

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

**FILED**

MAY 20 2014

INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. )  
DOAK, Insurance Commissioner, )

Petitioner, )

vs. )

Case No. 14-0127-DIS

BILLY DISMUKE, a licensed bail bondsman in )  
the State of Oklahoma, )

Respondent. )

**ADMINISTRATIVE ORDER**

This matter is a disciplinary proceeding under the Oklahoma Bail Bond Act. The Oklahoma Insurance Department (the "Department") issued a Notice of Hearing and Order to Show Cause on March 25, 2014, alleging that Respondent Billy Dismuke ("Dismuke" or "Respondent") violated numerous provisions of the Bail Bond Act.

The hearing was set before the undersigned Hearing Examiner for April 22, 2014.

Petitioner appeared through Counsel Dan R. Byrd on April 22, 2014. Respondent failed to appear. Petitioner offered Exhibit 1 as proof to support the proper service upon Respondent by certified mail at the Respondent's current address of record with the Department. Petitioner offered Exhibit A as proof to support the allegations of fact and alleged violations of law contained in the Notice of Hearing and Order to Show Cause.

**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 was a licensed bail bondsman in the State of Oklahoma holding license number 144708.

3. The Insurance Commissioner may deny, censure, suspend, revoke, or refuse to renew any license issued pursuant to the Oklahoma Bail Bond Act and/or may levy a fine of not less than \$250.00 but not more than \$2,500.00 for each occurrence of a violation of the Oklahoma Bail Bond Act. 59 O.S. § 1310(A) and (B).

### **FINDINGS OF FACT**

1. On November 15, 2013, Respondent submitted to the Oklahoma Insurance Department ("Department") an Electronic Funds Transfer ("EFT") of Forty Three Dollars (\$43.00).

2. On November 27, 2013, the Oklahoma State Treasurer charged the EFT back to the Department as "Not Sufficient Funds."

3. On December 3, 2013, Department staff sent Respondent an email and a letter, via certified mail, informing Respondent of the charge back and requesting that the funds be replaced and a service fee of \$25.00 be paid within five days of receipt of the letter.

4. Respondent signed for the certified mail on December 19, 2013. As of today's date the funds have not been replaced.

5. On December 16, 2013, Respondent submitted to the Oklahoma Insurance Department ("Department") an Electronic Funds Transfer ("EFT") of Three Dollars (\$3.00).

6. On December 30, 2013, the Oklahoma State Treasurer charged the EFT back to the Department as "Not Sufficient Funds."

7. On January 6, 2014, Department staff sent Respondent an email informing Respondent of the charge back and requesting that the funds be replaced and a service fee of \$25.00

be paid within five days from the date of the email.

8. As of today's date the funds have not been replaced.

9. On January 15, 2014, Respondent submitted to the Oklahoma Insurance Department ("Department") an Electronic Funds Transfer ("EFT") of Three Dollars (\$3.00).

10. On January 28, 2014, the Oklahoma State Treasurer charged the EFT back to the Department as "Not Sufficient Funds."

11. On January 30, 2014, Department staff sent Respondent an email informing Respondent of the charge back and requesting that the funds be replaced and a service fee of \$25.00 be paid within five days from the date of the email.

12. As of today's date the funds have not been replaced.

13. Respondent has a lengthy administrative history with the Department. Respondent's license has been suspended numerous times and he has fines due in at least six legal cases.

14. Respondent's Block History Report from his SBS license record shows numerous insufficient funds and fines. See Respondent's Block History Report attached hereto as Exhibit "A". Respondent's record indicates he is not Continuing Education compliant. Respondent's licensed expired on December 31, 2013.

#### **CONCLUSIONS OF LAW**

1. Respondent has violated 59 O.S. § 1310(A)(29) by uttering insufficient funds to the Commissioner.

2. Respondent has violated 59 O.S. § 1310(A)(23) for failing to respond to a properly mailed notification within a reasonable amount of time.

3. Respondent has violated 59 O.S. § 1310(A)(32) for failing to accept or claim a

certified mailing from the Department addressed to the Respondent's mailing address on file with the Department.

4. Respondent has violated 59 O.S. § 1310(A)(2) by violating a law of this state relating to bail.

5. Respondent has violated 59 O.S. § 1310(A)(9) by conducting his business in a manner that renders the Respondent unfit to carry on the bail bond business or making the continuance of the business detrimental to the public interest in the judgment of the Commissioner.

