

FILED

APR 29 2011

INSURANCE COMMISSIONER
OKLAHOMA

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

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK,)
Insurance Commissioner,)

Petitioner,)

vs.)

CASE NO. 11-0446-DIS

STEVEN GANDY, a licensed bail bondsman in the)
State of Oklahoma,)

Respondent.)

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 Steven Gandy ("Gandy") is a licensed bail bondsman in the State of
Oklahoma holding license number 199360.

FINDINGS

1. On or about July 7, 2010, an appearance bond was executed as follows:

Defendant:	Brittney Nichole Barker
Case Number(s):	CM-10-93
City/County:	Jefferson County
Bondsman:	Steven Gandy
Bond Amount(s):	\$1,500.00

2. On August 30, 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 August 30, 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. Gandy received a copy of the Order and Judgment of Forfeiture on September 15, 2010.

4. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was December 15, 2010. The Defendant was not returned to custody within ninety (90) days of receipt of the Order and Judgment of Forfeiture, nor were sums due on the forfeiture deposited with the court clerk on the ninety first (91st) day.

5. As of the date of this Conditional Order, the forfeited bail bond remains unpaid.

CONCLUSIONS

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

ORDER

IT IS THEREFORE ORDERED that Respondent is fined in the amount of Three Hundred Dollars (\$300.00).

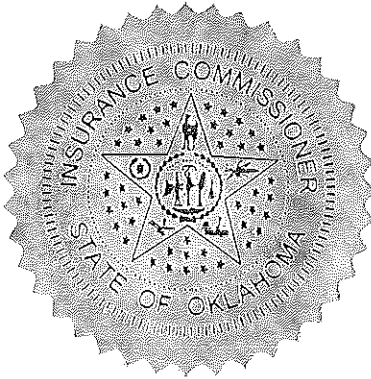
Respondent is further notified that a hearing may be requested within 30 days of the receipt of this Order concerning this action and upon such request the Insurance Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to Natasha M.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

Oklahoma City, Oklahoma 73112 and state the basis for requesting the hearing.

If a hearing is not requested within the 30 days allotted, this Order shall be a FINAL ORDER on the 31st day following the receipt of the Order, the face amount of the forfeited bail bond shall be withdrawn from Respondent's deposit, and the fine ordered herein shall be due to the Oklahoma Insurance Department.

WITNESS My Hand and Official Seal this 24th day of April, 2011.

JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



Natasha M. Scott

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 Order was mailed certified, return receipt requested on this 24th day of April, 2011, to:

Steven Gandy
Rural Route 2, Box 399
Comanche, OK 73529-9657

Natasha M. Scott

Natasha M. Scott

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:

Steve Gandy
Rural Route 2, Box 399
Comanche, Ok 73529-9657
sms/11-0446-DIS/Cond. Ord.

RECEIVED
OKLAHOMA INSURANCE DEPARTMENT

JUN 01 2011

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

- Agent
- Addressee

B. Received by (Printed Name)

Steve Gandy

C. Date of Delivery

5-27-11

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

2. Article Number

(Transfer from service label)

7008 1830 0003 9411 5183

NOTICE OF NON-PAYMENT OF BOND FORFEITURE

RECEIVED
OKLAHOMA INSURANCE DEPARTMENT

MAR 11 2011

MAILROOM

CAROLYN D. WATKINS
COURT CLERK
JEFFERSON COUNTY, OK

2011 MAR 10 A 9:41

FILED

Date March 10, 2011

Attn: Licensing / Anna
Oklahoma Insurance Department
3625 NW 56th Street, Suite 100
Oklahoma City, OK 73112-4511

Re: State of Oklahoma vs. BRITTNEY NICHOLE BARKER

JEFFERSON COUNTY

Case Number CM-2010-93

To Whom It May Concern:

Pursuant to 59 O.S. §1332, we are formally notifying your office that the bondsman, Steve Gandy, and his/her surety, Steve Gandy have failed to pay the forfeiture in the above captioned case in the amount of \$ 1,500.00 regarding Power Number _____ (if applicable) which was forfeited by the District Court on August 30, 2010 (date). The statutory 91st day from receipt of notice/ mailing would have occurred December 1, 2010 (date).

