

3. On October 5, 2011, the Department mailed a letter to Respondent, via certified mail with return receipt requested, informing Respondent of the unpaid check and the \$25.00 service fee being assessed. (Exhibit "C"). Respondent received the letter on October 13, 2011. The letter also instructed that \$411.25 for the amount of the check and \$25.00 for the service fee, for a total of \$436.25, be paid to the Department by cashier's check or money order within five (5) days of receipt of the letter.

4. As of the date of this Order, the check has not been replaced. Respondent Dismuke has a history of submitting insufficient funds checks to the Department.

CONCLUSION OF LAW

Respondent acted in violation of 59 O.S. § 1310(A)(27) by uttering an insufficient check to the Insurance Commissioner.

ORDER

IT IS THEREFORE ORDERED that Billy Wayne Dismuke is fined in the amount of Two Hundred Fifty Dollars (\$250.00).

Respondent is 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 Insurance Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to Michael P. Copeland, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Suite 100, Oklahoma City, Oklahoma 73112 and state the basis for requesting the hearing. **Such written request shall include an explanation of Respondent's actions described herein and any defenses thereof.**

If Respondent does not request a hearing within the 30 days allotted, this Order shall be

a FINAL ORDER on the 31st day following the receipt of the Order, the amount of \$411.25 for the check and \$25.00 for the service fee, for a total of \$436.25, and the fine ordered herein shall be due to the Oklahoma Insurance Department.

WITNESS My Hand and Official Seal this 6th day of December, 2011.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Michael P. Copeland", written over a horizontal line.

Michael P. Copeland
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 7th day of December, 2011, to:

Billy Wayne Dismuke
217 N Harvey Ave. Ste 203
Oklahoma City, OK 73102

A handwritten signature in black ink, appearing to read "Michael P. Copeland", written over a horizontal line.
Michael P. Copeland

CERTIFIED MAIL



7001 0320 0004 4250 4936

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

Billy Wayne Dismuke
217 N. Harvey Ave., Suite 203
OKC, OK 73102

Handwritten:
217 N. Harvey Ave.
Suite 203
OKC, OK 73102

U.S. POSTAGE PITNEY BOWES
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Legal Division

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Billy Wayne Dismuke
 217 N. Harvey Ave., Suite 203
 OKC, OK 73102
 sms/11-1053-DIS/Cond. Ord.

PS Form 3841, June 2009 See Reverse for Instructions