# BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.	)		
DOAK, Insurance Commissioner,	)		
	)		
Petitioner,	)		
	)		
VS.	)		
	)	Case No. 12-0325-DIS	
JON ENGLAND, a licensed professional bail	)		
bondsman in the State of Oklahoma,	)		STATE WWW. STATES AND ADDRESS.
	)		FILED
Respondent.	)		•
	)		APR 2 7 2012

# CONDITIONAL ADMINISTRATIVE ORDER <u>AND NOTICE OF RIGHT TO BE HEARD</u>

INSURANCE COMMISSIONER
OKLAHOMA

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 Jon England ("Respondent") is a licensed professional bail bondsman in the State of Oklahoma holding license number 199950.

#### **FINDINGS**

1. On or about November 7, 2011, an appearance bond was executed as follows:

Defendant:

Bradley David Delancy

Case Number(s):

CF-2011-2475

City/County:

Oklahoma County

Surety:

Jon England

Bondsman:

Jon England

Power Number(s):

N/A

Bond Amount(s):

\$15,000

- 2. On December 9, 2011, the Defendant failed to appear and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued by the district court on December 22, 2011, and filed in the case. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondent with return receipt requested within thirty (30) days after the forfeiture.
- England received a copy of the Order and Judgment of Forfeiture on December 23,
   2011.
- 4. The ninety-first (91<sup>st</sup>) day after mailing of the Order and Judgment of Forfeiture to Respondent was Friday, March 23, 2012. The Defendant was not returned to custody within ninety (90) days of receipt of the Order and Judgment of Forfeiture, nor was the face amount of the forfeited bond deposited with the Court Clerk within ninety-one (91) days of receipt of the Order and Judgment of Forfeiture.
  - 5. The Defendant was returned to custody on March 30, 2012.
  - 6. Respondent paid the forfeiture on April 2, 2012.

## CONCLUSIONS OF LAW

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 remit payment in the face amount of the bond forfeiture within ninety-one (91) days from receipt of the Order and Judgment of Forfeiture.

#### ORDER

IT IS THEREFORE ORDERED that Jon England is fined One Thousand Five Hundred Dollars (\$1,500.00).

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 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 give an explanation of Respondent's actions alleged herein and any defenses thereto.

If Respondent does 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 and the fine ordered herein shall be due.

WITNESS My Hand and Official Seal this 3 day of April, 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) 521-012

## 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 day of April, 2012, to:

Jon England 615 Frisco Avenue Clinton, OK 73601-3318

Sherry Standerfer

	U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)				
2031	OFF	ICIAL	EU WE T		
4250	Postage Certified Fee	\$	Vario Sur		
4000	Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required)	i i	Postmark Here		
7001 0320	Sent To  Street, Apt. No.; or PO Box No. City, State, ZIP+4 Sms/12-0325-DIS/Cond. Ord.				
-	PS Form 3800, January 20	101	See Reverse for Instructions		

SENDER: COMPLETE THIS SE	CTION	COMPLETE THIS SECTION ON DELIVERY			
<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>Article Addressed to:</li> </ul>		A. Signature  A. Agent  Addressee  B. Regelved by (Pripted Name)  C. Date of Delivery  ASON GOODMAN 4/30/12  D. Is delivery address different from item 1? A yes  CEIVED YES, enter delivery address below:			
Jon England 615 Frisco Avenue Clinton, Ok 73601-33 sms/12-0325-DIS/Cond	219	ANCE DEPARTMENT   D			
Article Number     (Transfer from service label)	7001 032				
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-154					