

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

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK,)
Insurance Commissioner,)
)
Petitioner,)
vs.)
)
STACY FRENCH, a licensed bail bondsman in the)
State of Oklahoma,)
)
Respondent.)

FILED
OCT 09 2013
INSURANCE COMMISSIONER
OKLAHOMA

Case No. 13-0998-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. Stacy French (“Respondent”) is a licensed bail bondsman in the State of Oklahoma holding license number 40087375.

FINDINGS OF FACT

1. On September 12, 2013, Roche Surety & Casualty Company submitted to the Oklahoma Insurance Department (“the Department”) a notice of appointment for Respondent.
2. Accompanying the notice of appointment was an affidavit prepared pursuant to 59 O.S. § 1317(C), stating, among other things, that Respondent did not owe any fines to the Department. Respondent signed the notarized affidavit on September 5, 2013.

3. As of September 5, 2013, Respondent owed a fine to the Department in case 13-0548-DIS. In that case, the Department issued a *Conditional Administrative Order and Notice of Right to be Heard* on June 12, 2013, in which Respondent was fined \$250.00 for filing late monthly reports. The last day for Respondent to request a hearing on the matter was Monday, July 15, 2013. No hearing was requested, and the Conditional Order became a Final Order on July 16, 2013. A copy of the Order is attached as Exhibit A.

4. On September 13, 2013, the Bail Bond Division of the Department disapproved of Respondent's appointment because Respondent owed a fine to the Department in case 13-0548-DIS.

CONCLUSIONS OF LAW

1. Respondent filed a false affidavit in violation of 59 O.S. § 1317(C), which mandates that “[p]rior to the issuance of a new surety appointment for a surety bondsman or managing general agent, the bondsman or agent shall file an affidavit with the Commissioner stating that no forfeitures are owed to any court, no fines are owed to the insurance department, and no premiums or indemnification for forfeitures or fines are owed to an insurer.”

2. Pursuant to 59 O.S. § 1310(a)(2), the Commissioner may censure the license of any bondsman who violates “any laws of this state or any lawful rule, regulation, or order of the Commissioner relating to bail.”

ORDER

IT IS THEREFORE ORDERED that Stacy French 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 described herein and any defenses thereto.

If Respondent fails to request a hearing on this matter within 30 days of receipt of this Order, this Order shall become a **FINAL ORDER** on the 31st day.

WITNESS My Hand and Official Seal this 31st day of October, 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 31st day of October, 2013, to:

Stacy French
1330 N Classen Blvd Ste G40
OKLAHOMA CITY, OK 73106-6836

Buddy Combs
Buddy Combs

Department late on April 16, 2013. The reports were due on April 15, 2013.

3. Respondent submitted her April 2013 ACC, CFIC, and SNCC reports to the Department late on May 16, 2013. The reports were due on May 15, 2013.

CONCLUSIONS OF LAW

1. Respondent has violated 59 O.S. § 1310(A)(22) for failing to file a report as required by Section 1314.

2. Respondent has violated 59 O.S. § 1314(B), which states that “monthly reports shall be submitted electronically to the Insurance Commissioner by the fifteenth day of each month.”

3. Pursuant to 59 O.S. § 1310(B), “any person violating any provision of Sections 1301 through 1340 of this title may be subject to a civil penalty of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00) for each occurrence.”

ORDER

IT IS THEREFORE ORDERED that Stacy French is CENSURED and FINED Two Hundred Fifty Dollars (\$250.00).

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 St., Suite 100, Oklahoma City, Oklahoma 73112, and **state the basis for requesting the hearing.**


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, and the fine

ordered herein shall be due.

WITNESS My Hand and Official Seal this 10th day of June, 2013.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

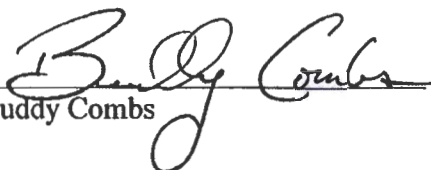


William G. "Buddy" Combs
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 521-2746
Fax (405) 522-0125

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 10th day of June, 2013, to:

Stacy French
1330 N Classen Blvd., Ste. G40
Oklahoma City, OK 73106-6836



Buddy Combs

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

7001 0320 0004 4249 3773

OFFICIAL USE

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



Sent To: Stacy French
 1330 N. Classen Blvd., Suite 640
 Street or PO: OKC, OK 73106-6836
 City, State, ZIP: sms/13-0998-DIS/Cond Ord

PS Form 3800, January 2001 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:

OKLAHOMA INSURANCE DEPARTMENT
 Legal Division

Stacy French
 1330 N. Classen Blvd., Suite 640
 OKC, OK 73106-6836
 sms/13-0998-DIS/Cond Ord

DCT 09 2013

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery
 Stacy French 10/4/2013

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 3773