

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

FILED

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

JAN 09 2017

Petitioner, )

INSURANCE COMMISSIONER  
OKLAHOMA

v. )

Case No. 16-0480-DIS

CALEB LAYTON MORRIS, IV, )  
a licensed insurance producer 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 his attorney, Barron B. Brown, and alleges and states as follows:

JURISDICTION

1. John D. Doak is the Insurance Commissioner of the State of Oklahoma and is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., including the Oklahoma Producer Licensing Act (the "Act"), 36 O.S. §§ 1435.1 through 1435.41.

2. Caleb Layton Morris, IV ("Respondent") is a licensed insurance producer in the State of Oklahoma holding license number 0040020856. Respondent's business address of record is 7136 S. Yale Ave. Ste. 218, Tulsa, Oklahoma 74136-6356.

3. The Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew a license issued pursuant to the Act and/or may levy a

fine up to \$1,000.00 for each occurrence of a violation of the Oklahoma Insurance Code. 36 O.S. § 1435.13(A) and (D).

### **ALLEGATIONS OF FACT**

1. 36 O.S. § 1435.18(B) provides as follows: “[within] thirty (30) days of the initial pretrial hearing date, a producer shall report to the Insurance Commissioner any criminal prosecution of the producer taken in any jurisdiction. The report shall include a copy of the initial complaint filed, the order resulting from the hearing and any other relevant legal documents.”

2. On or about August 23, 2016, Respondent waived his right to a preliminary hearing and plead guilty to two criminal felony charges for possession of a controlled drug and possession of paraphernalia, which each resulted in deferred sentences, in the District Court of Tulsa County (Case No. CF-2016-1579). A copy of Respondent’s Plea of Guilty is attached as Petitioner’s Exhibit A.

3. Based on a check of Oklahoma Insurance Department (“OID”) Licensing Division records, Respondent failed to report the aforementioned criminal prosecution to the OID within thirty (30) days of the date he waived his right to a pretrial hearing and entered guilty pleas as stated above in Allegations of Fact #2.

### **ALLEGED VIOLATIONS OF LAW**

1. Respondent violated 36 O.S. § 1435.18(A); by failing to report to the Insurance Commissioner any criminal prosecution taken against the producer in any jurisdiction within thirty (30) days of the initial pretrial hearing date.

### **ORDER**

**IT IS THEREFORE ORDERED** by the Insurance Commissioner that

Respondent is **FINED THREE HUNDRED DOLLARS (\$300.00)** for a violation of 36 O.S. § 1435.18(B). **The \$300.00 fine is to be paid within thirty (30) days** made payable to the Oklahoma Insurance Department. The \$300.00 civil fine shall be paid by money order or cashier's check. Failure to pay the civil fine or request a hearing within thirty (30) days may result in further administrative action.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner that this Order is a Conditional Order. Unless the Respondent requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date of mailing of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first day following the date of mailing this Order. A request for hearing should be in writing addressed to Barron B. Brown, Oklahoma Insurance Department, Legal Division, 3625 NW 56<sup>th</sup> St., Suite 100, Oklahoma City, Oklahoma 73112. The request for hearing must state the grounds for the request to set aside or modify the Order.

Any such hearing shall be conducted according to the procedures for contested cases under the Oklahoma Insurance Code (36 O.S. §§ 101 et seq.) and the Oklahoma Administrative Procedures Act (75 O.S. §§ 308a et seq.). If the Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as notice of the matters to be reviewed at the hearing, and the Allegations of Fact, Alleged Violations of Law, and penalties imposed in this Conditional Order shall be considered withdrawn, pending final resolution at the hearing.