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.

Submitted by:

CAROLYN D. WATKINS

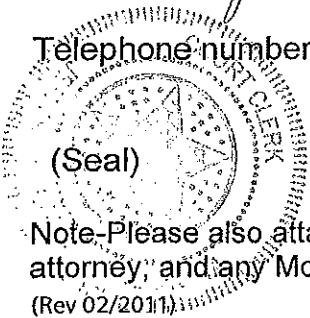
District Court Clerk

JEFFERSON

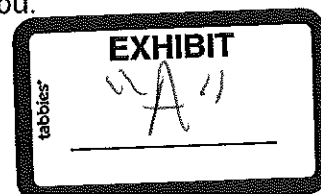
Oklahoma

By Carolyn D. Watkins Ct. Clerk (Position)

Telephone number - (580) 228-2961



Note-Please also attach certified copies of the docket sheet, appearance bond, power of attorney, and any Motions and Orders that pertain to the bail bond forfeiture. Thank you.
(Rev 02/2011)



APPEARANCE BOND

S.E.61. FORM NO. 408

Case No. CM-10-93

DISTRICT JEFFERSON COURT FILED

STATE OF OKLAHOMA, JEFFERSON COUNTY, SS:

Know all men by these presents, that Brittany Nicole Barber as principal, and Steve Gandy

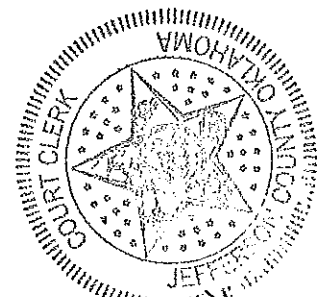
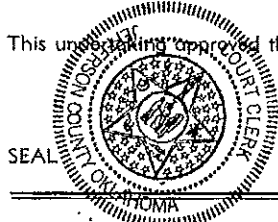
the undersigned authority Court Clerk in and for JEFFERSON COUNTY, OKLAHOMA personally appeared before CAROLYN D. WATKINS as SOLEMN CLERK of said County, and jointly and severally acknowledged themselves to be indebted to the State of Oklahoma in the sum of One thousand Five Hundred Dollars (\$ 1500.00) good and lawful money of the United States, to which payment well and truly to be made we bind ourselves, our heirs, executors and administrators jointly and severally, firmly by these presents.

The conditions of this obligation are such that, if the said Brittany Barber defendant, who has been committed to the county jail of Jefferson County, State of Oklahoma, shall personally be and appear before the District Court of said county on the 30 day of August, 20 10, at 10:00 o'clock Am., 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 D U I Court II and to do and receive what shall be enjoined by said Court upon him, and shall not depart the said Court without leave, then this bond and recognizance to be void; otherwise, in full force and effect.

Witness our hands and seals this 7 day of July, 20 10.
3250 Chapel in Broken Arrow Address Brittany Barber Principal
123 West C St. Waurika, OK. 73573 Address _____ Surety
Address _____ Surety

TAKEN, SUBSCRIBED AND ACKNOWLEDGED, this 7 day of July, 20 10
Carolyn D. Watkins Court Clerk By Donald Shewalter Deputy

This undertaking approved this 7 day of July, 20 10.
Carolyn Watkins Court Clerk
Donald Shewalter Deputy



I, CAROLYN D. WATKINS, COURT CLERK for JEFFERSON COUNTY, OKLA., hereby certify that the foregoing is a true, correct and complete copy of the instrument herewith set out as appears of record in the COURT CLERK'S OFFICE of JEFFERSON COUNTY, OKLA.
This 10 day of March 2011
BY: Carolyn D. Watkins
COURT CLERK

