

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

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

Case No. 14-0876-DIS

FILED

SEP 05 2014

INSURANCE COMMISSIONER
OKLAHOMA

**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 Michael Shelton (“Respondent”) is a licensed bail bondsman in the State of Oklahoma holding license number 100113634.

FINDINGS OF FACT

1. On August 11, 2014, the Oklahoma Insurance Department Bail Bond Division received a notice from the Oklahoma County Court Clerk advising that Respondent signed a document titled “Bondsman Agreement and Acknowledgment to Remain on Defendant’s Bond after Plea(s) and until Defendant is Sentenced by the Court”. See Agreement To Remain On Bond When Not An Agent dated August 7, 2014 , attached hereto as Exhibit “A”.
2. On December 13, 2013 bail bondsman Hollie Hayden executed an appearance bond in

Oklahoma County Case No. CF-2013-8521 using United States Fire Insurance Company power of attorney number U10-20477450. See Appearance Bond dated December 13, 2013, attached hereto as Exhibit “B”.

3. On August 6, 2014, the Defendant, Shenice Lavon Huff, entered a blind plea of guilty and Respondent signed a document titled “Bondsman Agreement and Acknowledgement to Remain on Defendant’s Bond after Plea(s) and until Defendant is Sentenced by the Court” even though Respondent did not execute the appearance bond. See Bondsman Agreement and Acknowledgment to Remain on Defendant’s Bond after Plea(s) and until Defendant is Sentenced by the Court dated August 6, 2014, attached hereto as Exhibit “C”.

4. Respondent has never been appointed with United States Fire Insurance Company and did not have the authority to remain on the appearance bond. Therefore, Respondent’s agreement to remain on the appearance bond was improper.

CONCLUSIONS OF LAW

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

2. Respondent has violated 59 O.S. §§ 1301(B)(5) and 1317(A), by signing the Bondsman Agreement and Acknowledgment to Remain on Defendant’s Bond after Plea(s) and until Defendant is Sentenced by the Court dated August 6, 2014 when he was not appointed with United States Fire Insurance Company and had not executed the appearance bond for Defendant Shenice Lavon Huff dated December 13, 2013 .

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 Michael Shelton is CENSURED and FINED Two Hundred Fifty Dollars (\$250.00). 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 Dan R. Byrd, 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.

WITNESS My Hand and Official Seal this 5th day of September, 2014.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

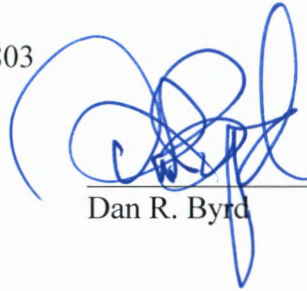


Dan R. Byrd
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 522-6330
Fax (405) 522-0125

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 5th day of September, 2014, to:

Michael Shelton
217 N. Harvey Ave., Ste 208A
Oklahoma City, OK 73102-3803



Dan R. Byrd

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

For delivery information visit our website at www.usps.com

OFFICIAL USE

7014 0150 0001 9588 2159

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



Sent To: **Michael Shelton**
 217 N. Harvey Ave, Suite 208 A
 OKC, OK 73102-3803
 sms/14-0876-DIS/Cond Ord

PS Form 3800, August 2006 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> 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. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) Mike Shelton</p> <p>C. Date of Delivery SEP 17 2014</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below</p>
<p>1. Article Addressed to:</p> <div style="border: 1px solid black; padding: 5px; margin: 10px;"> <p>Michael Shelton 217 N. Harvey Ave, Suite 208 A OKC, OK 73102-3803 sms/14-0876-DIS/Cond Ord</p> </div>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label)</p> <p>7014 0150 0001 9588 2159</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>



RECEIVED
OKLAHOMA INSURANCE DEPARTMENT

AUG 11 2014

BAIL BOND

TIM RHODES COURT CLERK
OKLAHOMA COUNTY

Dept Case No. _____ SBS Tracking ID No. BBA
47309

Above for Oklahoma Insurance Department use only

AGREEMENT TO REMAIN ON BOND WHEN NOT AN AGENT

Date AUGUST 7, 2014

Attn: Bail Bond Division / Anna
Oklahoma Insurance Department
3625 NW 56th Street, Suite 100
Oklahoma City, OK 73112-4511

Re: State of Oklahoma vs. SHENICE HUFF

OKLAHOMA COUNTY

Case Number CF-2013-8521

To Whom It May Concern:

Pursuant to 59 O.S. §1332, we are formally notifying your office that the bondsman, MICHAEL SHELTON (100113634), has signed a BONDSMAN AGREEMENT AND ACKNOWLEDGMENT TO REMAIN ON DEFENDANT'S BOND AFTER PLEA(S) AND UNTIL DEFENDANT IS SENTENCED BY THE COURT ON THE 5TH DAY OF AUGUST 2014.