**WITNESS** My Hand and Official Seal this 9<sup>th</sup> day of January, 2017.



JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

*Barron B. Brown*

Barron B. Brown  
Assistant General Counsel  
Oklahoma Insurance Department  
3625 NW 56<sup>th</sup> St., Suite 100  
Oklahoma City, OK 73112  
(405) 521-2746

**CERTIFICATE OF MAILING**

I, Barron B. Brown, 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 by certified mail, with postage prepaid and return receipt requested, on this 9<sup>th</sup> day of January, 2017, to:

Caleb Layton Morris, IV  
7136 S. Yale Ave. Ste. 218  
Tulsa, OK 74136-6356

**CERTIFIED MAIL NO. 7016 0910 0000 8401 6001**

and a copy was delivered to:

Licensing Division  
Anti-Fraud Division

*Barron B. Brown*

Barron B. Brown  
Assistant General Counsel

CERTIFIED MAIL

NEOPOST  
01/09/2017  
US POSTAGE \$007.36  
FIRST-CLASS MAIL  
ZIP 73112  
041M1127694

2017 JAN 17 AM 11 23



7016 0910 0000 8401 6001

Caleb Layton Morris, IV  
7136 S. Yale Ave., Suite 218  
Tulsa, OK 74136-6356

NIXIE 731 DE 1700 0001/13/17  
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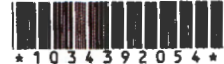


Postage \$  
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Caleb Layton Morris, IV  
7136 S. Yale Ave., Suite 218  
Tulsa, OK 74136-6356  
rlg/16-0480-DIS(BBB)/Cond Adm Ord

JAN 17 2017  
Legal Division





IN THE DISTRICT COURT OF TULSA COUNTY  
THE STATE OF OKLAHOMA

STATE OF OKLAHOMA,  
Plaintiff,

vs.  
Caleb L. Morris IV  
Defendant.

SS# ~~xxx-xx-6343~~ D.O.B. 725.1982  
2918 E. 104th St  
Tulsa, OK 74137  
(Home Address)

Case No. CF-16-1579

[NOTE: The trial judge shall ensure the defendant is sworn either prior to completing the Summary of Facts or prior to inquiry by the Court on the Plea. If the defendant is entering a nolo contendere, or other type guilty plea, correct by pen change where term "guilty" used.]



DISTRICT COURT  
**FILED**  
AUG 24 2016

SALLY HOWE SMITH, COURT CLERK  
STATE OF OKLA. TULSA COUNTY

PLEA OF GUILTY

SUMMARY OF FACTS

Part A: Findings of Fact, Acceptance of Plea

- CIRCLE
1. Is the name just read to you your true name? \_\_\_\_\_  
If no, what is your correct name? \_\_\_\_\_  
I have also been known by the name(s): \_\_\_\_\_  
\_\_\_\_\_
  2. My lawyer's name is: Sabah Khelet
  3. (a) Do you wish to have a record made of these proceedings by a Court Reporter? Yes  No   
(b) Do you wish to waive this right? Yes  No
  4. Age: 34 Grade completed in school: Beckler's
  5. Can you read and understand this form? (If the answer above is no, Addendum A is to be completed and attached.) Yes  No
  6. Are you currently taking any medications or substances which affect your ability to understand these proceedings? Yes  No
  7. Have you been prescribed any medication that you should be taking, but you are not taking? Yes  No   
If so, what kind and for what purpose? \_\_\_\_\_  
\_\_\_\_\_
  8. Have you ever been treated by a doctor or health professional for mental illness or confined in a hospital for mental illness? Yes  No   
If yes, list the doctor or health professional, place, and when occurred:  
\_\_\_\_\_  
\_\_\_\_\_
  9. Do you understand the nature and consequences of this proceeding? Yes  No
  10. Have you received a copy of the Information and read its allegations? Yes  No
  11. Does the State move to dismiss or amend any case(s) or count(s) in the information or on page 2 of the information? If so, set forth the cases/counts dismissed or amended. Yes  No

12. A. Do you understand you are charged with:

	Crime	Statutory Reference	
(1)	PCD	63 O.S. 2-402	<input checked="" type="radio"/> Yes <input type="radio"/> No
(2)	Possession Permethrin	63 O.S. 2-405	<input checked="" type="radio"/> Yes <input type="radio"/> No
(3)		O.S.	<input type="radio"/> Yes <input type="radio"/> No
(4)		O.S.	<input type="radio"/> Yes <input type="radio"/> No

For additional charges: List any additional charges on a separate sheet and label as PLEA OF GUILTY ADDENDUM B.

