

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

**FILED**

NOV 20 2014

INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.	)	
DOAK, Insurance Commissioner,	)	
Petitioner,	)	
vs.	)	
	)	Case No. 14-1091-DIS
ROBERT HEATH THOMPSON, a licensed bail	)	
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 Assistant General Counsel Dan R. Byrd 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 Robert Heath Thompson (“Respondent”) was a licensed bail bondsman in the State of Oklahoma holding license number 100106369 that expired on September 30, 2013.

**FINDINGS OF FACT**

1. On June 20, 2014, the Oklahoma Insurance Department’s (the “Department”) Bail Bond Division received a Consumer Complaint from Ronald William Nelson (“Nelson”) that alleged Respondent will not return cash collateral. Nelson submitted a copy of a wire transfer from River City Bank. The transfer indicates that Six Thousand Dollars (\$6,000.00) was transferred to Respondent’s Navy Federal Credit Union account on July 27, 2011 by Nelson’s son, Kevin S. Nelson. Nelson also submitted a copy of his bank statement indicating the transfer of Six Thousand Dollars (\$6,000.00).

2. The Department's Bail Bond Division investigated Nelson's complaint based on 59 O.S. § 1310(E).

3. On July 21, 2011, Respondent executed an appearance bond in Tulsa County District Court case NF-2011-4566, which was later filed as CF-2011-2770. The appearance bond was in the amount of Five Thousand Dollars (\$5,000.00) and executed on insurer Keith Ervin's power of attorney number Q2.

4. The appearance bond's Affidavit as to Undertaking and Qualifications of Surety section indicates Five Hundred Dollars (\$500.00) as premium and Five Thousand Dollars (\$5,000.00) as cash collateral. These same amounts were reported to the Department on Keith Ervin's July 2011 professional report.

5. The docket sheet in Tulsa County District Court case CF-2011-2770 indicates that on June 25, 2012 Nelson was convicted and the bond was exonerated. According to 59 O.S. § 1310(A)(21), collateral security shall be returned immediately upon final termination of liability on the bond and upon satisfaction of all terms, conditions, and obligations contained within the indemnity agreement. See also 59 O.S. § 1314(A).

6. On June 19, 2014 Department staff sent a letter, via certified mail, to Respondent ordering him to respond to the allegations in the complaint. Respondent signed for the letter on June 25, 2014. On the same date Department staff sent a letter, via certified mail, to Keith Ervin the insurer on the appearance bond. M. Jones signed for the letter but did not date the USPS form 3811, the green card.

7. The Department received Keith Ervin's response on June 26, 2014 and Respondent's response on July 10, 2014.

8. On July 17, 2014 the Department sent a letter, via certified mail, to Respondent advising him to return the cash collateral to Nelson. Respondent signed for receipt of the letter but did not date the USPS form 3811, the green card. Per [www.usps.com](http://www.usps.com) Respondent received the letter on July 19, 2014.

9. In telephone calls Department staff had with Respondent on July 22, 2014 and August 15, 2014 Respondent stated that he would return the cash collateral. On October 31, 2014 Department staff attempted to contact Nelson by telephone at (916) 390-0466, but received a message stating that the number is not a working number.

### **CONCLUSIONS OF LAW**

10. Respondent has violated 59 O.S. § 1310(A)(4) for misappropriation, conversion, or unlawful withholding of monies or property belonging to insurers, insureds, or others received in the conduct of business under his bail bond license.

11. Respondent has violated 59 O.S. § 1310(A)(22) for his willful failure to return collateral security to the principal when the principal is entitled thereto.

12. Respondent has violated 59 O.S. § 1310(A)(2) for violation of any laws of this state or any lawful rule, regulation, or order of the Commissioner relating to bail.

13. 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 Robert Heath Thompson is **CENSURED** and **FINED** Two Hundred-Fifty Dollars (\$250.00) for unlawfully withholding monies owed to Ronald William

Nelson in the conduct of business under his bail bond license.

**IT IS FURTHER ORDERED** that Robert Heath Thompson shall pay Ronald William Nelson Six Thousand Dollars (\$6,000.00) and provide documentation of such payment to the Department.

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 56<sup>th</sup> 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 31<sup>st</sup> day following the receipt of the Order.**

WITNESS My Hand and Official Seal this 20<sup>th</sup> day of November, 2014.



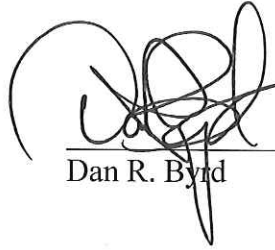
JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

  
\_\_\_\_\_  
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 20<sup>th</sup> day of November, 2014, to:

Robert Heath Thompson  
Bullet Bail Bonds  
1316 S. 262<sup>nd</sup> West Ave.  
Sand Springs, OK 74063-9631



Dan R. Byrd

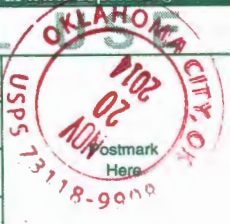
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**Sent To**

Robert Heath Thompson  
Bullet Bail Bonds  
1316 S. 262nd West Ave.  
Sand Springs, OK 74063-9631  
sms/14-1091-DIS/Cond Ord

PS Form 3800, August 2006 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:

Robert Heath Thompson  
Bullet Bail Bonds  
1316 S. 262nd West Ave.  
Sand Springs, OK 74063-9631  
sms/14-1091-DIS/Cond Ord

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee

*Robert H. Thompson*

B. Received by (Printed Name) C. Date of Delivery

Robert H. Thompson 11/26/14

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

2. Article Number (Transfer from service label) 7014 0150 0001 9588 5402