BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.	FILED
DOAK, Insurance Commissioner, Petitioner,) MAR 0.8 2013
VS.	INSURANCE COMMISSIONER
RONALD NUNNELEY, a licensed bail bondsman in the State of Oklahoma,	OKLAHOMA OKLAHOMA
AND) CASE NO. 13-0187-DIS
ALLEGHENY CASUALTY COMPANY, an insurance company licensed to act as bail surety in the State of Oklahoma, Respondents.))))

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 Ronald Nunneley ("Nunneley") is a licensed bail bondsman in the
 State of Oklahoma holding license number 199185.
- 3. Respondent Allegheny Casualty Company ("ACC") is an insurance company licensed to act as bail surety in the State of Oklahoma holding NAIC number 13285.

FINDINGS OF FACT

1. On or about September 15, 2012, an appearance bond was executed as follows:

Defendant:

Tommie James Jetton

Case Number(s):

5852935

City/County:

Tulsa Municipal

Surety:

Allegheny Casualty Company

Bondsman:

Ronald Nunneley

Power Number(s):

AS1K-252941

Bond Amount(s):

\$150

- 2. On October 11, 2012, the Defendant failed to appear, and the bond was orally declared forfeited. An Order and Judgment of Forfeiture was filed by the court on October 24, 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 Order's filing.
- Nunneley received a copy of the Order and Judgment of Forfeiture on October
 29, 2012.
- ACC received a copy of the Order and Judgment of Forfeiture on November 14,
 2012.
- 5. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture by Respondents was Monday, January 28, 2013.
- 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, after receipt of the Order and Judgment of Forfeiture by Respondents.
- 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. § 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 Allegheny Casualty Company and Ronald Nunneley are <u>each</u> CENSURED.

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 Allegheny Casualty 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 Allegheny Casualty 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 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.

WITNESS My Hand and Official Seal this \(\sum_{1}^{\cup} \) day of March, 2013.

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JOHN D. DOAK INSURANCE COMMISSIONER STATE OF OKLAHOMA

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 day of March, 2013, to:

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

Allegheny Casualty Company ATTN: Bail Bond Division 1 Newark Center, FL 20 Newark, NJ 07102

Buddy Comb

CERTIFIED M



Oklahoma Insurance Department 5 Corporate Plaza 3625 N.W. 56th St., Ste. #100 Oklahoma City, OK 73112-4511

Insurance Commissioner







RECEIVED OKLAHOWA INSURANCE DEPARTMENT

APR I 0 2013

Legal Division

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RETURN TO SENDER
UNCLAIMED

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	PS Form 3811, February 2004 Domestic R	2. Article Number (Transfer from service label) 7001 0:		Tulsa, Ok 74135-2265 sms/13-0187-DIS/Cond. Ord.	Ronald Nunneley 3701A S. Harvard Ave #312	1. Article Addressed to:	 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, as the front if care permits. 	SENDER: COMPLETE THIS SECTION		
	Domestic Return Receipt 102595	0320 0003 9966 9252	rery? (Extra Fee) □ Y	3. Service Type Certified Mail		D. Vs delivery address different from item 1? Π Υ ΓΙ	A. Signature A. Signature A. Signature C. Date of	COMPLETE THIS SECTION ON DELIVERY		
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9249	OFFICIAL USE					
9966	Postage \$ Certified Fee					
000	Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required)					
7001 0320	Total Post Sent To Allegheny Casualty Company Attn: Bail Bond Division 1 Newark Center, Fl 20 Newark, NJ 07102 Sms/13-0187-DIS/Cond. Ord.					
	PS Form 3800, January 2001 See Reverse for Instructions					

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
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: OKLAHO Allegheny Casualty Company Attn: Bail Bond Division 1 Newark Center, Fl 20 Newark, NJ 07102 sms/13-0187-DIS/Cond. Ord.	A. Signature X B. Received by (Printed Name) C. Date of Delivery D. Is delivery address different from Item 1? Yes A North Ces, enter delivery address below: No NAR 1 8 2013 Legal Division 3. Service Type Certified 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 9966 9245
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