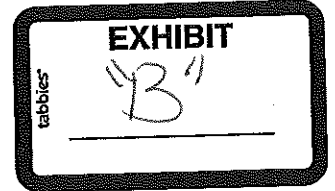
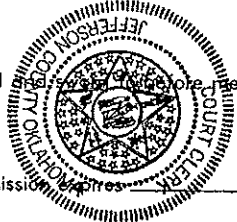
AFFIDAVIT AS TO UNDERTAKING

STATE OF OKLAHOMA, JEFFERSON COUNTY, SS:

Steve Gandy, being first duly sworn upon oath, says that he is a resident of Jefferson County, State of Oklahoma, and that neither he nor anyone for his use has received or been promised any security or consideration for making this undertaking, except as hereinafter specified under one or more of the following relevant statutory provisions, to-wit:

- (a) He has received the sum of \$ 225 from Brittany Nicole Barber as consideration for making this undertaking;
- (b) He has received the following described property or instrument from _____ as security for making this undertaking, as evidenced by attached copy of a receipt for collateral security _____;
- (c) _____ has promised to secure him for making this undertaking.

Subscribed and sworn to before me this 7 day of July, 20 10.
SEAL Carolyn D. Watkins, Court Clerk
by: Donald Shewalter Deputy



In the District Court of JEFFERSON County
State of Oklahoma

State of Oklahoma,)
Plaintiff,)
)
vs.)
)
BRITTNEY NICHOLE BARKER)
Defendant)

Case No. CM-10-93
CTS 142 2010 AUG 30 P 2:02

CAROLYN D WATKINS
COURT CLERK
JEFFERSON COUNTY, OK

ORDER AND JUDGMENT OF FORFEITURE

On the 30TH day of AUGUST, 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 DUI, DUS, and having been committed to bail in the amount of \$ 1,500.00, was released on an Appearance Bond executed by STEVE GANDY, a licensed bondsman, and _____, 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 30TH day of AUGUST, 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, and if applicable, his surety, is hereby directed to deposit with the Court Clerk the face amount of said forfeited bond, to wit: \$ 1,500.00. 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.

I, CAROLYN D. WATKINS, COURT CLERK for JEFFERSON COUNTY, OKLA., hereby certify that the foregoing is a true, correct and complete copy of the instrument herewith set out as appears of record in the COURT CLERK'S OFFICE of JEFFERSON COUNTY, OKLA.

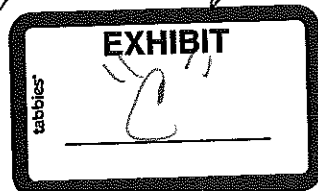
is 10th day of March 2011
CAROLYN D. WATKINS, COURT CLERK
BY: Carolyn D. Watkins DEPUTY

Jan Tom Stator
Judge of the District Court
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 surety, to the last known address of each, by certified mail with return receipt requested this 30TH day of AUGUST, 2010.

Court Clerk: Carolyn Watkins

Deputy: Kim Berry



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 <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>STEVE GANDY 123 W. C. ST. WAURIKA, OK 73573</p>		<p>B. Received by (Printed Name) <i>Steve Gandy</i></p> <p>C. Date of Delivery SEP 15 2011 USPS</p>	
<p>2. Article Number (Transfer from service label) 7007 1440 0004 0915 1752</p>		<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>3. Service Type</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>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1940

I, CAROLYN D. WATKINS, COURT CLERK for JEFFERSON COUNTY, OKLA., hereby certify that the foregoing is a true, correct and complete copy of the instrument herewith set out as appears of record in the COURT CLERK'S OFFICE of JEFFERSON COUNTY, OKLA.

This 10th day of March 2011
CAROLYN D. WATKINS, COURT CLERK
BY: Carolyn D. Watkins

U.S. Postal Service
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

OFFICIAL USE

Portage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To

STEVE GANDY
123 W. C. ST.
WAURIKA, OK 73573

PS Form 3800, Aug 1, 2009 See Reverse for Postmark

CAROLYN D. WATKINS
COURT CLERK
JEFFERSON COUNTY, OK

2010 SEP 16 A 11:06

FILED

