

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

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
Petitioner,)
vs.)
RONALD NUNNELEY, a licensed bail)
bondsman in the State of Oklahoma,)
AND)
ALLEGHENY CASUALTY COMPANY, an)
insurance company licensed to act as bail surety in)
the State of Oklahoma,)
Respondents.)

FILED
JUN 25 2012
INSURANCE COMMISSIONER
OKLAHOMA

CASE NO. 12-0589-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. §§ 101-7301, and the Oklahoma Bail Bond Act, 59 O. S. §§ 1301-1340.
2. Respondent Ronald Nunneley ("Nunneley") is a licensed bail bondsman in the State of Oklahoma holding license number 199185.
3. Respondent Allegheny Casualty Company ("Allegheny") is an insurance company licensed to act as bail surety in the State of Oklahoma holding NAIC number 13285.

FINDINGS

1. On or about December 24, 2011, two appearance bonds were executed as follows:

Defendant:	Charles Kenneth Brown II
Case Number(s):	5886196; 5886198
City/County:	Tulsa Municipal
Surety:	Allegheny
Bondsman:	Ronald Nunneley
Power Number(s):	AS1K-2171408; AS1K-2171409
Bond Amount(s):	\$1000; \$1000

2. On February 10, 2012, the Defendant failed to appear, and the bonds were declared forfeited. An Order and Judgment of Forfeiture (2) was issued by the court on February 24, 2012, and filed in each 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. Nunneley received a copy of the Order and Judgment of Forfeiture on February 29, 2012.

4. Allegheny received a copy of the Order and Judgment of Forfeiture on March 5, 2012.

5. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture by Respondents was Wednesday, May 30, 2012. The Defendant was not returned to custody within 90 days, nor was the face amount of the forfeited bond deposited with the Court Clerk within 91 days of receipt of the Order and Judgment of Forfeiture.

6. As of the date of this Conditional Order, the bond forfeiture has not been paid or otherwise set aside.

CONCLUSIONS OF LAW

1. 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.

2. Pursuant to 59 O.S. § 1310(B), any bondsman or company violating a provision of the Bail Bond Act, 59 O.S. §§ 1301-1340, may be subject to a fine of not less than \$250 but not more than \$2,500.

3. Pursuant to 59 O.S. § 1332(D)(4)(a), when a surety company does not properly deposit with the court clerk the face amount of the forfeited bond, the Commissioner shall “cancel the license privilege and authorization of the insurer to do business within the State of Oklahoma and cancel the surety appointment of all surety bondsman agents of the insurer.”

ORDER

IT IS THEREFORE ORDERED that Ronald Nunneley and Allegheny Casualty Company are each FINED Four Hundred Dollars (\$400.00), due and payable to the Oklahoma Insurance Department.

IT IS FURTHER ORDERED that the face amount of the bond forfeitures shall be deposited with the Tulsa Municipal Court Clerk (or the bond forfeitures otherwise set aside) within thirty (30) days of receipt of this Order. Failure to do so shall result in the CANCELLATION of Allegheny’s license privilege and authorization to do business within the State of Oklahoma and the CANCELLATION of the surety appointment of all surety bondsman agents of Allegheny.

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 William G. “Buddy” Combs, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Suite 100, Oklahoma City, Oklahoma 73112 and **give an explanation of 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 31st day following the receipt of the Order, Allegheny's license privilege and surety appointments shall be cancelled, and the fines ordered herein shall be due.

WITNESS My Hand and Official Seal this 25th day of June, 2012.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

William G. "Buddy" Combs
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 521-2746
Fax (405) 521-0125

CERTIFICATE OF MAILING

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 25th day of June, 2012, to:

Ronald Nunneley
3701A S. Harvard Ave. #312
Tulsa, OK 74135-2265

Allegheny Casualty Company
ATTN: Thomas F. Ritchey
P.O. Box 1116
Meadville, PA 16335



William G. "Buddy" Combs

U.S. Postal Service
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Ronald Nunneley
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 Tulsa, Ok 74135-2265
 sms/12-0589-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:

Ronald Nunneley
 3701A S. Harvard Ave., # 312
 Tulsa, Ok 74135-2265
 sms/12-0589-DIS/Cond. Ord.

2. Article Number
 (Transfer from service label)

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PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-154

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent
☒ Addressee

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

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

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

4. Restricted Delivery? (Extra Fee) ☐ Yes



English

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PS Form 3800, January 2001
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Postmark: NEWARK, NJ 07102 2012