B. Are you charged after former conviction of a felony?

Yes  No

If yes, list the felony(ies) charged: \_\_\_\_\_

13. Have you previously been convicted of a felony? If so, when, where and for what felony/felonies? NO

14. NA (Check if applicable) Do you understand you are subject to the Delayed Sentencing Program for Young Adults and what that sentencing program involves?

Yes  No

(Check if applicable) Do you understand that upon a conviction on a plea of guilty to the offense(s) of \_\_\_\_\_ you will be required to serve a minimum sentence of: \_\_\_\_\_?

Yes  No

85% of the sentence of imprisonment imposed before being eligible for parole consideration and are not eligible for earned or other type of credits which will have the effect of reducing the length of sentence to less than 85% of the sentence imposed?

Yes  No

% of the sentence of imprisonment imposed or received prior to becoming eligible for state correctional earned credits toward completion of your sentence or eligibility for parole?

Yes  No

(Check if applicable) Do you understand that a conviction on a plea of guilty to the offense(s) of \_\_\_\_\_ will subject you to mandatory compliance with the Oklahoma Sex Offender Registration Act?

Yes  No

(Check if applicable) Do you understand that any person sentenced to imprisonment for two (2) years or more for the offense(s) of \_\_\_\_\_ involving sexual abuse, sexual exploitation, or illegal sexual conduct, shall be required to serve a term of post-imprisonment supervision for at least three (3) years under conditions determined by the Department of Corrections in addition to the actual term of imprisonment. There will be no post-imprisonment supervision for a sentence of life or life without the possibility of parole for offenses involving sexual abuse, sexual exploitation, or illegal sexual conduct.

Yes  No

(Check if applicable) Do you understand that a conviction on a plea of guilty to the offense(s) of \_\_\_\_\_ will subject you to mandatory compliance with the Oklahoma Methamphetamine Offender Registry Act?

Yes  No

(Check if applicable) Do you understand that the Court is required to include in the sentence of any person convicted of a felony and sentenced to a term of imprisonment after November 1, 2012, a term of post-imprisonment supervision. The post-imprisonment supervision shall be for a period of not less than nine (9) months nor more than one (1) year following confinement of the person and shall be served under conditions prescribed by the Department of Corrections. There will be no post-imprisonment supervision for a sentence of life without the possibility of parole.

Yes  No



15. What is/are the charge(s) to which the defendant is/are entering a plea today?

PCD Sched II § possession para-pharmatics

16. Do you understand the range of punishment for the crime(s) is/are: (List in same order as in No. 15 above)?

- (1) Minimum of 2 to a maximum of 10 years and/or a fine of \$ 5000
- (2) Minimum of 0 to a maximum of 1 year and/or a fine of \$ 10000
- (3) Minimum of \_\_\_\_\_ to a maximum of \_\_\_\_\_ and/or a fine of \$ \_\_\_\_\_
- (4) Minimum of \_\_\_\_\_ to a maximum of \_\_\_\_\_ and/or a fine of \$ \_\_\_\_\_

Yes No  
 Yes No  
 Yes No  
 Yes No

17. Read the following statements: You have the right to a speedy trial before a jury for the determination of whether you are guilty or not guilty and if you request, to determine sentence. (If pleading to capital murder, advise of procedure in 21 O.S. § 701.10(B)). At the trial:

- (1) You have the right to have a lawyer represent you, either one you hire yourself or if you are indigent a court appointed attorney.
- (2) You are presumed to be innocent of the charges.
- (3) You may remain silent or, if you choose, you may testify on your own behalf.
- (4) You have the right to see and hear all witnesses called to testify against you and the right to cross-examine them.
- (5) You may have your witnesses ordered to appear in court to testify and present evidence of any defense you have to these charges.
- (6) The state is required to prove your guilt beyond a reasonable doubt.
- (7) The verdict of guilty or not guilty decided by a jury must be unanimous. However, you can waive a jury trial and, if all parties agree, the case could be tried by a Judge alone who would decide if you were guilty or not guilty and if guilty, the appropriate punishment.