The court record reflects that Hollie Hayden posted this bond on 12/3/13 under United States Fire Insurance Company and Michael Shelton is not an agent of United States Fire Insurance Company .

Attached you will find a certified copy of the Order of agreement to remain on defendant's bond until formal sentencing, certified copy of the bond and docket sheet.

Exhibit A

RECEIVED
OKLAHOMA INSURANCE DEPARTMENT
AUG 11 2014
BAIL BOND

Submitted by:

TIM RHODES District Court Clerk

OKLAHOMA COUNTY, Oklahoma (Seal)

[Signature] (Position)

DEPUTY COURT CLERK; DEPARTMENT HEAD OF BOND FORFEITURE

Telephone number - (405) 713-1726

Note – Please also attach certified copies of the docket sheet, appearance bond, power of attorney, and any Motions and Orders that pertain to the bail bond forfeiture. Thank you.

(Rev 08/01/2011)



DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

RECEIVED
OKLAHOMA INSURANCE DEPARTMENT
AUG 11 2014

STATE OF OKLAHOMA)

vs. Shenice Huff
Defendant. 11/29/13

CASE NO. CF 13-8521

BAIL BOND
FILED IN DISTRICT COURT
OKLAHOMA COUNTY

DEC 13 2013
TIM RHODES
COURT CLERK
9

APPEARANCE BOND

NOW ON THIS 13 day of December, 2013, Shenice Huff as principal, and Hollie Hayden / USFIC as surety, appeared personally before the undersigned authority TIM RHODES, Oklahoma County Court Clerk, and jointly and severally acknowledged themselves to be indebted to the State of Oklahoma, and the Oklahoma County Court Fund, in the sum of \$ 500 to be enforced against their respective goods, chattels, lands, tenements, cash deposit and/or escrow deposit. However, if the defendant, who has been committed to the Oklahoma County Jail, shall personally appear before the District Court of Oklahoma County on the 13 day of December, 2013 at 1:30 clock P.m., and from term to term, and from day to day of each term, to answer a charge referred against defendant for the offense of 2 Carx Medicard Fraud, Identity Theft

_____ to do and receive what shall be enjoined by the Court upon defendant, and not depart without leave, then this bond to be void; otherwise to continue in full force and effect

Witness our hands and seal this _____ day of _____, 2013.

Signature/Address of Defendant
[Signature]

Signature/Address of Surety
Hollie Hayden / USFIC
PO Box 728470 / P.O. Box 2007
OKL, OK 73172 / Houston, TX 77052
405-812-5843

Approved this 13 day of Dec, 2013. [Signature]

JUDGE OF THE DISTRICT COURT
[Signature]

AFFIDAVIT AS TO UNDERTAKING

STATE OF OKLAHOMA)
OKLAHOMA COUNTY) ss:

Hollie Hayden being first duly sworn upon oath, states he/she is a resident of Oklahoma County, State of Oklahoma, and that neither he/she nor anyone for this undertaking, except as hereinafter specified: (a) He/she has received the sum of \$ 500 from Nick Bruner and/or has been promised the sum of \$ 300 from Nick Bruner as consideration for making this undertaking; (b) He/she has received the following described property or instrument from _____ as security for making this undertaking: _____

(c) _____ has promised to secure him/her for making this undertaking.

TIM RHODES Court Clerk for Oklahoma County
I hereby certify that the foregoing is a true, correct and complete copy of the instrument as appears on file in the District Court Clerk's Office of Oklahoma County, Oklahoma, this _____ day of _____, 20____.
[Signature]
TIM RHODES, Court Clerk
[Signature]
Deputy

Exhibit B

RECEIVED
OKLAHOMA INSURANCE DEPARTMENT
AUG 11 2014
BAIL BOND

UNITED STATES FIRE INSURANCE COMPANY
10350 Richmond Ave. Suite 310 Houston, TX 77042
P.O. Box 2807 Houston, Texas 77252-2807
(713) 354-8100 (713) 354-8188 FAX

POWER OF ATTORNEY

POWER NO.