6. Respondent has violated 59 O.S. § 1310(A)(7) by failing to comply with, or violation of any proper order, rule, or regulation of the Commissioner.

#### **ORDER**

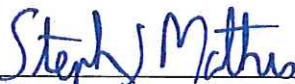
Petitioner's admitted Exhibit A and testimony offered at hearing support the Allegations of Fact and Alleged Violations of Law in the Notice of Hearing and Order to Show Cause as true and correct.

**IT IS THEREFORE ORDERED** that Billy Dismuke's bail bondsman license is **REVOKED**.

**IT IS FURTHER ORDERED** that Billy Dismuke is assessed the costs of the hearing in the amount of Two Hundred Dollars (\$200.00), due and payable to the Oklahoma Insurance Department within 30 days after the date of hearing.

WITNESS My Hand and Official Seal this 30<sup>th</sup> day of April, 2014.



  
STEPHAN S. MATHIS  
HEARING EXAMINER  
OKLAHOMA INSURANCE DEPARTMENT

**CERTIFICATE OF MAILING**

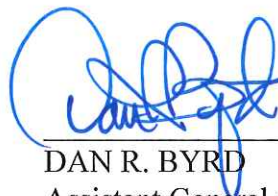
I, Dan R. Byrd, hereby certify that a true and correct copy of the above and foregoing Administrative Order was mailed via certified mail with return receipt requested, and via regular mail, on this 20th day of May, 2014, to:

Billy Dismuke  
2828 NW 57<sup>th</sup> St., Suite 119  
Oklahoma City, OK 73112-6814

**CERTIFIED MAIL NO:**

and that a copy was delivered to:

Bail Bonds Division




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DAN R. BYRD  
Assistant General Counsel  
3625 NW 56<sup>th</sup> Street, Suite 100  
Oklahoma City, Oklahoma, 73112  
Tel. (405) 522-6330  
Fax (405) 522-0125

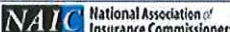


[SBS Web Site](#) | [SBS Online Services](#) | [NAIC Services](#) | [NIPR Services](#) | [Help](#)





## License Services




## Licensee Look-up

This document may serve in lieu of a Letter of Certification.

Report Date: April 21, 2014  
Total Number of Licensees = 2

Selected Criteria	
First Name = billy	Middle Name = None
Last Name = dismuke	Suffix = None
Business Entity Name = None	Is Resident? = All
License Num = None	License Type = All
License Status = All	LOAs = All
National Producer Number = None	DBA Name = None
Sort By = Last Name	Licensee Type: = Individual

\* Indicates those agents which have branch offices. Click the link to view.

To view active Company Appointments, click the Licensee's Name.

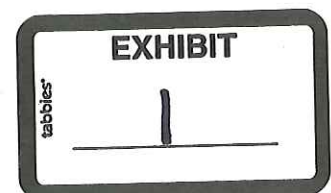
To view active Affiliations of the following type(s) click on the License Type link.

- Designated Responsible Licensee
- Other Affiliations

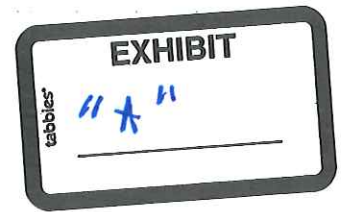
Look-Up Results											
License Number	NPN	Res Status	Full Name (Click link for Appt)	License Type (Click link for Affiliations)	License Status (Status Date)	LOAs (Effective Date)	Expiration Date	DBA Name	Business Address City, State, ZIP	Business Phone	Designated Home State
0000144708	7265242	Y	<a href="#">BILLY WAYNE DISMUKE</a>	<a href="#">BAIL BONDSMAN</a>	SUSPENSION -ADMIN ACTION (02/24/2014)	1) SURETY BAIL (08/24/1995)	12/31/2013		BILLY DISMUKE, 2828 NW 57TH ST STE 119, OKLAHOMA CITY, OK, 73112-7091	(405) 236-2060	N/A
0000144708	7265242	Y	<a href="#">BILLY WAYNE DISMUKE</a>	<a href="#">PRODUCER</a>	CONVERSION (05/31/2004)	NO LOA ASSIGNED (05/09/2002)	05/31/2004		OKLAHOMA CITY, OK, 73112-7091	(405) 236-2060	N/A

Need Help? Click here!

