

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

JUL 29 2013

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
Petitioner,)
vs.)
ROBERTA AGUILAR, a licensed professional) CASE NO. 13-0710-DIS
bail bondsman in the State of Oklahoma,)
Respondent.)

**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 Roberta Aguilar (“Respondent”) is a licensed professional bail bondsman in the State of Oklahoma holding license number 199461.

FINDINGS OF FACT

1. On or about December 9, 2012, two appearance bonds were executed as follows:

Defendant:	Alfred Jabatty
Case Number(s):	5918530; 5918531
City/County:	Tulsa Municipal
Surety:	Roberta Aguilar
Bondsman:	Roberta Aguilar
Power Number(s):	N/A
Bond Amount(s):	\$200; \$200
2. On April 2, 2013, the Defendant failed to appear, and the bonds were declared

forfeited. An Order and Judgment of Forfeiture was issued by the court for each bond on April 10, 2013, and filed in the cases. A true and correct copy of each Order and Judgment of Forfeiture was mailed to Respondent with return receipt requested within thirty (30) days after the forfeiture.

3. Respondent received a copy of each Order and Judgment of Forfeiture on April 12, 2013.

4. The ninety-first (91st) day after receipt of each Order and Judgment of Forfeiture by Respondent was Friday, July 12, 2013. The Defendant was not returned to custody within 90 days, nor was the face amount of the forfeited bonds deposited with the Court Clerk within 91 days of receipt of the Order and Judgment of Forfeiture.

5. On July 25, 2013, Respondent paid the forfeitures.

CONCLUSIONS OF LAW

1. The allegations are found to be true and correct, and Respondent has 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 Roberta Aguilar is CENSURED.

Respondent is further notified that she 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 Respondent's actions alleged**

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 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

A handwritten signature in black ink, appearing to read "Buddy Combs", written over a horizontal line.

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 via certified mail, return receipt requested, on this 29th day of July, 2013, to:

Roberta Aguilar
121 N. Denver Ave.
Tulsa, OK 74103-1809

A handwritten signature in black ink, appearing to read "Buddy Combs", written over a horizontal line.

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

7001 0320 0004 4249 8303

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
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 Street, Apt or PO Box
 City, State, Zip

Roberta Aguilar
 121 N. Denver Ave.
 Tulsa, OK 74103-1819
 sms/13-0710-DIS/Cond Ord

PS Form 3811, February 2004 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:

RECEIVED
 OKLAHOMA INSURANCE DEPARTMENT
 AUG 05 2013
 Legal Division

Roberta Aguilar
 121 N. Denver Ave.
 Tulsa, OK 74103-1819
 sms/13-0710-DIS/Cond Ord

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 x **K Bratton** Agent Addressee

B. Received by (Printed Name) C. Date of Delivery
 _____ **7/31/13**

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 8303**