## BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

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| STATE OF OKLAHOMA, ex rel. JOHN D.            | ) | FEB 2 8 2013                       |
|---|---|------------------------------------|
| DOAK, Insurance Commissioner,                 |   | INSURANCE COMMISSIONER<br>OKLAHOMA |
| Petitioner,                                   | ) | OKLAHOMA                           |
| VS.   | ) |                                    |
|   | ) | Case No. 13-0134-DIS               |
| TYLER KIMREY, 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. §§ 101-7301, and the Oklahoma Bail Bond Act, 59 O. S. §§ 1301-1340.
- Respondent Tyler Kimrey ("Respondent") is a licensed bail bondsman in the State of Oklahoma holding license number 100131785.

#### FINDINGS OF FACT

1. Respondent submitted his December 2012 Roche Surety & Casualty Company and Cash reports to the Oklahoma Insurance Department ("Department") late on January 17, 2012. The reports were due on January 16, 2013.

## CONCLUSIONS OF LAW

- 1. Respondent has violated 59 O.S. § 1310(A)(22) for failing to file a report as required by Section 1314.
  - 2. Respondent has violated 59 O.S. § 1314(B), which states that "monthly reports shall be

submitted electronically to the Insurance Commissioner by the fifteenth day of each month."

3. Pursuant to 59 O.S. § 1310(B), "any person violating any provision of Sections 1301 through 1340 of this title may be subject to a civil penalty of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00) for each occurrence."

## **ORDER**

## IT IS THEREFORE ORDERED that Tyler Kimrey is CENSURED.

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 Buddy Combs, Oklahoma Insurance Department, Legal Division, 3625 NW 56<sup>th</sup> St., Suite 100, Oklahoma City, Oklahoma 73112, and state the basis for requesting the hearing.

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 Respondent shall be censured.

WITNESS My Hand and Official Seal this day of February, 2013.

JOHN D. DOAK

INSURANCE COMMISSIONER

STATE OF OKLAHOMA

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 day of February, 2013, to:

Tyler Kimrey 820 N. Pottenger Ave. Shawnee, OK 74801-4798

Buddy Combs

|       | CE  | Postal :<br>RTIFIEI<br>estic Mail C                                 | D MAIL RE | ECEIPT nce Coverage Provided)  |
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| 0350  | Total P Sent To   | Tyler Kimrey 820 N. Pottenger Ave.                                  |           |  |
| 7001  | Street, Ai or PO Bo, City, State sms/13-0134-DIS/Cond. Ord. |   |           |  |
|       | PS Form 38  | 00, January 200   | 01        | See Reverse for Instructions   |

| SENDER: COMPLETE THIS SECTION  | 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> </ul> | A. Signature  X My Coul HAgent Addressee  B. Received by (Finited Name)  C. Date of Delivery  3-11-13  |
| Tyler Kimrey 820 N. Pottenger 400  | Respelivery address different from item 1?   |
| Shawnee, Ok 74801-4798<br>sms/13-0134-DIS/Cond. Ord.   | Service Type Certified Mail  |
| 2. Article Number (Transfer from service label) 7001 032   | 4. Restricted Delivery? (Extra Fee)  |
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