

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

FILED

MAR 22 2012

INSURANCE COMMISSIONER
OKLAHOMA

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

Petitioner,)

vs.)

Case No. 12-0258-DIS

JAMES MANUEL JR., 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. James Manuel Jr. ("Respondent") is a licensed bail bondsman in the State of Oklahoma holding license number 200341.

FINDINGS OF FACTS

1. On February 9, 2012, Respondent submitted an insufficient electronic funds transfer ("EFT") to the Oklahoma Insurance Department ("Department") in the amount of \$3.00 for payment of his October 2011 U.S. Fire Insurance Company report renewal fees and ok.gov fee.

2. On February 22, 2012, the Department sent a letter to Respondent, via certified mail,

informing Respondent of the unpaid amount and the \$25.00 service fee being assessed. The letter also instructed that \$3.00 for the amount of the EFT and \$25.00 for the service fee, for a total of \$28.00, be paid to the Department by cashier's check or money order within five (5) days of receipt of the letter.

3. Respondent received the letter on February 24, 2012.
4. On March 19, 2011, Department legal staff telephoned Respondent to urge him to replace the insufficient funds.
5. As of the date of this Conditional Order, the funds have not been replaced.
6. Respondent has a history of submitting insufficient funds to the Insurance Commissioner.

CONCLUSION OF LAW

Respondent acted in violation of 59 O.S. § 1310(A)(27) by uttering insufficient funds to the Insurance Commissioner. Respondent has acted in violation of 59 O.S. § 1310(A)(21) by failing to respond to a properly mailed notification within a reasonable amount of time.

ORDER

IT IS THEREFORE ORDERED that James Manuel Jr. is fined Two Hundred Fifty Dollars (\$250.00).

Respondent is further notified that he 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, and the fine ordered herein shall be due.

WITNESS My Hand and Official Seal this ____ day of March, 2012.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

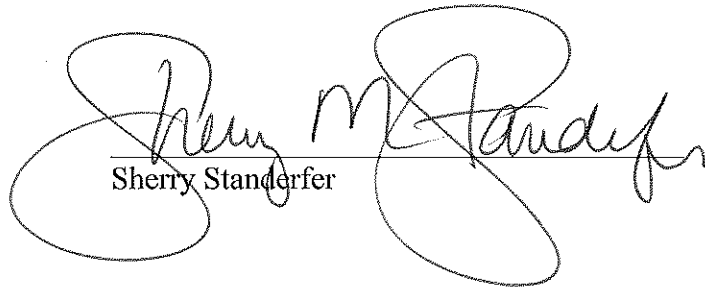
A handwritten signature in black ink, appearing to read "Michael P. Copeland", is written over a horizontal line.

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 22nd day of March, 2012, to:

James Manuel, Jr.
1209 S Main Street
Stillwater, OK 74074-5846


Sherry Standerfer

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

7006 2760 0005 6605 6376

Postage \$	 Postmark Here
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage	
Sent To	James Manuel, Jr.
Street, Apt. No. or PO Box No.	1209 S. Main Street
City, State, Zi.	Stillwater, Ok 74074-5846
	sms/12-0258-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:

James Manuel, Jr.
 1209 S. Main Street
 Stillwater, Ok 74074-5846
 sms/12-0258-DIS/Cond. Ord.

2. Article Number
 (Transfer from service label)

7006 2760 0005 6605 6376

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *Connie Manuel* Agent Addressee

B. Received by (Printed Name) *C MANUEL*
 C. Date of Delivery *3-26-12*

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

RECEIVED
 OKLAHOMA INSURANCE DEPARTMENT

MAR 29 2012



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

4. Restricted Delivery? (Extra Fee) Yes