

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

FILED
MAY 19 2016
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel.)	
JOHN D. DOAK, Insurance Commissioner,)	
)	
Petitioner,)	
vs.)	
)	Case No. 16-0493-DIS
CASEY GAINES,)	
a licensed bail bondsman 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 counsel, Dan R. Byrd, 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 Casey Gaines (“Respondent”) is a licensed bail bondsman in the State of Oklahoma holding license number 100236801.

ALLEGATIONS OF FACT

1. On April 15, 2016, Respondent submitted to the Oklahoma Insurance Department (“Department”) Electronic Funds Transfers (“EFT”) of One Thousand Nine Hundred Eight-Six Dollars and Sixty-Three Cents (\$1,986.63) for her ILMIC100236801-March2016-Original-01.DBF Report.

2. On April 27, 2016, the Oklahoma State Treasurer charged the EFT back to the Department as “Not Sufficient Funds”.

3. On April 29, 2016, Department staff sent a letter via email to Respondent requesting that the funds be replaced and a service fee of Twenty-Five Dollars (\$25.00) for the EFT be paid within five days of receipt of the letter.

4. On May 5, 2016, Department staff sent a second request letter via email to Respondent requesting the funds be replaced and the service fee paid within five days of receipt of the letter. A copy was also emailed to Earl Eugene “Gene” Points, managing general agent (MGA) for Indiana Lumbermens Mutual Insurance Company. Gene Points emailed the Department on the same day advising payment was being sent via FedEx. Gene Points emailed the Department on May 6, 2016 regarding the insufficient funds.

5. On May 9, 2016, Department staff received a cashier’s check number 307011703 in the amount of Two Thousand Eleven Dollars and Sixty-Three Cents (\$2,018.63) replacing the funds and service fee.

6. Submitting an insufficient electronic funds transfer to the Department is a violation of 59 O.S. § 1310(A)(29). The Department charges a Twenty-Five Dollar (\$25.00) service fee on all insufficient funds.

7. Review of the Bail Bond Division records indicates this is Respondent’s second violation of this type.

ALLEGED VIOLATIONS OF LAW

1. Respondent has violated 59 O.S. § 1310(A)(29) by uttering insufficient funds to the

Commissioner.

2. Respondent has violated 59 O.S. § 1310(A)(2) by violating a law of this state relating to bail.

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 Casey Gaines is **CENSURED** and **FINED** Five Hundred Dollars (\$500.00).

Respondent is further notified that he may request a hearing within thirty (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 56th 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 her outstanding administrative fines with the Department and does not request a hearing within the thirty (30) days allotted, this Order shall become a FINAL ORDER on the thirty-first (31st) 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 19th day of May, 2016.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

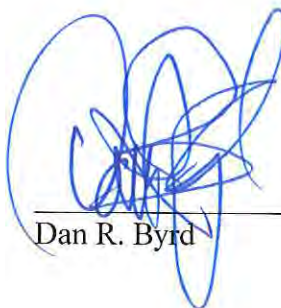
Dan R. Byrd
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 522-6330
Fax (405) 522-0125

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 19th day of May, 2016, to:

Casey Gaines
906 S. Cheyenne Ave.
Tulsa, OK 74119-1806

**CERTIFIED MAIL NO:
7015 3010 0001 4736 6631**



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

Certified Mail Fee

\$ _____
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$ _____
 Return Receipt (electronic) \$ _____
 Certified Mail Restricted Delivery \$ _____
 Adult Signature Required \$ _____
 Adult Signature Restricted Delivery \$ _____

Postmark
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Postage

\$ _____
Total Postage and Fees

Casey Gaines
 906 S. Cheyenne Ave.
 Tulsa, OK 74119-1806
16-0493-DIS/DRB(mt)
(Cond.Adm.Ord. & Notice--5-19-16)

Sent To
 Street and Apt. No., or PO Box
 City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- 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.
 Casey Gaines
 906 S. Cheyenne Ave.
 Tulsa, OK 74119-1806
16-0493-DIS/DRB(mt)
(Cond.Adm.Ord. & Notice--5-19-16)



2. Article Number (Transfer from service label)
7015 3010 0001 4736 6631

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received By (Printed Name) Kelly Points
 C. Date of Delivery 5-23-16

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

RECEIVED
 OKLAHOMA INSURANCE DEPARTMENT
MAY 26 2016

3. Service Type
 Adult Signature Priority Mail Express®
 Adult Signature Restricted Delivery Registered Mail™
 Certified Mail® Registered Mail Restricted Delivery
 Certified Mail Restricted Delivery Return Receipt for Merchandise
 Collect on Delivery Signature Confirmation™
 Collect on Delivery Restricted Delivery Signature Confirmation Restricted Delivery
 Insured Mail
 Insured Mail Restricted Delivery (over \$500)

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