSENT ORDER

COMES NOW the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner, and the Respondents Virgil Lee Wallace ("Wallace") and Raymond Merrill ("Merrill"), and enter into this Consent Order.

JURISDICTION

- John D. Doak is the Oklahoma Insurance Commissioner, having full power and 1. authority to administer the provisions of the Oklahoma Bail Bond Code, 59 O.S. §§1301-1340.
- 2. Wallace is a licensed bail bondsman in the State of Oklahoma holding license number 199720.
- Merrill is a licensed professional bail bondsman in the State of Oklahoma holding 3. license number 199369.
- Wallace and Merrill have been apprised of their rights including the right to a 4. public hearing and have knowingly and freely waived said rights and entered into this Consent Order as a voluntary settlement to the issues and questions raised in the above captioned case.

STIPULATIONS OF FACT

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

Defendant:

Nyesha 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

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 _

PAUL WILKENING

Deputy Commissioner of Administration

APPROVED:

Assistant General Counsel

Virgil Lee Wallace

Attorney for Raymond Marrill

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 llars llars

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(\$1,250.00); Merrill is fined One Thousand	Two Hundred Fif	ty and No/100 I) 0]
(\$1,250.00). Fines are to be paid immediately.			
WITNESS My Hand and Official Seal on this _	day of	, 2011.	
	PAUL WILKENIN Deputy Commissio		ior
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 ______ day of _______ 2011, to:

Virgil Lee Wallace 6610 E Admiral Pl Tulsa OK 74115

Fourth Scoufos P.O. Box 787 Sallisaw OK 74955

Kim M. Rytter

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY		
 Complete items 1, 2, and 3. item 4 if Restricted Delivery Print your name and address so that we can return the call Attach this card to the back or on the front if space perm 1. Article Addressed to: Virgil Lee Wallace 6610 E. Admiral Pl Tulsa, OK 74115 	is desired. s on the reverse rd to you. RECEIVED of MEAHONAIDISCULATION AND THE RECEIVED AN	A. Signature X FPA PINEWED by (Printed Name) (PA) Is delivery address different from its If YES, enter delivery address below		
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Article Number (Transfer from service label)	7008 1830	0003 9411 7330		
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