Do you understand each of these rights?

- 18. Do you understand by entering a plea of guilty you give up these rights?
- 19. Do you understand that a conviction on a plea of guilty could increase punishment in any future case committed after this plea?
- 20. Have you talked over the charge(s) with your lawyer, advised him/her regarding any defense you may have to the charges and had his/her advice?
- 21. Do you believe your lawyer has effectively assisted you in this case and are you satisfied with his/her advice?
- 22. Do you wish to change your plea of not guilty to guilty and give up your right to a jury trial and all other previously explained constitutional rights?
- 23. Is there a plea agreement?

Yes No  
 Yes No  
 Yes No  
 Yes No  
 Yes No  
 Yes No

What is your understanding of the plea agreement? ① 2 year deferred Sentence, \$600 CF / \$1500 CA, DA Supervision

② 2 year deferred Sentence, \$375 CF / 7500 CA All counts concurrent

- 24. Do you understand the Court is not bound by any agreement or recommendation and if the Court does not accept the plea agreement, you have the right to withdraw your plea of guilty?
- 25. Do you understand that if there is no plea agreement the Court can sentence you within the range of punishment stated in question 16?

Yes No  
 Yes No

26. Do you understand your plea of guilty to the charge(s) is/are after: (check one)

Yes No

- no prior felony convictions
- one (1) prior felony conviction
- two (2) or more prior felony convictions

List prior felony convictions to which pleading: \_\_\_\_\_

27. What (is) (are) your plea(s) to the charge(s) (and to each one of them)?

Guilty

28. Did you commit the acts as charged in the Information?

Yes No

State the factual basis for your plea(s) (attach additional page as needed, labeled as ADDENDUM C):

On or about March 4, 2016 I was in possession of Percocet without a valid prescription by a pill grinder in Tulsa County.

29. Have you been forced, abused, mistreated, or promised anything by anyone to have you enter your plea(s)?

Yes No

30. Do you plead guilty of your own free will and without any coercion or compulsion of any kind?

Yes No

31. If you are entering a plea to a felony offense, you have a right to a Pre-Sentence Investigation and Report which would contain the circumstances of the offense, any criminal record, social history and other background information about you. Do you want to have the Report?

Yes No

32. (a) Do you have any additional statements to make to the Court?

Yes No

(b) Is there any legal reason you should not be sentenced now?

Yes No

HAVING BEEN SWORN, I, the Defendant whose signature appears below, make the following statements under oath: CHECK ONE:

- (1)  (a) I have read, understood and completed this form.
- (b) My attorney completed this form and we have gone over the form and I understand its contents and agree with the answers. See Addendum "A"
- (c) The Court completed this form for me and inserted my answers to the questions.
- (2) The answers are true and correct.
- (3) I understand that I may be prosecuted for perjury if I have made false statements to this Court.

Acknowledged this 23 day of August, 2016.

[Signature]  
DEFENDANT

[Signature]  
Notary Public/Deputy Court Clerk/Judge

33. I, the undersigned attorney for the Defendant, believe the Defendant understands the nature, purpose and consequence of this proceeding. (S)He is able to assist me in formulating any defense to the charge(s). I am satisfied that the Defendant's waivers and plea(s) of guilty are voluntarily given and he/she has been informed of all legal and constitutional rights.

  
ATTORNEY FOR DEFENDANT

34. The sentence recommendation in question 23 is correctly stated. I believe the recommendation is fair to the State of Oklahoma.


