

Defendant:	Jerry Anthony Hoehne
Case Number(s):	JD-2011-25
City/County:	Osage County
Surety:	American Contractors Indemnity Company
Bondsman:	Fred Green
Power Number(s):	A15-2181791
Bond Amount(s):	\$5,000

2. On December 19, 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. Green received a copy of the Order and Judgment of Forfeiture on January 8, 2013.

4. ACIC received a copy of the Order and Judgment of Forfeiture on January 8, 2013.

5. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture by Respondents was Tuesday, April 9, 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 be paid or set aside or the bond exonerated.

CONCLUSIONS OF LAW

1. 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 American Contractors Indemnity Company and Fred Green are each **CENSURED and FINED** Five Hundred Dollars (\$500.00).

IT IS FURTHER ORDERED that the face amount of the bond forfeiture shall be deposited with the Osage County Court Clerk within thirty (30) days of receipt of this Order. Failure to do so shall result in the **CANCELLATION** of American Contractors Indemnity 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 American Contractors Indemnity 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.**

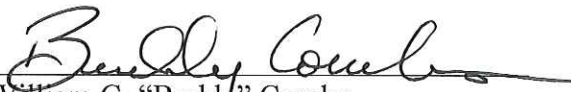
If Respondents do not request a hearing within the 30 days allotted, this Order shall

become a FINAL ORDER on the 31st day following the receipt of the Order.

WITNESS My Hand and Official Seal this 24th day of April, 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 24th day of April, 2013, to:

Fred Green
230 E. 5th
Pawhuska, OK 74056

American Contractors Indemnity Company
Attn: Legal Division
601 S. Figueroa St., Suite 1600
Los Angeles, CA 90017-5721



Buddy Combs

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

KH-Legal

7001 0320 0003 9967 4423

OFFICIAL USE

Postage	\$	 <p>Postmark Here</p>
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees		
Sent To Fred Green 230 E. 5th Pawhuska, OK 74056 rlg/13-0437-DIS/Cond.Adm.Ord.		

PS Form 3800, January 2004 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:

Fred Green
 230 E. 5th
 Pawhuska, OK 74056
 rlg/13-0437-DIS/Cond.Adm.Ord.

COMPLETE THIS SECTION ON DELIVERY

A. Signature X  Agent
 Addressee

B. Received by (Printed Name) **Newton Cass** C. Date of Delivery **5-3-13**

D. Is delivery address different from item 1? Yes
 No

YES, enter delivery address below:

MAY 07 2013

Legal Division

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 4423**

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

7001 0320 0003 9967 4416

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	



Sent To
 Street, Apt. No.,
 or PO Box No.
 City, State, ZIP+4

American Contractors Indemnity Company
 Attn: Legal Division
 601 S. Figueroa St., Suite 1600
 Los Angeles, CA 90017-5721
 rlg/13-0437-DIS/Cond.Adm.Ord.

PS Form 3800, January 2004

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

OKLAHOMA INSURANCE DEPARTMENT
 MAY 02 2013
 Legal Division

American Contractors Indemnity Company
 Attn: Legal Division
 601 S. Figueroa St., Suite 1600
 Los Angeles, CA 90017-5721
 rlg/13-0437-DIS/Cond.Adm.Ord.

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

2. Article Number (Transfer from service label) **7001 0320 0003 9967 4416**