

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF 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.)

FILED

JUL 29 2013

**INSURANCE COMMISSIONER
OKLAHOMA**

CASE NO. 13-0708-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 October 31, 2012, an appearance bond was executed as follows:

Defendant: Benton Richardson
Case Number(s): 5901552
City/County: Tulsa Municipal
Surety: American Contractors Indemnity Company
Bondsman: Jerry Bryan Shed
Power Number(s): A7-2262267
Bond Amount(s): \$300

2. On March 4, 2013, the Defendant failed to appear, and the bond was declared forfeited.

3. On March 11, 2013, an Order and Judgment of Forfeiture was issued by the court and filed in the case.

4. 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.

5. The mailing to Shed was returned to the Tulsa Municipal Court by USPS marked as "Return to Sender, No Such Number."

6. ACIC received a copy of the Order and Judgment of Forfeiture on March 18, 2013.

7. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture by Respondents was Monday, June 17, 2013.

8. 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.

9. As July 26, 2013, 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. § 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**.

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 29th day of July, 2013.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Buddy Combs
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 29th day of July, 2013, to:

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

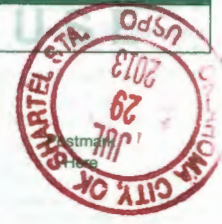
American Contractors Indemnity Company
Attn: Legal Division
601 S FIGUEROA ST STE 1600
LOS ANGELES, CA 90017-5721

Buddy Combs
Buddy Combs

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

7001 0320 0004 4249 8341

OFFICIAL USE	
Postage \$	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage	American Contractors Indemnity Co
Sent To	Attn: Legal Division
Street, Apt. # or PO Box #	601 S. Figueroa St., Suite 1600
City, State, Z	Los Angeles, CA 90017-5721
	sms/13-0708-DIS/Cond Ord



PS Form 3800, January 2001 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> 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. 		<p>A. Signature <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>[Signature]</i> C. Date of Delivery <i>08/06/13</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 auto; width: 80%;"> <p style="text-align: center;">OKLAHOMA INSURANCE DEPARTMENT</p> <p>American Contractors Indemnity Co Attn: Legal Division 601 S. Figueroa St., Suite 1600 Los Angeles, CA 90017-5721 sms/13-0708-DIS/Cond Ord</p> </div>		<p>E. 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 style="text-align: center;">7001 0320 0004 4249 8341</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	

CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

7001 0320 0004 4249 8334

OFFICIAL USE



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

Total Postage

Sent To
Jerry Bryan Shed
 5566 S. 79th East Pl., Suite A
 Tulsa, OK 74145-7850
 sms/13-0708-DIS/Cond Ord

PS Form 3800, January 2009 See Reverse for Instructions

Oklahoma City, OK 73112-4511

CERTIFIED MAIL



7001 0320 0004 4249 8334



U.S. POSTAGE PITNEY BOWES



ZIP 73112 \$ 006.77⁰
02 1W
0001363374 JUL 29 2013

RECEIVED
OKLAHOMA INSURANCE DEPARTMENT

OCT 01 2013

Legal Division

RETURN TO SENDER
 INS ADDR UNK REF
 UNCLAIMED VACANT
 UNABLE TO FWD NSN

7-31
 9-19
 9-23



OFFICIAL MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7001 0320 0004 4249 8334

OFFICIAL USE



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

Sent To
Jerry Bryan Shed
 5566 S. 79th East Pl., Suite A
 Tulsa, OK 74145-7850
 sms/13-0708-DIS/Cond Ord

PS Form 3800, January 2007 See Reverse for Instructions

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

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:

Jerry Bryan Shed
 5566 S. 79th East Pl., Suite A
 Tulsa, OK 74145-7850
 sms/13-0708-DIS/Cond Ord

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
X 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 0004 4249 8334**