

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

FILED
MAR 20 2015
INSURANCE COMMISSIONER
OKLAHOMA

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

vs.

**JOHN KEEFE, a licensed bail bondsman in
the State of Oklahoma,**

AND

**AMERICAN SURETY COMPANY, an
insurance company licensed to act as bail
surety in the State of Oklahoma,**

Respondents.

CASE NO. 15-0287-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. Respondent John Keefe ("Keefe") is a licensed bail bondsman in the State of Oklahoma holding license number 100175523.

3. Respondent American Surety Company ("ASC") is an insurance company licensed to act as bail surety in the State of Oklahoma holding NAIC number 31380.

FINDINGS OF FACT

1. On or about November 1, 2014, an appearance bond was executed as follows:

Defendant: Litisha Sharmaine Robinson
Case Number(s): CM-2013-1045
City/County: Oklahoma County Court Clerk
Surety: American Surety Company
Bondsman: John Keefe
Power Number(s): AS25-234340
Bond Amount(s): \$4000

2. On November 12, 2014, the Defendant failed to appear, and the bond was orally declared forfeited. An Order and Judgment of Forfeiture was filed by the court on November 24, 2014. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondents with return receipt requested within thirty (30) days after the Order's filing.

3. Keefe's copy of the Order and Judgment of Forfeiture was received on November 25, 2014.

4. ASC's copy of the Order and Judgment of Forfeiture was received on December 1, 2014.

5. The ninetieth (90th) day after receipt of the Order and Judgment of Forfeiture by Respondents was Monday, February 23, 2015.

6. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture by Respondents was Tuesday, February 24, 2015.

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 Respondents.

9. The bond was reported.

CONCLUSIONS OF LAW

1. The allegations are found to be true and correct, and Respondents have violated 59 O.S. § 1332(D) by failing to return the Defendant within ninety (90) days or remit payment in the face amount of the bond forfeiture within ninety-one (91) days from receipt of the Order and Judgment of Forfeiture.

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.

ORDER

IT IS THEREFORE ORDERED that John Keefe and American Surety Company are each **CENSURED** and **FINED** Five Hundred Dollars (\$500.00).

IT IS FURTHER ORDERED that the face amount of the bond forfeiture shall be deposited with the Oklahoma 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 American Surety Company'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 American Surety Company.

Respondents are further notified that they 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 56th Suite 100, Oklahoma City, Oklahoma 73112 and **give an explanation of Respondents'**

actions alleged herein and any defenses thereto.

If Respondents do 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, and the fines ordered herein shall be due.

WITNESS My Hand and Official Seal this 20th day of March, 2015.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Dan R. Byrd", written over a horizontal line.

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

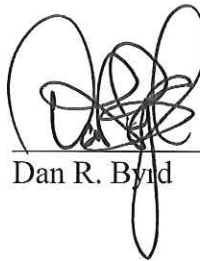
I hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to Be Heard* was mailed regular mail, on this 20th day of March, 2015, to:

John Keefe
2519 S.W. 59th Street
Oklahoma City, OK 73119-6613

**CERTIFIED MAIL NO:
7014 2870 0000 5492 8944**

American Surety Company
P.O. Box 68932
Indianapolis, IN 46268

**CERTIFIED MAIL NO:
7014 2870 0000 5492 8951**



Dan R. Byrd

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

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

OFFICIAL USE

7014 2870 0000 5492 8944

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fee	
John Keefe 2519 S.W. 59TH Street Oklahoma City, OK 73119-6613 15-0287-DIS/DRB(mt) (Cond.Adm.Ord.~3-20-15)	
Sent To Street & Apt. No., or PO Box No. City, State, ZIP+4	



PS Form 3800, July 2014

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:

John Keefe
 2519 S.W. 59TH Street
 Oklahoma City, OK 73119-6613
15-0287-DIS/DRB(mt)
(Cond.Adm.Ord.~3-20-15)

2. Article Number
 (Transfer from service label)

7014 2870 0000 5492 8944

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Addressee
Alex Tate

B. Received by (Printed Name) C. Date of Delivery
Alex Tate 3-23

D. Is delivery address different from item 1? ☐ Yes
 YES enter delivery address below: ☐ No

Legal Division

3. Service Type
☒ Certified Mail® ☐ Priority Mail Express™
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes

PS Form 3811, July 2013

Domestic Return Receipt

7014 2870 0000 5492 8951

U.S. Postal Service[™]
CERTIFIED MAIL[®] RECEIPT
 Domestic Mail Only

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

OFFICIAL USE

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

Total Postage & F

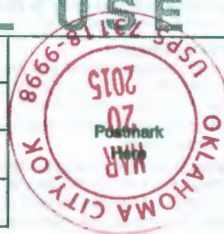
Sent To

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

American Surety Company
 P.O. Box 68932
 Indianapolis, IN 46268
15-0287-DIS/DRB(mt)
(Cond. Adm. Ord. ~3-20-15)

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(Cond. Adm. Ord. ~3-20-15)

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☒ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

3/23

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

RECEIVED
 PHILLIP L. WELSBERGER
 OKLAHOMA INSURANCE DEPARTMENT

MAR 27 2015

3. Service Type

☒ Certified Mail ☐ Priority Mail Express[™]

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

7014 2870 0000 5492 8951

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