BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

| STATE OF OKLAHOMA, ex rel. JOHN D. | FILED |
|---|---------------------------------|
| DOAK, Insurance Commissioner, | |
| Petitioner, | OCT 0 3 2013 |
| VS. |) BIOLIDANION - |
| JUSTIN DOWELL, a licensed bail bondsman in | INSURANCE COMMISSIONER OKLAHOMA |
| the State of Oklahoma, |) |
| |) CASE NO. 13-0975-DIS |
| AND |) |
| |) |
| ALLEGHENY CASUALTY COMPANY, an |) |
| insurance company licensed to act as bail surety in |) |
| the State of Oklahoma, |) |
| Respondents. |) |

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 Justin Dowell ("Dowell") is a licensed bail bondsman in the State of Oklahoma holding license number 199997.
- 3. Respondent Allegheny Casualty Company ("ACC") is an insurance company licensed to act as bail surety in the State of Oklahoma holding NAIC number 13285.

FINDINGS OF FACT

1. On or about January 23, 2013, an appearance bond was executed as follows:

Defendant: Dewayne Jonquil Ewing

Case Number(s): CM-2012-144
City/County: Oklahoma County

Surety: Allegheny Casualty Company

Bondsman: Justin Dowell Power Number(s): AS1K-265157

Bond Amount(s): \$500

2. On May 15, 2013, the Defendant failed to appear, and the bond was declared forfeited. An Order and Judgment of Forfeiture was filed on June 12, 2013. 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 Order's filing.

- 3. Dowell received a copy of the Order and Judgment of Forfeiture on June 13, 2013.
- 4. ACC received a copy of the Order and Judgment of Forfeiture on June 17, 2013.
- 5. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture by Respondents was Thursday, September 12, 2013.
 - 6. Respondents paid the bond forfeiture on September 17, 2013.

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.

ORDER

IT IS THEREFORE ORDERED that Allegheny Casualty Company and Justin Dowell are each CENSURED.

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 $31^{\rm st}$ day following the receipt of the Order.

WITNESS My Hand and Official Seal this day of October, 2013.



JOHN D. DOAK INSURANCE COMMISSIONER STATE OF OKLAHOMA

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 day of October, 2013, to:

Justin Dowell 809 ROBERT S KERR AVE OKLAHOMA CITY, OK 73106-7607

Allegheny Casualty Company ATTN: Legal Division 1 NEWARK CENTER FL 20 NEWARK, NJ 07102

Buddy Combs

| 282 | U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided) | | |
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| m | Sent To | 9 Robert S. Ker | r Ave. |
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| 7001 | or PO Box M | | |
| 2 | City, State, Z. sms/ | | |
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| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
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| 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 mailplece or on the front if space permits. 1. Article Addressed to: Justin Dowell 809 Robert S. Kerr Ave. OKC, OK 73106-7607 Legal Dwis | A. Signature A. Signature Addressee B. Received by (Printed Name) C. Date of Delivery D. 1s delivery address different from item 1? Yes If YES, enter delivery address below: No |
| sms/13-0975-DIS/Cond Ord. | 3. Sep/Ce Type Certified Mail |
| | 4. Restricted Delivery? (Extra Fee) |
| 2. Article Number (Transfer from service label) 7001 0320 | 0004 4249 3797 |
| PS Form 3811, February 2004 Domestic Re | eturn Receipt 102595-02-M-1540 |

| | U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided) | | |
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| 7007 | Street, Apt. No.; or PO Box No. City, State, ZIP+ | 1 Newark Center Newark, NJ 0 ns/13-0975-DIS/ | 7102 |
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| 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. | A. Signature X |
| Article Addressed to: OKLAHOMA INSURANCE | D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No DEPARTMENT |
| Allegheny Casualty Company OCT 22 Attn: Legal Division 1 Newark Center, Fl 20 Newark, NJ 07102 | 3. Service Type Solution Certified Mail |
| sms/13-0975-DIS/Cond Ord. | Registered Return Receipt for Merchandise C.O.D. |
| | 4. Restricted Delivery? (Extra Fee) ☐ Yes |
| 2. Article Number (Transfer from service label) 7001 033 | 20 0004 4249 3780 |
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