

**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**  
AUG 22 2013  
INSURANCE COMMISSIONER  
OKLAHOMA

Case No. 13-0825-DIS

**ADMINISTRATIVE ORDER OF SUSPENSION INSTANTER**

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 James Manuel (“Respondent”) is a licensed bail bondsman in the State of Oklahoma holding license number 200341.

**FINDINGS OF FACT**

1. On August 1, 2013, Respondent submitted to the Oklahoma Insurance Department (“the Department”) two reports: his July 2013 Roche Surety & Casualty Company (“RSCC”) surety report and his Amended July 2013 RSCC surety report.
2. With the reports, Respondent submitted two Electronic Funds Transfers (“EFT’s”) of Three Hundred Fifty-seven Dollars and Twenty-eight Cents (\$357.28) and Four Dollars and

Ten Cents (\$4.10).

3. The Oklahoma State Treasurer charged these EFT's back to the Department as "R04 – Invalid Account Number."

4. Respondent's July 2013 United States Fire Insurance Company ("USFIC") surety report was due to the Department on August 15, 2013.

5. Respondent has been disciplined on several occasions for submitting insufficient funds EFT's and for filing late reports with the Commissioner. To date, fines issued by the Commissioner have not remedied these problems.

6. As of the date of this Order, Respondent has not replaced the fees he owes for the above-referenced reports or filed his July 2013 USFIC report.

#### **CONCLUSIONS OF LAW**

1. The allegations are found to be true and correct, and Respondent has violated 59 O.S. § 1310(A)(22) by failing to file monthly electronically with the Insurance Commissioner, as required by 59 O.S. § 1314(B).

2. Respondent has violated 59 O.S. § 1314(D) by failing to submit the proper fee with his reports.

3. Pursuant to 59 O.S. § 1310, the Insurance Commissioner may suspend the license of any bondsman for the above-referenced violations.

4. Pursuant to 59 O.S. § 1311, the Commissioner may suspend the license of a bail bondsman pending a hearing, if he determines that the conduct of the bondsman "is such that it may be a detriment to the public."

5. Pursuant to 75 O.S. §§ 314(C)(2) and 314.1, the Insurance Commissioner is

authorized to take administrative action against Respondent on a summary and emergency basis pending proceedings for revocation or other action against the license of Respondent if the Insurance Commissioner finds that the actions of the Respondent are such that the public health, safety and welfare imperatively requires emergency action, and incorporates a finding to that effect in his order.

6. The Insurance Commissioner hereby finds that the conduct of the Respondent is such that it may be a detriment to the public.

7. The Insurance Commissioner hereby finds that the condition and actions of the Respondent are such that the public health, safety, and welfare imperatively require emergency action.

### **ORDER**

**IT IS THEREFORE ORDERED by the Insurance Commissioner that Respondent's bail bondsman license is hereby suspended instanter. This suspension shall continue for either (1) a period of thirty days from the date of this Order or (2) until Respondent replaces the fees owed as set out above and files his July 2013 USFIC report, whichever is greater.**

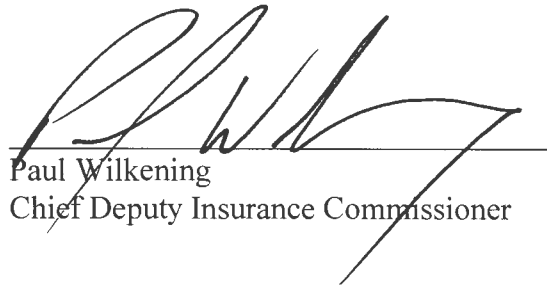
IT IS FURTHER ORDERED that Respondent is hereby given notice of opportunity to request a hearing within thirty (30) calendar days of receipt of this order to determine if there are any reasons why Respondent's bondsman license should not be subject to suspension. If Respondent requests a hearing before the Insurance Commissioner or his duly appointed hearing examiner, the proceedings shall be conducted within ten business days after receipt of the request and in accordance with the Oklahoma Bail Bond Act, OKLA. STAT. tit. 59 §§ 1301 et seq., and the

Oklahoma Administrative Procedures Act, OKLA. STAT. tit. 75, §§ 250 et seq.

WITNESS My Hand and Official Seal this 21<sup>st</sup> day of August, 2013.



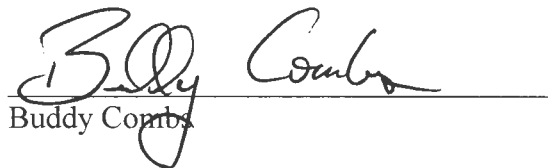
JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

  
Paul Wilkening  
Chief Deputy Insurance Commissioner

**CERTIFICATE OF MAILING**

I hereby certify that a true and correct copy of the above and foregoing *Administrative Order of Suspension Instante* was mailed postage prepaid with return receipt requested on this 21<sup>st</sup> day of August, 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 9744

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**James Manuel**  
**1209 S. Main St.**  
**Stillwater, OK 74074-5846**  
**sms/13-0825-DIS/Admin Ord**

PS Form 3800, January 2004 Date the 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:

**James Manuel**  
**1209 S. Main St.**  
**Stillwater, OK 74074-5846**  
**sms/13-0825-DIS/Admin Ord**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 *N. Reed*  Addressee

B. Received by (Printed Name) C. Date of Delivery  
*N. Reed*

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 9744**