

FILED

FEB 26 2013

CASE NO. 13-0171-DIS

JURISDICTION

- ## **FINDINGS OF FACT**

- Gildardo Antonio Alvarado

Case Number(s):	CR-2012-5475
City/County:	Bethany Municipal
Surety:	Ronal Eden
Bondsman:	William Stephens
Power Number(s):	4584
Bond Amount(s):	\$2,204

2. On September 6, 2012, the Defendant failed to appear, and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued by the court and filed in the 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. Stephens received a copy of the Order and Judgment of Forfeiture on September 29, 2012.

4. Eden received a copy of the Order and Judgment of Forfeiture on September 29, 2012.

5. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture by Respondents was Saturday, December 29, 2012. Because that day was on a weekend, the statutory ninety-first (91st) day was Monday, December 31, 2012.

6. 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.

7. As of the date of this Order, the bond forfeiture has not been paid or otherwise set aside or the bond 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 violating a provision of the Bail Bond Act may be subject to a civil penalty ranging from \$250 to \$2,500.

ORDER

IT IS THEREFORE ORDERED that William Stephens and Ronal Eden are each CENSURED and FINED Two Hundred Fifty Dollars (\$250.00).

IT IS FURTHER ORDERED that pursuant 59 O.S. § 1332 the face amount of the bond, Two Thousand Two Hundred Four Dollars (\$2,204.00), shall be withdrawn from the deposit placed with the State of Oklahoma by Ronal Eden as reserve to meet sums due on forfeiture. The sums withdrawn are to be forwarded to the Bethany Municipal Court Clerk for payment of the bond in case number CR-2012-5475, Defendant Gildardo Antonio Alvarado. Such sums shall not be withdrawn from the deposit of Ronal Eden if the bond forfeiture is paid or set aside within 30 days of receipt of this Order.

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 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 and the face amount of the bond forfeiture shall be withdrawn from Ronal Eden's professional deposit and forwarded to the Bethany Municipal Court Clerk.

WITNESS My Hand and Official Seal this 26th day of February, 2013.



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) 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 20th day of February, 2013, to:

William Stephens
805 Robert S Kerr Ave.
Oklahoma City, OK 73106-7607

Ronal Eden
805 Robert S Kerr Ave.
Oklahoma City, OK 73106-7607



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

William Stephens
 805 Robert S. Kerr Ave.
 OKC, OK 73106-7607
 sms/13-0171-DIS/Cond. Ord.

PS Form 3800, January 2004 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:

William Stephens
 805 Robert S. Kerr Ave.
 OKC, OK 73106-7607
 sms/13-0171-DIS/Cond. Ord.

2. Article Number (Transfer from service label) 7001 0320 0003 9967 1965

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent ☐ Addressee
 B. Received by (Printed Name) C. Date of Delivery
 D. 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

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

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 Post
 Sent To
 Street, Apt. or PO Box
 City, State, Zip

Ronal Eden
 805 Robert S. Kerr Ave.
 OKC, OK 73106-7607
 sms/13-0171-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:

Ronal Eden
 805 Robert S. Kerr Ave.
 OKC, OK 73106-7607
 sms/13-0171-DIS/Cond. Ord.

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X [Signature]
☐ Agent
☐ Addressee

B. Received by (Printed Name)
 W. J. Stephens

C. Date of Delivery
 2/27/13

D. 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

2. Article Number
 (Transfer from service label) 7001 0320 0003 9967 1958

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