BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner, Petitioner, Petitioner, Vs. TRACEY HALLEY-TERRELL, a licensed bail bondsman in the State of Oklahoma, AND CASE NO. 16-0102-DIS ALLEGHENY CASUALTY COMPANY, an insurance company licensed to act as bail surety in the State of Oklahoma, Respondents.

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 Tracey Halley-Terrell ("Terrell") is a licensed bail bondsman in the State of Oklahoma holding license number 200230.
- Respondent Allegheny Casualty Company ("ACC") is an insurance company licensed to act as bail surety in the State of Oklahoma holding NAIC number 13285.

FINDINGS OF FACT

1. On or about August 12, 2015, an appearance bond was executed as follows:

Defendant:

Manuel Biliebre

Case Number(s):

CF-2012-2751

City/County:

Oklahoma County Court

Surety:

Allegheny Casualty Company

Bondsman:

Tracey Halley-Terrell

Power Number(s):

AS6K-505209

Bond Amount(s):

\$3500

- 2. On September 3, 2015, the Defendant failed to appear, and the bond was orally declared forfeited. An Order and Judgment of Forfeiture was filed by the court on September 10, 2015. 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. Terrell received a copy of the Order and Judgment of Forfeiture on September 11, 2015.
 - 4. ACC received a copy of the Order and Judgment of Forfeiture on September 14, 2015.
- 5. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture by Respondents was Friday, December 11, 2015.
 - 6. The bond forfeiture was paid late on December 16, 2015.
- 7. 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.
 - 8. 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 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 failing to report the bond as required by 59 O.S. §§ 1310(A)(24) and 1314(B).

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 Tracey Halley-Terrell and Allegheny Casualty Company are <u>each</u> **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 Aday of January, 2016.



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) 522-6330

CERTIFICATE OF MAILING

Tracey Halley-Terrell 217 N. Harvey Ave., Ste. 409 Oklahoma City, OK 73102-3800 CERTIFIED MAIL NO: 7015 0640 0002 7406 5753

Allegheny Casualty Company 26560 Agoura Road Ste. 100 Calabasas, CA 91311

CERTIFIED MAIL NO: 7015 0640 0002 7406 5760

Dan R. Byrd

P6 Form 3811, April 2015 RSN 7530-02-000-9053

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COMPLETE THIS SECTION ON DELIVERY SENDER: COMPLETE THIS SECTION ■ Complete items 4,2, and 3. ☐ Agent ■ Print your name and address on the reverse ☐ Addressee so that we can return the card to you. B. Received by (Printed Name) C. Date of Delivery Attach this card to the back of the mailpiece, or on the front if space permits. D is delivery address different from item 1? Yes 1. Article Addressed to: CKLAHO Tracey Halley-Terrell 217 N. Harvey Ave., Ste. 409 EB 0 _ 2016 Oklahoma City, OK 73102-3800 16-0102-DIS/DRB(mt) Legal Division (Cond.Adm.Ord. & Notice~1-27-16) □ Priority Mail Express® □ Registered Mail™ □ Registered Mail Restricted Delivery □ Return Receipt for Merchandise □ Signature Confirmation™ 3. Service Type □ Adult Signature □ Adult Signature Restricted Delivery □ Adult Signature Restricted Delivery □ Certified Mail Restricted Delivery □ Collect on Delivery □ Collect on Delivery 9590 9403 0272 5155 0703 44 2. Article Number (Transfer from service label) ☐ Signature Confirmation ☐ Insured Mail ☐ Insured Mail Restricted Delivery (over \$500) 7015 0640 0002 7406 5753 Restricted Delivery

Domestic Return Receipt

PS Form 3811, April 2015 PSN 7530-02-000-9053

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. ■ 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: Allegheny Casualty Company 26560 Agoura Road, Ste. 100 Calabasas, CA 91311 16-0102-DIS/DRB(mt) (Cond.Adm.Ord. & Notice~1-27-16)	A. Signature X. Addressee B. Received by (Printed Name) ABEL MOROYOUL ABEL MOROYOUL Yes SURMINES Lamer districting address below: No Date of Delivery ABEL MOROYOUL Yes No Date of Delivery ABEL MOROYOUL Yes No Date of Delivery ABEL MOROYOUL Yes No Division
9590 9403 0272 5155 0703 51	3. Service Type □ Priority Mail Express® □ Adult Signature □ Adult Signature Restricted Delivery □ Certified Mail® □ Registered Mail Restricted Delivery □ Certified Mail Restricted Delivery □ Certified to Delivery □ Certified Type Type □ Certified Type □ Certified Mail Restricted Delivery □ Certified Type □ Certified Mail Restricted Delivery □ Certified Mail Restricted Delivery □ Certified Type □ Certified Mail Restricted Delivery □ Certified Mail Re
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7015 0640 0002 7406 5760	☐ Insured Mail ☐ Insured Mail Restricted Delivery (over \$500)

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