

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

FILED

JUL 03 2013

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
Petitioner,)
vs.)
JERRY BRYAN SHED, a licensed bail bondsman)
in the State of Oklahoma,)
AND)
AMERICAN CONTRACTORS INDEMNITY)
COMPANY, an insurance company licensed to act)
as bail surety in the State of Oklahoma,)
Respondents.)

CASE NO. 13-0578-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 Jerry Bryan Shed (“Shed”) is a licensed bail bondsman in the State of Oklahoma holding license number 199996.
3. Respondent American Contractors Indemnity Company (“ACIC”) is an insurance company licensed to act as bail surety in the State of Oklahoma holding NAIC number 10216.

FINDINGS OF FACT

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

Defendant: Cassandra Joy Leach
Case Number(s): 7188009; 7188010; 7188011; 7188012; 7188013
City/County: Tulsa Municipal
Surety: American Contractors Indemnity Company
Bondsman: Jerry Bryan Shed
Power Number(s): A2-2096302; A2-2096301; A2-2096300; A2-2096303;
A2-2096304
Bond Amount(s): \$200; \$200; \$200; \$20; \$200

2. On January 10, 2013, the Defendant failed to appear, and the bonds were declared forfeited. An Order and Judgment of Forfeiture was issued by the court and filed in each case. A true and correct copy of each Order and Judgment of Forfeiture was mailed to Respondents with return receipt requested within thirty (30) days after the forfeitures' filing.

3. Shed received a copy of each Order and Judgment of Forfeiture on February 4, 2013.

4. ACIC received a copy of each Order and Judgment of Forfeiture on January 28, 2013.

5. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture by Respondents was Monday, May 6, 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 forfeitures have not be paid or set aside or the bonds 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 Jerry Bryan Shed 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 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 31st day of July, 2013.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

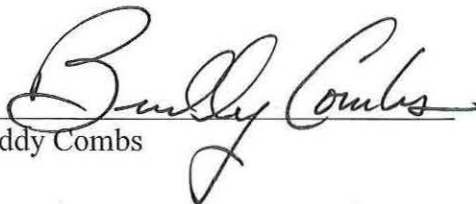

William G. "Buddy" Combs
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 521-2746
Fax (405) 522-0125

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 31st day of July, 2013, to:

Jerry Bryan Shed
5566 S 79TH EAST PL STE A
TULSA, OK 74145-7850

American Contractors Indemnity Company
Attn: Legal Division
601 S FIGUEROA ST STE 1600
LOS ANGELES, CA 90017-5721


Buddy Combs

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

7001 0320 0004 4249 9898

OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		

Total Postage

Sent To: American Contractors
 Indemnity Company
 Attn: Legal Division
 601 S. Figueroa St., Suite 1600
 Los Angeles, CA 90017-5721
 sms/13-0578-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:

OKLAHOMA INSURANCE DEPARTMENT

American Contractors
 Indemnity Company
 Attn: Legal Division
 601 S. Figueroa St., Suite 1600
 Los Angeles, CA 90017-5721
 sms/13-0578-DIS/Cond Ord

JUL 11 2013
 Legal D...

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *[Signature]* Agent Addressee

B. Received by (Printed Name) C. Date of Delivery
 _____ 07/08/13

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

2. Article Number (Transfer from service label) 7001 0320 0004 4249 9898

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)

Postmark
Here

Total Postage

Jerry Bryan Shed
5566 S. 79th East Pl. Suite A
Tulsa, Ok 74145-7850
sms/13-0578-DIS/Cond Ord

Sent To

Street, Apt. No.
or PO Box No.

City, State, ZIP

PS Form 3800, January 2001

See Reverse for Instructions



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

CERTIFIED MAIL



7001 0320 0004 4249 9881



U.S. POSTAGE



ZIP 73112 \$ 00
02 1W
0001363374 JUL

RECEIVED
OKLAHOMA INSURANCE DEPARTMENT

JUL 31 2013

Legal Division



Jerry Bryan Shed
5566 S. 79th East Place, Suite A
Tulsa, OK 74145-7850

NOTICED
7-5-13
7-K
P-7

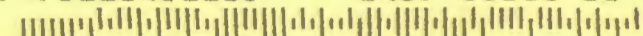
7001 0320 0004 4249 9881

NIXIE 731 DE 1700 0107/28/1

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

73112@4511

BC: 73112451125 *2457-00288-28-



U.S. Postal Service
CERTIFIED MAIL RECEIPT
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OFFICIAL USE

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

Postmark Here

Jerry Bryan Shed
5566 S. 79th East Pl. Suite A
Tulsa, Ok 74145-7850
sms/13-0578-DIS/Cond Ord

Total Postage
 Sent To
 Street, Apt. No. or PO Box No.
 City, State, ZIP

See Reverse for Instructions
PS Form 3800, January 2001

7001 0320 0004 4249 9881

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- 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:

Jerry Bryan Shed
5566 S. 79th East Pl. Suite A
Tulsa, Ok 74145-7850
sms/13-0578-DIS/Cond Ord

RECEIVED
 OKLAHOMA INSURANCE DEPARTMENT
 JUL 31 2013
 Legal Division

2. Article Number
(Transfer from service label)

7001 0320 0004 4249 9881

PS Form 3811, February 2004

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X 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

102595-02-M-1540

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE