

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

STATE OF OKLAHOMA, ex rel. JOHN D. )  
DOAK, Insurance Commissioner, )  
 )  
Petitioner, )  
vs. )  
 )  
JAMES MANUEL, a licensed bail bondsman in )  
the State of Oklahoma, )  
 )  
Respondent. )

**FILED**  
JUL 3 0 2013  
INSURANCE COMMISSIONER  
OKLAHOMA

Case No. 13-0615-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. James Manuel (“Respondent”) is a licensed bail bondsman in the State of Oklahoma holding license number 200341. Manuel is appointed to write bonds on behalf of United States Fire Insurance Company and Roche Surety & Casualty Company.

**FINDINGS OF FACT**

1. On May 11, 2013, Isaac Church (“Complainant”) paid Respondent \$300 via Western Union money transfer as bond premium. In exchange, it was agreed that Respondent would execute a bond to secure the release of Defendant Russel Chapman from custody in Lincoln County case CF-2013-87.

2. No bond was ever executed by Respondent to secure the release of the Defendant.
3. On June 3, 2013, the Complainant submitted a complaint to the Oklahoma Insurance Department ("Department") alleging that the \$300 was not returned to him after he and Respondent discovered that the Defendant could not be released from custody.
4. On June 5, 2013, the Department sent a letter to Respondent notifying him of the complaint and ordering him to respond.
5. On June 24, 2013, Respondent returned the money to the Complainant via money order.

#### **CONCLUSIONS OF LAW**

1. Respondent has violated 59 O.S. § 1310(A)(4) for failing to return premium to the indemnitor after no bond was executed.
2. Any bail bondsman or bail surety company violating any provision of the Bail Bond Act "may be subject to a civil penalty of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00) for each occurrence." 59 O.S. § 1310(B).

#### **ORDER**

**IT IS THEREFORE ORDERED that James Manuel is CENSURED and FINED Six Hundred Dollars (\$600.00).**

Respondent is further notified that he 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 56<sup>th</sup> Suite

100, Oklahoma City, Oklahoma 73112 and give an explanation of Respondent's actions described herein and any defenses thereto.

If Respondent does not request a hearing within the 30 days allotted, this Order shall become a FINAL ORDER on the 31<sup>st</sup> day following the receipt of the Order. Any fine ordered herein is due within 30 days after this Order becomes a Final Order.

WITNESS My Hand and Official Seal this 30<sup>th</sup> day of July, 2013.



JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

Buddy Combs  
Buddy Combs  
Assistant General Counsel  
3625 NW 56<sup>th</sup> 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 30<sup>th</sup> day of July, 2013, to:

James Manuel  
1209 S MAIN ST  
STILLWATER, OK 74074-5846

Buddy Combs  
Buddy Combs

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

OFFICIAL USE

7001 0320 0004 4249 9096

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; I</b>	



James Manuel  
 1209 S. Main St.  
 Stillwater, OK 74074-5846  
 sms/13-0615-DIS/Cond. Ord.

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

**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:

James Manuel  
 1209 S. Main St.  
 Stillwater, OK 74074-5846  
 sms/13-0615-DIS/Cond. Ord.

2. Article Number  
 (Transfer from service label)

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 *James Manuel*  Addressee

B. Received by (Printed Name)  Agent  
 James Manuel  Addressee

C. Date of Delivery

D. Is delivery address different from Item 1?  Yes  
 No  
 If YES, enter delivery address below:

RECEIVED  
 OKLAHOMA INSURANCE DEPARTMENT  
 AUG 6 2013  
 Local Division AUG 01 2013

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

7001 0320 0004 4249 9096