Back



# Block History Report



Report Date: January 30, 2014

Licensee Name: BILLY DISMUKE  
License Number: 0000144708

License Type(s):  
Producer  
Bail Bondsman

Blocked Date	Blocked By	Remarks	Reason	Unblocked Date	Unblocked By	Unblocked Remarks
12/03/2013	Anna Denman	NSF EFT 26917 for Oct 2013 SNCC report owes total \$68.00	Non-Sufficient Funds 1			
11/26/2012	Anna Denman	NSF EFT 22705 4 nsf 3.00 each. Trans date 09-25-2012. 4 Aug 2012 Safety Ntl amd reports. No response to certified ltr.	Non-Sufficient Funds 1	12/05/2012	Anna Denman	Ltr mailed 11-09-2012. Paid nsf on 11-27-2012 MO 7004928776 \$112
11/19/2010			Non-Sufficient Funds 1	07/19/2011	Anna Denman	Restriction on 11/19/2010 re NSF Ck. No comments migrated to Notes section of record. Block removed by staff unable to verify. amd
10/30/2013	Anna Denman	Cond Admin Order 13-0194-Dis (38473) Fined \$250 NOT paid. Place block on license. Per Legal email 10-07-2013.	Fine is Due 4			
10/22/2013	Anna Denman	10-22-2013 Email from Legal re case 13-0380-Dis (BBF 38954) Dismuke owes \$250 fine. Do not renew license. ad	Fine is Due 3			
10/22/2013	Anna Denman	10-22-2013 Email from Legal re case 13-0377-Dis (BBF 38957) Dismuke owes \$250 fine. Do not renew license. ad	Fine is Due 2			

10/07/2013 Anna Denman Per 09-27-2013 email fi Legal fine not paid in 12-0921-Dis (38058).

Fine is Due 1

10/05/2011 Anna Denman Ck 1012 \$411.25 dated 09-15-2011 Aug reviewal fees

Non-Sufficient Funds 1

04/18/2012 Anna Denman

On 03-07-2012 Dismuke replaced funds w mo 7003974272 \$136.25 and mo 70039474271 \$300.00.

09/17/2013 Anna Denman Per email from Legal 09-17-2013. Owes 250 fine in 12-0358-Dis, BBD-12-0094, SBS case 35040. Re NSF EFTs.

Fine is Due 1

09/17/2013 Anna Denman

Per email from Legal 09-17-2013, No Fine Due, We looked at the file again. It looks like the Order with the fine assessed was withdrawn and a new Order was issued suspending his license until the paid all outstanding EFTs. So, please disregard the request for a restriction on his license. There is no order to pay a fine, so we cannot withhold his renewal for it.

09/13/2012 Anna Denman EFT charge back 22307, reason R01, NSF, owes total of \$727.91, for July 2012 FSIC and SNCC reports.

Non-Sufficient Funds 2

10/12/2012 Anna Denman

Pd 10-01-2012 w 4 MOs; 7004580642 \$300, 7004580643 \$300, 7004580644 \$99.91, and 7004580641 \$28.

09/13/2012 Anna Denman EFT charge back 22307, reason R01, NSF, owes total of \$727.91, for July 2012 FSIC and SNCC reports.

Non-Sufficient Funds 2

10/12/2012 Anna Denman

Temporary unblock Non Sufficient Funds 2 so that license status can be changed from Active to Suspended.

08/17/2010

Tax Hold

10/27/2010

08/11/2012

Tax Hold

10/12/2012 Anna Denman

Temporary unblock Tax Hold so that license status can be changed from Active to Suspended.