35. Offer of Proof (Nolo contendere plea) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_


  
ASSISTANT DISTRICT ATTORNEY

**THE COURT FINDS AS FOLLOWS:**

- 36. A. The Defendant was sworn and responded to questions under oath.
- B. The Defendant understands the nature, purpose and consequences of this proceeding.
- C. The Defendant's plea(s) of Guilty is/are knowingly and voluntarily entered and accepted by the Court.
- D. The Defendant is competent for the purpose of this hearing.
- E. A factual basis exists for the plea(s) (and former conviction(s), if applicable).
- F. The Defendant is guilty as charged: (check as appropriate)
  - after no prior felony convictions.
  - after one (1) prior felony conviction.
  - after two (2) or more prior felony convictions.
- G. Sentencing or order deferring sentence shall be:
  - imposed instant; or
  - continued until the 20<sup>th</sup> day of August, 2018 at 9:00 A.m. Room 406
  - If the Pre-Sentence Investigation and Report is requested, it shall be provided to the Court by the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.
- H. Defendant is committed to:
  - The RID Program
  - The FORT Program
  - The Delayed Sentencing Program for Youthful Offenders

DONE IN OPEN COURT this 23 day of August, 2018

\_\_\_\_\_  
Court Reporter Present  
  
\_\_\_\_\_  
Deputy Court Clerk

  
\_\_\_\_\_  
JUDGE OF THE DISTRICT COURT  
James Keedy  
NAME OF JUDGE TYPED OR PRINTED

**Part B: Sentence on Plea**

Case No. CF-16-1579  
State v. Caleb Morris  
Date: 8.23.16

[NOTE ON USE: Part B to be used with the Summary of Facts if contemporaneous with the entry of plea or may be formatted as a separate sentencing form if sentencing continued to future date.]

**THE COURT SENTENCES THE DEFENDANT AS FOLLOWS:**

**TIME TO SERVE**

1. You are sentenced to confinement under the supervision of the Department of Corrections for a term of years as follows: (list in same order as in question No. 15 in Part A)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Upon release from such confinement, you shall serve a term of post-imprisonment supervision under conditions prescribed by the Department of Corrections for a period of:

\_\_\_\_\_  
\_\_\_\_\_

2. The sentence(s) to run:  Concurrently  Consecutively  NOT APPLICABLE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Defendant shall receive:  Credit for time served  No credit for time served

**DEFERRED SENTENCE**

1. The sentencing date is deferred until August 20, 2018 at 9:00 a.m. Law 406

2. You (will/will not) be supervised. The terms set forth in the Rules and Conditions of Probation found in Addendum D shall be the rules you must follow during the period of deferment.

**SUSPENDED SENTENCE or SUSPENDED AS TO PART**

1. You are sentenced to confinement under the supervision of the Department of Corrections for a term of years as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

To be suspended as follows:

(a) ALL SUSPENDED YES \_\_\_\_\_ NO \_\_\_\_\_

(b) suspended **except** as to the first \_\_\_\_\_ (months)(years) of the term(s) during which time you are to be held in the custody of the Department of Corrections, the remainder of the sentence(s) to be suspended under the terms set forth in the Rules and Conditions of Probation found in Addendum D.

\_\_\_\_\_ Said period of incarceration shall be in the custody of the Department of Corrections, to be served in the County Jail, in lieu of the Department of Corrections, pursuant to the Community Service Sentencing Program, 22 O.S. Section 991a - 4.1.

\_\_\_\_\_ Defendant's term of incarceration shall be calculated as:

\_\_\_\_\_ Calendar days with credit for good behavior only (57 O.S Section 65)

\_\_\_\_\_ As calculated by the Sheriff with all implemented and allowable credits allowed by law

2. The sentence(s) to run:  Concurrently  Consecutively  NOT APPLICABLE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Defendant shall receive:  Credit for time served  No credit for time served

**FINES AND COSTS**

You are to pay a fine(s), costs, fees and/or restitution to the Tulsa County District Court Clerk as follows: (Addendum E which is attached and made a part of this Order.)

