

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

FILED

DEC 05 2013

INSURANCE COMMISSIONER
OKLAHOMA

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

Case No. 13-1213-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. Billy Dismuke (“Respondent”) is a licensed bail bondsman in the State of Oklahoma holding license number 144708.

FINDINGS OF FACT

1. On November 20, 2013, Lexington National Insurance Corporation 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 October 29, 2013.

3. As of October 29, 2013, Respondent owed fines to the Department in cases 12-0921-DIS, 13-0194-DIS, 13-0377-DIS, and 13-0380-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, insureds, or others received in the conduct of business under the license.”

2. Pursuant to 59 O.S. § 1317(C), if any statement made on the affidavit is found to be false, the Commissioner may apply the sanctions set forth in 59 O.S. § 1310, which include a fine, censure, suspension, or revocation.

ORDER

IT IS THEREFORE ORDERED that Billy Dismuke is CENSURED.

Respondent is further notified that he 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. Any fine ordered herein shall

be due within 30 days after the date this Order becomes a Final Order.

WITNESS My Hand and Official Seal this 5th day of December, 2013.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

A handwritten signature in cursive script, reading "Wm Combs".

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 via regular AND certified mail, return receipt requested on this 5th day of December, 2013, to:

Billy Dismuke
2828 NW 57TH ST
OKLAHOMA CITY, OK 73112-6814

A handwritten signature in cursive script, reading "Wm Combs".

William G. "Buddy" Combs

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

OFFICIAL USE

7001 0320 0004 4249 2530

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



Sent To
 Street, Apt. No. or PO Box No.
 City, State, ZIP+4

Billy Dismuke
2828 NW 57th St.
OKC, Oklahoma 73112-6814
sms/13-1213-DIS/Cond. Ord.

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:

Billy Dismuke
2828 NW 57th St.
OKC, Oklahoma 73112-6814
sms/13-1213-DIS/Cond. Ord.

2. Article Number
 (Transfer from service label)

7001 0320 0004 4249 2530

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-1044

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) **Billy Dismuke** C. Date of Delivery **12-23-13**

2. 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

RECEIVED
 OKLAHOMA INSURANCE
 DEC 23 2013
 Local Division