

**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.

**TAMMY TROTTER, a licensed bail
bondsman in the State of Oklahoma,**

AND

**ROBERTA AGUILAR, a professional bail
bondsman licensed in the State of Oklahoma,
Respondents.**

CASE NO. 15-0289-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 Tammy Trotter ("Trotter") is a licensed bail bondsman in the State of Oklahoma holding license number 100128283.

3. Respondent Roberta Aguilar ("Aguilar") is a licensed professional bail bondsman in the State of Oklahoma holding license number 199461.

FINDINGS OF FACT

1. On or about August 23, 2014, an appearance bond was executed as follows:

Defendant:	Lecresha Maddox
Case Number(s):	CF-2014-3888
City/County:	Tulsa County Court Clerk
Insurer:	Roberta Aguilar
Bondsman:	Tammy Trotter
Power Number(s):	ABB-14-23150
Bond Amount(s):	\$1000

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 17, 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. Trotter received a copy of the Order and Judgment of Forfeiture November 19, 2014.

4. Aguilar received a copy of the Order and Judgment of Forfeiture on November 19, 2014.

5. The ninetieth (90th) day after receipt of the Order and Judgment of Forfeiture by Respondents was Tuesday, February 17, 2015.

6. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture by Respondents was Wednesday, February 18, 2015.

7. The bond forfeiture was paid late on Thursday, February 19, 2015.

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 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 and 59 O.S. §§ 1310(A)(24) and 1314(B) for failing to report the bond.

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 Tammy Trotter and Roberta Aguilar are each **CENSURED** and **FINED** Two Hundred Fifty Dollars (\$250.00).

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

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

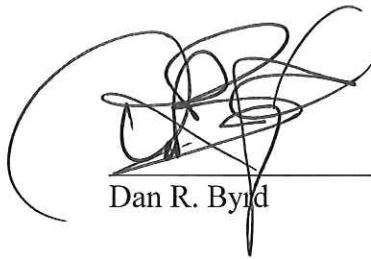
I hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to Be Heard* was mailed certified, return receipt requested, on this 20th day of March, 2015, to:

Tammy Trotter
121 N. Denver Ave.
Tulsa, OK 74103-1819

**CERTIFIED MAIL NO:
7014 2870 0000 5492 8982**

Roberta Aguilar
121 N. Denver Ave.
Tulsa, OK 74103-1819

**CERTIFIED MAIL NO:
7014 2870 0000 5492 8999**



Dan R. Byrd

7014 2870 0000 5492 8999

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Restricted Delivery Fee
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Total Postage &

Roberta Aguilar
121 N. Denver Ave.
Tulsa, OK 74103-1819
15-0289-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:

Roberta Aguilar
121 N. Denver Ave.
Tulsa, OK 74103-1819
15-0289-DIS/DRB(mt)
(Cond.Adm.Ord.~3-20-15)

2. Article Number

(Transfer from service label)

7014 2870 0000 5492 8999

PS Form 3811, July 2013

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☒ Agent

☐ Addressee

B. Received by (Printed Name)

Jonathan Lane

C. Date of Delivery

3/23/15

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

If different, print delivery address below: ☐ No

3. Service Type

☒ Certified Mail[®]

☐ Priority Mail Express[™]

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee)

☐ Yes

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MAR 26 2015

Legal Division

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	

Sent To
 Street & Apt. No.,
 or PO Box No.
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☒ Addressee

B. Received by (Printed Name) C. Date of Delivery
 Jonathan Lane 3/23/15

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

3. Service Type
☒ Certified Mail[®] ☐ Priority Mail Express[™]
☐ Registered ☐ Return Receipt for Merchandise
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 OKLAHOMA INSURANCE DEPARTMENT
 MAR 26 2015
 Legal Division

7014 2870 0000 5492 8982

Domestic Return Receipt