

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

**FILED**

APR 28 2014

INSURANCE COMMISSIONER  
OKLAHOMA

|  |   |                      |
|--|---|----------------------|
| STATE OF OKLAHOMA, ex rel. JOHN D.       | ) |                      |
| DOAK, Insurance Commissioner,            | ) |                      |
|  | ) |                      |
| Petitioner,                              | ) |                      |
|  | ) |                      |
| vs.                                      | ) | CASE NO. 14-0406-DIS |
|  | ) |                      |
|  | ) |                      |
| DENISE BOWLINE, a licensed professional  | ) |                      |
| bail bondsman and surety bondsman in the | ) |                      |
| State of Oklahoma,                       | ) |                      |
|  | ) |                      |
| Respondent.                              | ) |                      |

**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 Denise Bowline (“Bowline”) is a licensed professional bail bondsman in the State of Oklahoma holding license number 199849.

**FINDINGS OF FACT**

1. On or about August 9, 2013, an appearance bond was executed as follows:

|                 |                         |
|-----------------|-------------------------|
| Defendant:      | Michael Kim Sutterfield |
| Case Number(s): | CF-2013-215             |
| City/County:    | Osage County            |
| Surety:         | Denise Bowline          |

Bondsman: Denise Bowline  
Power Number(s): N/A  
Bond Amount(s): \$5,000

2. On September 19, 2013, the Defendant failed to appear, and the bond was orally declared forfeited. An Order and Judgment of Forfeiture was filed by the court on October 3, 2013. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondent with return receipt requested within thirty (30) days after the Order's filing.

3. Bowline received a copy of the Order and Judgment of Forfeiture on October 4, 2013.

4. The ninetieth (90<sup>th</sup>) day after receipt of the Order and Judgment of Forfeiture by Respondent was Thursday, January 2, 2014.

6. The ninety-first (91<sup>st</sup>) day after receipt of the Order and Judgment of Forfeiture by Respondent was Friday, January 3, 2014. On December 30, 2013 a Motion for Stay Execution and Order were filed which stayed the Order and Judgment of Forfeiture until March 30, 2014, which is a Sunday, so the due date is Monday, March 31, 2014.

7. As of the date of this Order, the bond forfeiture has not been paid or otherwise set aside or the bond exonerated.

8. The Defendant was not returned to custody within 90 days, nor was the face amount of the forfeited bond deposited with the Court Clerk within 91 days, after receipt of the Order and Judgment of Forfeiture by Respondent.

#### **CONCLUSIONS OF LAW**

1. The allegations are found to be true and correct, and Respondent has violated 59 O.S. § 1332(D) by failing to remit payment in the face amount of the bond forfeiture within ninety-one (91)

days from receipt of the Order and Judgment of Forfeiture and 59 O.S. § 1310(A)(24) and (25) for failing to file a report as required by Section 1314 of Title 59 and filing a materially untrue monthly report.

2. Pursuant to 59 O.S. § 1310(B), any bondsman or company violating a provision of the Bail Bond Act, 59 O.S. §§ 1301-1340, may be subject to a fine of not less than \$250 but not more than \$2,500.

3. Pursuant to 59 O.S. § 1332(D)(4)(a), when a surety bondsman does not properly deposit with the court clerk the face amount of the forfeited bond, the Commissioner shall “cancel the license privilege and authorization of the insurer to do business within the State of Oklahoma and cancel the surety appointment of all surety bondsman agents of the insurer.

### **ORDER**

**IT IS THEREFORE ORDERED** that Denise Bowline is **CENSURED and FINED Two Hundred Fifty Dollars (\$250.00)**.

**IT IS FURTHER ORDERED** that the face amount of the bond forfeiture shall be deposited with the Osage County Court Clerk (or the bond forfeiture otherwise set aside or the bond exonerated) within thirty (30) days of receipt of this Order. Failure to do so shall result in the **CANCELLATION** of Denise Bowline’s license privilege and authorization to do business within the State of Oklahoma and **CANCELLATION** of the surety appointment of all surety bondsman agents of Denise Bowline.

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 Dan R. Byrd, Assistant General Counsel, Oklahoma Insurance Department, Legal Division, 3625 NW

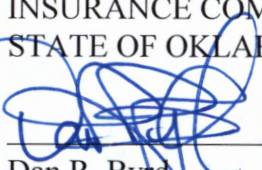
56<sup>th</sup> Suite 100, Oklahoma City, Oklahoma 73112 and give an explanation of Respondent's actions alleged herein and any defenses thereto.

**If Respondent does not request a hearing within the 30 days allotted, this Order shall become a FINAL ORDER on the 31<sup>st</sup> day following the receipt of the Order, and the fines ordered herein shall be due.**

WITNESS My Hand and Official Seal this 28<sup>th</sup> day of April, 2014.



JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

  
\_\_\_\_\_  
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

**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 28<sup>th</sup> day of April, 2014, to:

Denise Bowline  
P.O. Box 2422  
Bartlesville, OK 74005

Certified Mail No.  
7001 0320 0004 4248 4597



\_\_\_\_\_

Dan R. Byrd

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

7001 0320 0004 4248 4597

OFFICIAL USE

|   |    |
|---|----|
| Postage   | \$ |
| Certified Fee                                     |    |
| Return Receipt Fee<br>(Endorsement Required)      |    |
| Restricted Delivery Fee<br>(Endorsement Required) |    |



Total Postage

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

Denise Bowline  
 P.O. Box 2422  
 Bartlesville, OK 74005  
**sms/14-0406-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:

Denise Bowline  
 P.O. Box 2422  
 Bartlesville, OK 74005  
**sms/14-0406-DIS/Cond Ord**

RECEIVED  
 OKLAHOMA INSURANCE DEPARTMENT  
 Legal Division

MAY 05 2014

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
*Denise Bowline*  Agent  Addressee

B. Received by (Printed Name) *Denise Bowline* C. Date of Delivery *4-30-14*

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below: \_\_\_\_\_

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

(Transfer from service label)

7001 0320 0004 4248 4597

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540