

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

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

Petitioner,

vs.

CONNIE MANUEL, a licensed bail bondsman
in the State of Oklahoma,

Respondent.

Case No. 12-0324-DIS

FILED

APR 27 2012

INSURANCE COMMISSIONER
OKLAHOMA

**CONDITIONAL ORDER OF CENSURE
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. §§ 101-7301 and the Oklahoma Bail Bond Act 59 O. S. §§ 1301-1340.

2. Respondent Connie Manuel ("Manuel") is a licensed bail bondsman in the State of
Oklahoma holding license number 199425.

FINDINGS OF FACT

1. On June 6, 2010, James Manuel (son of Respondent Connie Manuel) executed an
appearance bond for Defendant Rustin Dean Johnson in Payne County case NF-2010-504 (later re-
filed as CF-2010-372). Neither Whitney Johnson nor Alexandria Crawford was listed as an
indemnitor in the Affidavit as to Undertaking on this bond.

2. On October 4, 2010, the Defendant failed to appear in the case, a bench warrant was issued, and the bond executed by James Manuel was forfeited. The forfeiture was due on January 26, 2011, but the Defendant was not returned to custody, nor was the forfeiture paid. The bond was exonerated on September 28, 2011.

3. The Defendant was extradited back to Oklahoma by the Payne County Sheriff's Office on October 19, 2011.

4. Upon Defendant's return to custody, Whitney Johnson and Alexandria Crawford traveled from Iowa to Stillwater, Oklahoma to post a bond for the Defendant. They met with bail bondsman Connie Manuel early in the morning of October 22, 2011.

5. Connie Manuel agreed to post a bond for Defendant, but because Defendant had previously failed to appear, and would be heading back to Iowa to await his court date, Johnson and Crawford agreed to pay \$500 as premium and \$500 as collateral. Johnson and Crawford gave \$1,000 to Connie Manuel.

6. Upon attempting to post a bond for the Defendant, Connie Manuel learned that there was a hold placed on Defendant in Logan County case number CM-2010-662, and Defendant would not be able to get out of jail. Manuel said that she could post a bond in Logan County after Defendant had been transferred there, but no agreement to that end was ever made.

7. After Defendant completed his court date in Payne County, Johnson contacted Connie Manuel to inquire whether the money given for the bond would be returned. Connie Manuel informed Johnson that the money had been given to James Manuel as payment for fees owed by Defendant Rustin Johnson on the bond previously posted by James Manuel in 2010.

8. Connie Manuel accepted \$1,000 as premium and collateral for a bond that was never

executed. Rather than returning the money, she gave it to another bondsman as payment of fees on a bond to which Whitney Johnson, Alexandria Crawford, and Connie Manuel have no connection.

9. When asked by the Oklahoma Insurance Department to provide documentation of the transaction with Johnson and Crawford, Connie Manuel was unable to provide a copy of any appearance bond, contract, indemnity agreement, or receipt for the transaction.

CONCLUSIONS OF LAW

1. The allegations are found to be true and correct, and Respondent has violated 59 O.S. § 1310(A)(4), which prohibits the “misappropriation, conversion, or unlawful withholding of monies or property belonging to insurers, insureds, or others received in the conduct of business under the license.”

2. Respondent has violated 59 O.S. § 1314(C), which requires that “every licensee shall keep at the place of business of the licensee the usual and customary records pertaining to transactions authorized by the license.” Further, such records “shall be available and open to the inspection of the Commissioner at any time during business hours” *See also* OAC Rule 365:25-5-37.

3. Respondent has violated 59 O.S. § 1316(C), which requires that “all bail bondsmen shall provide the indemnitors with a proper receipt which shall include fees, premium or other payments and copies of any agreements executed relating to the appearance bond.”

4. The Commissioner finds that, pursuant to 59 O.S. § 1310(A)(9), Respondent has, in the conduct of affairs under her license, demonstrated untrustworthiness.

5. For any violation of the Bail Bond Act, “the Insurance Commissioner may deny, censure, suspend, revoke, or refuse to renew any license issued.” 59 O.S. § 1310(A).

6. For any violation of the Bail Bond Act, a bail bondsman may be subject to a civil penalty ranging from \$250 to \$2,500. 59 O.S. § 1310(B).

ORDER

IT IS THEREFORE ORDERED that Connie Manuel is CENSURED AND FINED Five Hundred Dollars (\$500.00), due and payable to the Oklahoma Insurance Department within 30 days of receipt of this Order.

IT IS FURTHER ORDERED that upon the 31st day following receipt of this Order, Respondent's license shall be SUSPENDED and the suspension shall continue in force until Respondent is longer improperly withholding monies.

IT IS FURTHER ORDERED that this Order constitutes disciplinary action and may be used in any subsequent hearings by the Insurance Department. In the event other misconduct is reported to the Department, this Order may be used as evidence against Respondent to establish a pattern of behavior and for the purpose of proving additional acts of misconduct.

Respondent is notified that she 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 William G. "Buddy" Combs, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Suite 100, Oklahoma City, Oklahoma 73112 and **give an explanation of Respondent's actions described herein and any defenses thereto.**

If Respondent fails to pay the fine or request a hearing within 30 days of receipt of this Order, Respondent's license shall be **SUSPENDED** on the 31st day following receipt of the Order. If Respondent does not request a hearing within the 30 days allotted, this Order shall become a **FINAL**

ORDER on the 31st day following the receipt of the Order.

WITNESS My Hand and Official Seal this 23 day of April, 2012.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

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 27th day of April, 2012, to:

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



William G. "Buddy" Combs

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

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage	



Sent To
Street, Apt. No.,
or PO Box No.
City, State, ZIP+4

Connie Manuel
1209 S. Main Street
Stillwater, Ok 74074-5846
sms/12-0324-DIS/Cond. Ord.

PS Form 3800, January 2001

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:

Connie Manuel
1209 S. Main Street
Stillwater, Ok 74074-5846
sms/12-0324-DIS/Cond. Ord.

OKLAHOMA

MAY 03 2012

COMPLETE THIS SECTION ON DELIVERY

A. Signature

A Tyler

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

A Tyler

C. Date of Delivery

4-30-12

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

RECEIVED
INSURANCE DEPARTMENT

Legal Division

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)

7001 0320 0004 4250 4226

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540