

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

STATE OF OKLAHOMA, ex rel. JOHN D. )  
DOAK, Insurance Commissioner, )  
Petitioner, )  
vs. )  
GREGORY MOORE, a licensed bail bondsman in )  
the State of Oklahoma, )  
AND )  
ROCHE SURETY & CASUALTY COMPANY, )  
INC., a licensed insurance company in the State of )  
Oklahoma, )  
Respondents. )

**FILED**

**MAR 13 2012**

**INSURANCE COMMISSIONER  
OKLAHOMA**

CASE NO. 12-0162-DIS

**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 Gregory Moore ("Moore") is a licensed bail bondsman in the State of Oklahoma holding license number 40134551.

3. Respondent Roche Surety & Casualty Company, Inc. ("Roche") is an admitted insurer in the State of Oklahoma authorized to act as a bail surety company and holding NAIC Number 42706.

**FINDINGS**

1. On or about July 30, 2011, an appearance bond was executed as follows:

Defendant:	Dwayne Ray Allen
Case Number(s):	20865

City/County:	Kansas Municipal
Surety:	Roche Surety & Casualty Company, Inc.
Bondsman:	Gregory Moore
Power Number(s):	AA11-898232
Bond Amount(s):	\$500

2. On October 20, 2011, the Defendant failed to appear, and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued by the court on October 27, 2011 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. Moore received a copy of the Order and Judgment of Forfeiture on October 28, 2011.

4. Roche was not mailed a copy of the Order and Judgment of Forfeiture. Roche was not listed by Moore on the appearance bond.

5. The ninety-first (91<sup>st</sup>) day after receipt of the Order and Judgment of Forfeiture by Respondent was January 27, 2012. The Defendant was not returned to custody within ninety (90) days of receipt of the Order and Judgment of Forfeiture.

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

7. The Affidavit as to Undertaking filed did not state who gave consideration for the undertaking.

8. Roche was not listed on the appearance bond.

#### **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. Moore has violated 59 O.S. § 1332(A) by not fully completing the Affidavit as to

Undertaking. Moore has violated 59 O.S. § 1316(E) by not listing the surety on the appearance bond.

**ORDER**

**IT IS THEREFORE ORDERED that Gregory Moore is fined Two Hundred Fifty Dollars (\$250.00).**

**IT IS FURTHER ORDERED that Roche Surety & Casualty Company, Inc. is censured.**

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 Michael P. Copeland, Oklahoma Insurance Department, Legal Division, 3625 NW 56<sup>th</sup> Suite 100, Oklahoma City, Oklahoma 73112 and shall provide explanation for Respondents' actions alleged herein and any defenses thereto.

**If Respondents do not request a hearing within the 30 days allotted, this Order shall become a FINAL ORDER on the 31<sup>st</sup> day following the receipt of the Order, the face amount of the forfeited bail bond shall be deposited with the Kansas Municipal Court Clerk, the fine ordered herein shall be due, and Roche Surety & Casualty Company, Inc. shall be censured.**

WITNESS My Hand and Official Seal this 2<sup>nd</sup> day of March, 2012.



JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

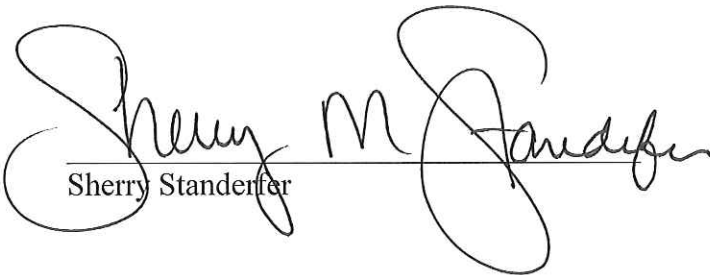
  
Michael P. Copeland  
Assistant General Counsel  
3625 NW 56<sup>th</sup> Street, Suite 100  
Oklahoma City, Oklahoma, 73112  
Tel. (405) 521-2746  
Fax (405) 521-0125

## 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 13<sup>th</sup> day of March, 2012, to:

Gregory Moore  
P.O. Box 1928  
Jay, OK 74346-1928

Roche Surety & Casualty Company, Inc  
Armondo Roche  
1910 Orient Road  
Tampa, FL 33619-3354

  
Sherry Standerfer

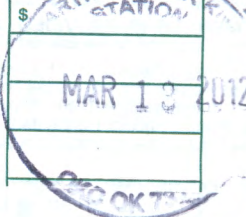


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 Street, Apt. No.,  
 or PO Box No.  
 City, State, ZIP+

Gregory Moore  
 P.O. Box 1928  
 Jay, Ok 74346-1928  
 sms/12-0162-DIS/Cond. Ord.

PS Form 3800, August 2006

See Reverse for Instructions

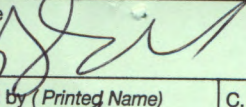
**SENDER: COMPLETE THIS SECTION**

- 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:

Gregory Moore  
 P.O. Box 1928  
 Jay, Ok 74346-1928  
 sms/12-0162-DIS/Cond. Ord.

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature <b>X</b> 	<input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee
B. Received by (Printed Name) Gregory Moore	C. Date of Delivery 3-19-12
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No	

OKLAHOMA  
 MAR 21 2012  
 Legal Division

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)

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PS Form 3811, February 2004

Domestic Return Receipt

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Postage	\$		Postmark Here
Certified Fee			
Return Receipt Fee (Endorsement Required)			
Restricted Delivery Fee (Endorsement Required)			
Total Postage		Roche Surety & Casualty Co., Inc. Armondo Roche 1910 Orient Road Tampa, FL 33619-3354 sms/12-0162-DIS/Cond. Ord.	
Sent To			
Street, Apt. 1 or PO Box #			
City, State, & Zip			

PS Form 3800, August 2006 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:

Roche Surety & Casualty Co., Inc.  
 Armondo Roche  
 1910 Orient Road  
 Tampa, FL 33619-3354  
 sms/12-0162-DIS/Cond. Ord.

2. Article Number  
 (Transfer from service label)

7006 2760 0005 6605 6024

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature ☒ Agent ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

Johanna Bragdon 3-16-12

D. Is delivery address different from item 1? ☐ Yes ☐ No

If YES, enter delivery address below:

RECEIVED  
 OKLAHOMA INSURANCE DEPARTMENT

MAR 20 2012

3. Service Type  
☐ Certified Mail ☒ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

PS Form 3811, February 2004

Domestic Return Receipt

102585-02-M-1540