Putting Tax Hold block of 08-11-2012 back on



08/11/2012	Anna Denman	license after changing license status from Suspended to Active.	Tax Hold			
08/11/2012	Anna Denman	Tax Hold	Tax Hold	10/12/2012	Anna Denman	On 10-12-2012 Temporary unblock Tax Hold of 08-11-2012 to change license status from Suspended to Active.
06/20/2012	Anna Denman	NSF EFT charge back 10232, \$5.00. Trans date 04-19-2012. Amount owed is \$30.00. For 03-2012 Safety Ntl amended report.	Non-Sufficient Funds 1	09/26/2012	Anna Denman	On 09-14-2012 recd MO 7004631157 for \$30.00 replaces NSF EFT 10232 for March 2012 amended Safety Ntl report.
05/02/2012	Anna Denman	NSF EFT charge back 6106. Trans date 03-15-2012. Three transactions. Amount owed \$105.00, \$72.99, and \$28.00. Three Feb 2012 reports. Temporary released Block to enable a Status Change from Active to Suspended. Added block after license reinstated.	Bail Report Reviewal Fee Due 1	05/07/2012	Anna Denman	On 05-04-2012 BB submitted MO 405642815 in amt \$508.49 (\$302.50) for reviewal fees owed 02-2012 SNCC report. See BBD-12-0093 34941. BB did not submit any paperwork with MO.
05/02/2012	Anna Denman	NSF EFT 6106 trans date 03-15-2012 Owes total \$205.99 BBD-12-0094 SBS 35040. To Legal 04-18-2012. Temporary released Block to enable a Status Change from Active to Suspended. Added block after license reinstated.	Non-Sufficient Funds 1	05/07/2012	Anna Denman	On 05-04-2012 BB submitted MO 405642815 in amt \$508.49 (\$205.99) for NSF EFT 6106. See BBD-12-0094 35040. BB did not submit any paperwork with MO.
04/18/2012	Anna Denman	NSF EFT 6106 trans date 03-15-2012 Owes total \$205.99 BBD-12-0094 SBS 35040. To Legal 04-18-	Non-Sufficient Funds 1	05/02/2012	Anna Denman	Temporary released Block to enable a Status Change from Active to Suspended.

03/29/2012	Anna Denman	2012. NSF EFT charge back 6106. Trans date 03-15-2012. Three transactions. Amount owed \$105.00, \$72.99, and \$28.00. Three Feb 2012 reports.	Bail Report Reviewal Fee Due 1	05/02/2012	Anna Denman	Temporary released Block to enable a Status Change from Active to Suspended.
01/31/2012	Anna Denman	EFT charge back 8800 NSF. Owes 623.00. Transaction date 01-17-2012.	See License Notes	04/18/2012	Anna Denman	On 04-16-2012 Dismuke replaced funds w mo 7004123554 \$28.00; mo 7004123555 \$28.00; mo 7004123553 \$267.00; mo 7004123552 \$300.00. Dismuke failed to submit paperwork with the money orders.
01/30/2014		NSF EFT Charge Back 27470, reason R01, owes total of \$28.00 for December 2013 SNCC report.	Non-Sufficient Funds 3			
01/27/2012	Anna Denman	EFT Charge back 8697; owes 28.00.	See License Notes	02/24/2012	Anna Denman	Money Order 7003943777 recd 02-17-2012 amount of 28.00 replaces NSF EFT charge back number 8697 for ok.gov and service fees. See id 121583 and 121584.
01/24/2014		Fine is due #6. Cond Admin Order 13-1251-Dis. Originated in Legal. See BBD 42595. Fined \$250 for viol 59 1310 A 32. Fine NOT Paid. Block license.	Disciplinary Actions(s)			
01/24/2014		Cond Admin Order 13-1112-Dis (BBD 42595) Fined \$250. NOT Paid. Block license.	Fine is Due 5			
	Anna	NSF EFT 27192 November 2013	Non-Sufficient			

01/06/2014 Denman SNCC report,  
amount 28.00.

Funds 2

U.S. Postal Service

CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

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

Billy Dismuke

2828 NW 57th St., Suite 119

OKC, OK 73112-6814

sms/14-0127-DIS/Adm Ord

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

PS Form 3800, Jan

CERTIFIED MAIL



7001 0320 0004 4248 4306

90Eh 8h2h h000 02E0 T00L

W 521  
JA 12041



Billy Dismuke  
2828 NW 57th St., Suite 119  
OKC, OK 73112-6814

RECEIVED  
OKLAHOMA INSURANCE DEPARTMENT

JUN 11 2014

Legal Division

5-26

NIXIE 731 DE 1700 0006/08/14  
RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD  
BC: 73112451125 \*2557-09997-08-11

73112@4511

neopost  
05/20/2014  
US POSTAGE \$007.40

FIRST-CLASS MAIL



ZIP 73112  
041L12203132



U.S. Postal Service

**CERTIFIED MAIL RECEIPT**

(Domestic Mail Only; No Insurance Coverage Provided)

**OFFICIAL USE**

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

Total Postage & Fees

Billy Dismuke

2828 NW 57th St., Suite 119

OKC, OK 73112-6814

sms/14-0127-DIS/Adm Ord

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

PS Form 3800, January 2004

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

90Eh 842h 4000 02E0 1002

**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., Suite 119  
OKC, OK 73112-6814  
sms/14-0127-DIS/Adm Ord

2. Article Number  
(Transfer from service label)

7001 0320 0004 4248 4306

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

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