BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

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STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,	JUL 03 2013
Petitioner,	INSURANCE COMMISSIONER
VS.	OKLAHOMA OKLAHOMA
MICHELE ENGLAND, a licensed bail bondsman in the State of Oklahoma,))
AND) CASE NO. 13-0590-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 Michele England ("England") is a licensed bail bondsman in the State of Oklahoma holding license number 199070.
- 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 January 11, 2013, an appearance bond was executed as follows:

Defendant:

Christopher Joseph Bigness

Case Number(s):

CF-2012-281

City/County:

Comanche County

Surety:

Allegheny Casualty Company

Bondsman:

Michele England AS3K-210580

Power Number(s): Bond Amount(s):

\$2,000

2. On January 23, 2013, the Defendant failed to appear, and the bond was declared forfeited. An Order and Judgment of Forfeiture was filed in the court on February 22, 2013. 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.

- England received a copy of the Order and Judgment of Forfeiture on February 25,
 2013.
 - 4. ACC received a copy of the Order and Judgment of Forfeiture on February 25, 2013.
- 5. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture by Respondents was Monday, May 27, 2013. Because that say was a holiday, the statutory 91st day was Tuesday, May 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. On Wednesday, May 29, 2013 (the 92nd day), England paid the forfeiture.

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.

ORDER

IT IS THEREFORE ORDERED that Allegheny Casualty Company and Michele England are each CENSURED.

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 day of July, 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 2007 day of July, 2013, to:

Michele England 1511 W GORE BLVD STE 2 LAWTON, OK 73501-3662

Allegheny Casualty Company ATTN: Legal Division 1 NEWARK CENTER FL 20 NEWARK, NJ 07102

Buddy Combs



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. OKLAHOMA HOURINGE T. 1. Article Addressed to:	A Standard Agent Addressee B. Received by (Printed Islame) C. Date of Delivery 7 9 3 PR 15, Gelivery address different from Item 1? Yes If YES, enter delivery address below:
Michele England 1511 W. Gore Blvd., Suite 2 Legal Division Lawton, OK 73501-3662	13
sms/13-0590-DIS/Cond. Ord.	3 Service Type Certified Mail
	4. Restricted Delivery? (Extra Fee)
2. Article Number (Transfer from service label) 7001 0320	0004 4250 0075
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Allegheny Casualty Company Attn: Legal Division 1 Newark Center, Fl 20 Newark, NJ 07102 sms/13-0590-DIS/Cond. Ord.	3. Septice Type Certified Mail Express Mail	ipt for Merchandise
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