### BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

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STATE OF OKLAHOMA, ex rel. JOHN D.	)		MAY 1 1 2016
DOAK, Insurance Commissioner,			INSURANCE COLUM
Petitioner,	)		INSURANCE COMMISSIONER OKLAHOMA
VS.	)		
	)	Case No. 16-0461-DIS	
RYAN TRAVIS KIRKPATRICK, a licensed bail	)		
bondsman in the State of Oklahoma,	)		
Respondent.	)		
Petitioner, vs.  RYAN TRAVIS KIRKPATRICK, a licensed bail bondsman in the State of Oklahoma,	) ) ) )		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. §§ 1301-1341.
- 2. Respondent Ryan Travis Kirkpatrick ("Respondent") is a licensed bail bondsman in the State of Oklahoma holding license number 202229.

#### FINDINGS OF FACT

- 1. Respondent submitted his January 2016 Lexington National Insurance Corporation ("LNIC") report to the Oklahoma Insurance Department ("Department") on Wednesday, February 17, 2016 — 1 day after the report was due on Tuesday, February 16, 2016.
  - 2. Respondent submitted his February 2016 LNIC report to the Department on Thursday,

March 17, 2016 — 2 days after the report was due on Tuesday, March 15, 2016.

- Respondent submitted his March 2016 LNIC report to the Department on Monday, May
   2, 2016 17 days after the report was due on Friday, April 15, 2016.
  - 4. This is Respondent's seventh (7<sup>th</sup>) violation of this type.
- 5. Respondent currently has outstanding administrative fines with the Department as follows: 15-1343-DIS \$1,000.00, 16-0014-DIS \$750.00 and 16-0145-DIS \$1,500.00.

### **CONCLUSIONS OF LAW**

- 1. Respondent has violated 59 O.S. § 1310(A) (24) for failing to file a report as required by Section 1314.
- 2. Respondent has violated 59 O.S. § 1314(B), which states that "monthly reports shall be submitted electronically to the Insurance Commissioner by the fifteenth day of each month."
- 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 Ryan Travis Kirkpatrick is **CENSURED** and **FINED** Two Thousand Five Hundred Dollars (\$2,500.00).

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 56<sup>th</sup> St., Suite 100, Oklahoma City, Oklahoma 73112, and state the basis for requesting the hearing.

If Respondent has not paid the fine ordered herein and all of his outstanding administrative fines with the Department in Case Numbers 15-1343-DIS \$1,000.00, 16-0014-DIS \$750.00, and 16-0145-DIS \$1,500.00 and does not request a hearing within the thirty (30) days allotted, this Order shall become a FINAL ORDER on the thirty-first (31<sup>st</sup>) day following the receipt of the Order, Respondent's license shall be immediately suspended, and the fine ordered herein shall be due.

WITNESS My Hand and Official Seal this \_\_\_\_\_ day of May, 2016.



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 \_\_\_\_\_\_ day of May, 2016, to:

Ryan Travis Kirkpatrick Shamrock Bail Bonds 1901 N. Classen Blvd., Ste 110 Oklahoma City, OK 73106-6011

CERTIFIED MAIL NO: 7015 3010 0001 4736 5672

Dan R. Byr

4736

0001

3010

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY		
<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature  Agent  Addressee  B. Received by (Printed Name)  C. Date of Delivery		
1. Article Addressed to:	Only delivery address different from item 1? Yes		
Ryan Travis Kirkpatrick Shamrock Bail Bonds 1901 N. Classen Blvd., Ste. 110 Oklahoma City, OK 73106-6011 16-0461-DIS/DRB(mt) (Cond.Adm.Ord. & Notice ~5-11-16)	1 7 2016		
9590 9402 1346 5285 6032 61	3. Service Type		
2. Article Number (Transfer from service label) 7015 3010 0001 4736 5672	□ Collect on Delivery Restricted Delivery □ Signature Confirmation □ Insured Mail Restricted Delivery (over \$500) □ Signature Confirmation □ Restricted Delivery		
DC Earn 3811 July 2015 DON 7520 02 000 0052	Domestic Return Receipt		