- To the Tulsa County District Court Clerk as set out in the *Order of the Court - Rule 8 Hearing*
- To the Tulsa County District Attorney's Office as set out in the *Restitution Schedule Addendum*
- To the Department of Corrections as set out in the *Pre-Sentence Investigation Report and/or the Rules and Conditions of Probation Addendum*.

**"NOTICE OF RIGHT TO APPEAL"**

Sentence to Incarceration, Suspended or Deferred:

To appeal from this conviction, or order deferring sentence, on your plea of guilty, you must file in the District Court Clerk's Office a written Application to Withdraw your Plea of Guilty within ten (10) days from today's date. You must set forth in detail why you are requesting to withdraw your plea. The trial court must hold a hearing and rule upon your Application within thirty (30) days from the date it is filed. If the trial court denies your Application, you have the right to ask the Court of Criminal Appeals to review the District Court's denial by filing a Petition for Writ of Certiorari within ninety (90) days from the date of the denial. Within ten (10) days from the date the application to withdraw plea of guilty is denied, notice of intent to appeal and designation of record must be filed pursuant to Oklahoma Court of Criminal Appeals Rule 4.2(D). If you are indigent, you have the right to be represented on appeal by a court appointed attorney.

- Do you understand each of these rights to appeal? Yes No
- Do you want to remain in the county jail ten (10) days before being taken to the place of confinement? MA Yes No
- Have you fully understood the questions that have been asked? Yes No
- Have your answers been freely and voluntarily given? Yes No

I ACKNOWLEDGE UNDERSTANDING OF RIGHTS AND SENTENCE IMPOSED.

\_\_\_\_\_  
DEFENDANT

I, the undersigned attorney, have advised the Defendant of his appellate rights.

\_\_\_\_\_  
ATTORNEY FOR DEFENDANT

Done in open court, with all parties present, this 23 day of Aug 2016.

\_\_\_\_\_  
Court Reporter Present  
Janet  
\_\_\_\_\_  
Deputy Court Clerk

\_\_\_\_\_  
JUDGE OF THE DISTRICT COURT  
James Kelly  
NAME OF JUDGE TYPED OR PRINTED

**ADDENDUM "A"**

**IMMIGRATION STATUS WARNING ABOUT PLEA OF GUILTY/NO CONTEST**

The defendant understands that because he is not a citizen of the United States, his plea of guilty/no contest in this case makes it very likely (automatic for many crimes) that he will be deported from the United States. The defendant agrees that he has talked with his defense lawyer about his immigration status and how a plea of guilty/no contest in this case will affect that status. The defendant understands that immigration, including deportation, is a separate proceeding governed by the laws of the United States. The defendant also understands that no one, including his defense lawyer or the Judge of the District Court of Tulsa County, Oklahoma, can predict to a certainty the effect of his plea of guilty/no contest in this case on his immigration status. Even with this warning, the defendant agrees that he wants to go ahead and plead guilty/no contest in this case.

Date

Defendant

*U.S. Citizen*

Interpreter (if necessary)

**CERTIFICATE OF DEFENSE COUNSEL**

As the attorney for the defendant, I certify that:

1. The Defendant has stated to me that he/she is  able  unable to read and understand the attached form and I have:  
(check appropriate option)

- Determined the Defendant is able to understand the English language.
- Determined the Defendant is unable to understand the English language and obtained \_\_\_\_\_ to interpret.

- 2. I have read and fully explained to the Defendant the allegations contained in the Information in this case.
- 3. I have read and fully explained to the Defendant all of the questions in the Plea of Guilty/Summary of Facts and the answers to the questions set out in the Summary of Facts are the Defendant's answers.
- 4. To the best of my knowledge and belief the statements and declaration made by the Defendant are accurate and true and have been freely and voluntarily made.

Dated this 23 day of August, 2016.

  
ATTORNEY FOR DEFENDANT