010 -20477450

POWER AMOUNT \$

*** 10,000***

This Power of Attorney is granted pursuant to Article IV of the By Laws of UNITED STATES FIRE INSURANCE COMPANY as now in full force and effect. Article IV, Execution of Instruments- Except as the Board of Directors may authorize by resolution, the Chairman of the Board, President, any Vice-President, any Assistant Vice-President, the Secretary, or any Assistant Secretary shall have power on behalf of the Corporation: (a) to execute, affix the corporate seal manually or by facsimile to, acknowledge, verify and deliver any contracts, obligations, instruments and documents whatsoever in connection with its business, including, without limiting the foregoing, any bonds, guarantees, undertakings, recognizances, powers of attorney or revocations of any powers of attorney, stipulations, policies of insurance, deeds, leases, mortgages, releases, satisfactions and agency agreements; (b) to appoint, in writing, one or more persons for any or all of the purposes mentioned in the preceding paragraph (a), including affixing the seal of the Corporation. Authority of such Attorney In-Fact is limited to appearance bonds and cannot be construed to guarantee defendant's future lawful conduct, adherence to travel limitation, fines, restitution, payments or penalties, or any other condition imposed by a court not specifically related to court appearance.

This Power of Attorney is for use with Bail Bonds only. Not valid if used in connection with Federal Bonds or Immigration Bonds. This power void if altered or erased, void if used with other powers of this Company or in combination with powers from any other surety company, void if used to furnish bail in excess of the stated face amount of this power, and can only be used once.

TEN THOUSAND DOLLARS

The obligation of the Company shall not exceed the sum of

and provided this Power of Attorney is filed with the bond and retained as a part of the court records. The said Attorney-In-Fact is hereby authorized to insert in this Power of Attorney the name of the person on whose behalf this bond was given.

IN WITNESS WHEREOF, THE UNITED STATES FIRE INSURANCE COMPANY has caused these presents to be signed by its duly authorized officer, proper for the purpose and its corporate seal to be hereunto affixed this 15 of December 2013

Bond Amount \$ 8000

Defendant Shenice Huff

Charges Medicaid Fraud x2, Identity Theft

Court District

Case No. CF-13-8521

City OKC State OK

If rewrite, original No. _____

Executing agent Holley Hays
NAME



By Robert Crawford
Robert Crawford
Vice President

VOID IF NOT ISSUED BY: 05/01/2014

**FOR STATE USE ONLY
NOT VALID IF USED IN FEDERAL COURT**

S-002305-A REV (04/10)

COPY FOR COURT



FILED IN DISTRICT COURT
OKLAHOMA COUNTY

AUG 06 2014

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

TIM RHODES
COURT CLERK

90 [Signature]

THE STATE OF OKLAHOMA,)
)
Plaintiff,)
)
vs.)
Shenice L. Huff)
)
Defendant.)

CF- 13 - 6828

CASE NO. CF- 13 - 8521

CF- _____

RECEIVED
OKLAHOMA INSURANCE DEPARTMENT
AUG 11 2014

BONDSMAN AGREEMENT AND ACKNOWLEDGMENT TO REMAIN ON
DEFENDANT'S BOND AFTER PLEA(S) AND UNTIL DEFENDANT IS SENTENCED
BY THE COURT

BAIL BOND

Now on this 6th Day of Aug, 20 14, the above named
defendant entered a plea(s) in the above named case number(s). The State of
Oklahoma appears by Assistant District Attorney Amela Swagena
and enters no objection to the Defendant remaining on bond pending sentencing by the
court.

Further, the below named Bondsman, acknowledged by their signature below, hereby
agrees to remain on the Defendant's bond(s) pending sentencing by the court and
guarantees the above named Defendants appearance in court and remain responsible
for the bond until the Defendant is sentenced by the court.

Michael Shelton of Shelton Family Bail Bonding
Bondsman Name Printed Bonding Company

100113634
Oklahoma Bondsman License Number

[Signature] 8-5-14
Bondsman Signature Date

I, TIM RHODES, Court Clerk for Oklahoma County,
Okla., certify that the foregoing is a true, correct
and complete copy of the instrument as appears of
record in the District Court Clerk's Office of
Oklahoma County, Okla., this _____ day
of _____, 20 14
By [Signature] TIM RHODES, Court Clerk
Deputy

Exhibit C