



Defendant:	John Chalmers Brazee
Case Number(s):	CM-13-244
City/County:	Payne County
Surety:	United States Fire Insurance Company
Bondsman:	James Manuel
Power Number(s):	20434045
Bond Amount(s):	\$5,000

2. On March 28, 2013, the Defendant failed to appear, and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued on the same day. 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 filing of the Order and Judgment of Forfeiture.

3. Manuel received a copy of the Order and Judgment of Forfeiture on March 29, 2013.

4. USFIC received a copy of the Order and Judgment of Forfeiture on April 1, 2013.

5. The ninety-first (91<sup>st</sup>) day after receipt of the Order and Judgment of Forfeiture by Respondents was Friday, June 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. As of the date of this Order, the bond forfeiture has not been paid or set aside or the bond exonerated.

### **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.

2. Pursuant to 59 O.S. § 1310(B), any bondsman or company violating a provision of the Bail Bond Act, 59 O.S. §§ 1301-1340, may be subject to a fine of not less than \$250 but not more than \$2,500.

3. 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 United States Fire Insurance Company and James Manuel are each **CENSURED** and **FINED** Five Hundred Dollars (\$500.00).

**IT IS FURTHER ORDERED** that the face amount of the bond forfeiture shall be deposited with the Payne County Court Clerk (or the bond forfeiture set aside and the bond exonerated) within thirty (30) days of receipt of this Order. Failure to do so shall result in the **CANCELLATION** of United States Fire Insurance 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 United States Fire Insurance 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 56<sup>th</sup> 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 31<sup>st</sup> day following the receipt of the Order. Any fine ordered herein shall be due within 30 days after this Order becomes a Final Order.

WITNESS My Hand and Official Seal this 6<sup>th</sup> day of August, 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 6<sup>th</sup> day of August, 2013, to:

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

United States Fire Insurance Company  
Attn: Legal Division  
305 Madison Ave.  
Morristown, NJ 07962

Buddy Combs  
Buddy Combs



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

**OFFICIAL USE**

7001 0320 0004 4249 8969

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
<b>Total Postage:</b>		

Sent To: **United States Fire Ins Co**  
 Attn: Legal Division  
 305 Madison Ave.  
 Morristown, NJ 07962  
 sms/13-0742-DIS/Cond. Ord.

Postmark: **OKLAHOMA CITY, OK 9 AUG 2013**

PS Form 3800, January 2001 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:

**United States Fire Ins Co**  
 Attn: Legal Division  
 305 Madison Ave.  
 Morristown, NJ 07962  
 sms/13-0742-DIS/Cond. Ord.

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee  
*Paul K.*

B. Received by (Printed Name)  Agent  Addressee  
 RECEIVED *Chen*

C. Date of Delivery

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

OKLAHOMA  
 MORRISTOWN, NJ  
 AUG - 9 2013  
 AUG 13 2013  
 MORRISTOWN, NJ  
 LEGAL DIVISION

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 8969