

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

**FILED**

JUL 05 2013

**INSURANCE COMMISSIONER  
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. )

Case No. 13-0627-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.

**FINDINGS OF FACT**

**Insufficient Electronic Funds Transfer #1**

1. On April 25, 2013, Respondent submitted to the Oklahoma Insurance Department ("the Department") his March 2013 United States Fire Insurance Company ("USFIC") surety report.

2. With the report, Respondent submitted an Electronic Funds Transfer ("EFT") of Two Hundred Seventy-Seven Dollars (\$277.00). The Oklahoma State Treasurer charged the EFT back to the Department as "R01 - Not Sufficient Funds."

3. On May 24, 2013, Department staff sent Respondent a letter by email and certified

mail, with return receipt requested, requesting that the funds be replaced and a service fee of \$25.00 be paid within five days of receipt of the letter. The letter was sent to 1209 S. Main St., Stillwater, OK 74074, which was then—and is currently—his mailing address on file with the Department.

4. On May 30, 2013, “Claudette Petties” signed for the certified letter.

5. As of the date of this Order, Respondent has not replaced the funds or responded to the Department’s certified letter.

#### **Insufficient Electronic Funds Transfer #2**

6. On April 26, 2013, Respondent submitted to the Department his Amended March 2013 USFIC surety report.

7. With the report, Respondent submitted an EFT of Fifteen Dollars and Seventy Cents (\$15.70). The Oklahoma State Treasurer charged the EFT back to the Department as “R01 - Not Sufficient Funds.”

8. On May 24, 2013, Department staff sent Respondent a letter by email and certified mail, with return receipt requested, requesting that the funds be replaced and a service fee of \$25.00 be paid within five days of receipt of the letter. The letter was sent to 1209 S. Main St., Stillwater, OK 74074, which was then—and is currently—his mailing address on file with the Department.

9. On May 30, 2013, “Claudette Petties” signed for the certified letter.

10. As of the date of this Order, Respondent has not replaced the funds or responded to the Department’s certified letter.

#### **Insufficient Electronic Funds Transfer #3**

11. On May 10, 2013, Respondent submitted to the Department his April 2013 USFIC surety report.

12. With the report, Respondent submitted an EFT of Four Hundred Seventy Dollars and Twelve Cents (\$470.12). The Oklahoma State Treasurer charged the EFT back to the Department as “R01 - Not Sufficient Funds.”

13. On May 24, 2013, Department staff sent Respondent a letter by email and certified mail, with return receipt requested, requesting that the funds be replaced and a service fee of \$25.00 be paid within five days of receipt of the letter. The letter was sent to 1209 S. Main St., Stillwater, OK 74074, which was then—and is currently—his mailing address on file with the Department.

14. On May 30, 2013, “Claudette Petties” signed for the certified letter.

15. As of the date of this Order, Respondent has not replaced the funds or responded to the Department’s certified letter.

#### **CONCLUSIONS OF LAW**

1. Respondent has violated 59 O.S. § 1310(A)(27) by uttering insufficient funds to the Commissioner.

2. Respondent has violated 59 O.S. § 1310(A)(21) by failing to respond to a properly mailed notification within a reasonable amount of time.

#### **ORDER**

**IT IS THEREFORE ORDERED that James Manuel is CENSURED and FINED Two Hundred Fifty Dollars (\$250.00).**

**IT IS FURTHER ORDERED that James Manuel shall replace the three insufficient EFT’s and pay the service fees owed for each. The total amount owed to the Department, independent of the fine ordered above, is Eight Hundred Thirty-Seven Dollars and Eighty-Two Cents (\$837.82). If Respondent fails to replace the funds, his license shall be **SUSPENDED****

**upon this Order becoming a Final Order, which will occur on the 31<sup>st</sup> day following his receipt of this Order if no request for hearing is made.**


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.**

Any fine ordered herein is due and payable to the Oklahoma Insurance Department within 30 days after the date this Order becomes a Final Order.

WITNESS My Hand and Official Seal this 5<sup>th</sup> day of July, 2013.



JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

  
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 5<sup>th</sup> day of July, 2013, to:


James Manuel  
1209 S. Main St.  
Stillwater, OK 74074-5846

  
Buddy Combs

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

7001 0320 0004 4249 8792

**OFFICIAL USE**

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
<b>Total Postage &amp; Fees</b>		
Sent To _____ Street, Apt. No., or PO Box No. _____ City, State, ZIP+4 _____		

**James Manuel**  
**1209 S. Main Street**  
**Stillwater, OK 74074-5846**  
**sms/13-0627-DIS/Cond Ord**

PS Form 3800, January 2004 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p><i>[Signature]</i></p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p><i>James Manuel</i></p> <p>C. Date of Delivery</p> <p><i>JUL 12 2013</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                  If YES, enter delivery address below:</p>
<p>1. Article Addressed to:</p> <div style="border: 1px solid black; padding: 5px; margin: 10px;"> <p style="text-align: center;">James Manuel                      1209 S. Main Street                      Stillwater, OK 74074-5846                      sms/13-0627-DIS/Cond Ord</p> </div>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number                  (Transfer from service label)</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>7001 0320 0004 4249 8792</p>	