

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

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

**FILED**

FEB 11 2013

INSURANCE COMMISSIONER  
OKLAHOMA

CASE NO. 13-0073-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 Virgil Wallace ("Wallace") is a licensed bail bondsman in the State of Oklahoma holding license number 199720.
3. Respondent Bankers Insurance Company ("BIC") is an insurance company licensed to act as bail surety in the State of Oklahoma holding NAIC number 33162.

**FINDINGS**

1. On or about July 3, 2012, appearance bonds were executed as follows:

Defendant:	Randall DaJuan Liggins
Case Number(s):	357911B; 357911; 357911A; 357911C
City/County:	Tulsa Municipal
Surety:	Bankers Insurance Company
Bondsman:	Virgil Wallace
Power Number(s):	561293099-3; 511190134-2; 561293097-7; 561293098-0
Bond Amount(s):	\$200; \$200; \$200; \$200

2. On August 28, 2012, the Defendant failed to appear, and the bonds were orally declared forfeited. An Order and Judgment of Forfeiture was filed by the court in each case on September 11, 2012. 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 filing of the Order and Judgment of Forfeiture.

3. Wallace received a copy of each Order and Judgment of Forfeiture on September 13, 2012.

4. BIC received a copy of each Order and Judgment of Forfeiture on September 17, 2012.

5. The ninety-first (91<sup>st</sup>) day after receipt of the Order and Judgment of Forfeiture by Respondents was Thursday, December 13, 2012.

6. The Defendant was not returned to custody within 90 days, nor was the face amount of the forfeited bonds deposited with the Court Clerk within 91 days after receipt of the Order and Judgment of Forfeiture by Respondents.

7. As of the date of this Order, the forfeited bonds have not been paid or otherwise set aside or exonerated.

## 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 Bankers Insurance Company and Virgil Wallace are each CENSURED and **FINED** Two Hundred Fifty Dollars (\$250.00).

**IT IS FURTHER ORDERED** that the face amount of the bond forfeiture shall be deposited with the Tulsa Municipal Court Clerk (or the bond forfeiture otherwise set aside or the bond exonerated) within thirty (30) days of receipt of this Order. Failure to do so shall result in the **CANCELLATION** of Bankers Insurance Company’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 Bankers Insurance Company.

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 56<sup>th</sup> 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 31<sup>st</sup> day following the receipt of the Order, and the fines ordered herein shall be due.**

WITNESS My Hand and Official Seal this 11<sup>th</sup> day of February, 2013.

JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA




  
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William G. "Buddy" Combs  
Assistant General Counsel  
3625 NW 56<sup>th</sup> Street, Suite 100  
Oklahoma City, Oklahoma, 73112  
Tel. (405) 521-2746  
Fax (405) 522-0125

**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 1<sup>st</sup> day of February, 2013, to:

Virgil Wallace  
P.O. Box 6422  
Tulsa, OK 74148-0422

Bankers Insurance Company  
Attn: Bail Bond Division  
11101 Roosevelt Blvd. North  
St. Petersburg, FL 33716-2340

  
\_\_\_\_\_  
William G. "Buddy" Combs

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

7001 0320 0003 9967 2313

OFFICIAL USE

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
<b>Total Postage</b>		
Sent To	Virgil Wallace P.O. Box 6422 Tulsa, Ok 74148-0422 sms/13-0073-DIS/Cond. Ord.	
Street, Apt. No. or PO Box No.		
City, State, ZIP		

PS Form 3800, January 2001

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <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> </ul>	A. Signature <input checked="" type="checkbox"/> <i>Virgil Wallace</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee
	B. Received by (Printed Name) <i>Virgil Wallace</i> C. Date of Delivery <i>20 Feb 2013</i>
1. Article Addressed to:	D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:
<div style="border: 1px solid black; padding: 10px; text-align: center;">                 Virgil Wallace                  P.O. Box 6422                  Tulsa, Ok 74148-0422                  sms/13-0073-DIS/Cond. Ord.             </div>	RECEIVED OKLAHOMA INSURANCE DEPARTMENT FEB 25 2013
2. Article Number (Transfer from service label)	3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
PS Form 3811, February 2004	Domestic Return Receipt 102595-02-M-1540

731 NFE 1 C12C 00 02/19/13

NOTIFY SENDER OF NEW ADDRESS  
 WALLACE VIRGIL  
 1564 N NEW HAVEN AVE  
 TULSA OK 74115-4925

BC: 74115492564 \*2457-02160-15-10

Oklahoma Insurance Department  
 Legal Division  
 3625 NW 56th Street, Suite 100  
 Oklahoma City, OK 73112

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

**OFFICIAL USE**

7001 0320 0003 9967 2320

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

**Bankers Insurance Company**  
 Attn: Bail Bond Division  
 11101 Roosevelt Blvd. North  
 St. Petersburg, FL 33716-2340  
 sms/13-0073-DIS/Cond. Ord.

Postmark Here  
 OKLAHOMA CITY OK 8666-8137 SPSN  
 FEB 11 2013

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:

OKLAHOMA INSURANCE AND BOND DIVISION  
 FEB 21 2013  
 Legal Division

**Bankers Insurance Company**  
 Attn: Bail Bond Division  
 11101 Roosevelt Blvd. North  
 St. Petersburg, FL 33716-2340  
 sms/13-0073-DIS/Cond. Ord.

2. Article Number (Transfer from service label) 7001 0320 0003 9967 2320

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee  
*Suzie Maddox*

B. Received by (Printed Name) C. Date of Delivery  
 MIDDLETON FEB 14

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

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

4. Restricted Delivery? (Extra Fee)  Yes