BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner, Petitioner, Vs. SECILE BAUGHMAN, a licensed bail bondsman in the State of Oklahoma, AND AMERICAN CONTRACTORS INDEMNITY 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. §§ 1301-1341.
- 2. Respondent Secile Baughman ("Baughman") is a licensed bail bondsman in the State of Oklahoma holding license number 100232355.
- 3. Respondent American Contractors Indemnity Company ("ACIC") is an insurance company licensed to act as bail surety in the State of Oklahoma holding NAIC number 10216.

FINDINGS OF FACT

1. On or about November 8, 2015, an appearance bond was executed as follows:

Defendant:

Bethana Inez Woods

Case Number(s):

CF-2015-379

City/County:

Osage County Court Clerk

Insurer:

American Contractors Indemnity Company

Bondsman:

Secile Baughman

Power Number(s):

A5-2235497

Bond Amount(s):

\$3000

- 2. On February 4, 2016, the Defendant failed to appear, and the bond was orally declared forfeited. An Order and Judgment of Forfeiture was filed by the court on February 17, 2016. 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. Baughman's copy of the Order and Judgment of Forfeiture was received on March 3, 2016.
- 4. ACIC's copy of the Order and Judgment of Forfeiture was received on February 22, 2016.
- 5. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture by Respondents was Thursday, June 2, 2016.
 - 7. The bond forfeiture was paid late on June 14, 2016.
- 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(D) 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.

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

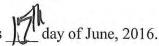
IT IS THEREFORE ORDERED that Secile Baughman and American Contractors Indemnity

Company are <u>each</u> CENSURED and FINED Three Hundred Fifty Dollars (\$300.00).

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 have not paid their fines ordered herein and do 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, Respondents' license shall be immediately suspended, and their fines ordered herein shall be due.

WITNESS My Hand and Official Seal this day of June, 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 ______day of June, 2016, to:

CERTIFIED MAIL NO: 7015 3010 0001 4736 8192

Secile Baughman 181 Dove Ln. Ponca City, OK 74604-5200

American Contractors Indemnity Company 601 South Figueroa Street, Suite 1600

Los Angeles, CA 90017-5721

CERTIFIED MAIL NO: 7015 3010 0001 4736 8208

Qan R. Byrd

| 고도 | U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only |
|------------------------|---|
| 7015 3010 0001 4736 81 | Certified Mail Fee \$ Extra Services & Fees (check box, add fee as appropriate) Return Receipt (hardcopy) Return Receipt (hardcopy) Return Receipt (hardcopy) Adult Signature Required Adult Signature Restricted Delivery Adult Signature Restricted Delivery Adult Signature Restricted Delivery Adult Signature Restricted Delivery Sent To Sent To Sent To City, State, ZiP44* Cond. Adm. Ord. & Notice ~6-17-16) |
| | PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions |

| 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. | A. Signature X | | |
| Secile Baughman 181 Dove Ln. Ponca City, OK 74604-5200 16-0598-DIS/DRB(mt) (Cond.Adm.Ord. & Notice ~6-17-16) | D. Is delivery address different from item 1? If YES anter delivery address below: NO NO NO NO NO NO NO NO NO N | | |
| 9590 9402 1900 6104 3875 31 2. Article Number (<i>Transfer from service label</i>) 7015 3010 0001 4736 8172 | 3. SerVice Type □ Adult Signature □ Adult Signature Restricted Delivery □ Certified Mail® □ Collect on Delivery □ Collect on Delivery □ Insured Mail □ Insured Mail □ Restricted Delivery □ Insured Mail □ Restricted Delivery □ Insured Mail □ Restricted Delivery □ Return Receipt for Merchandise □ Signature Confirmation □ Signature Confirmation □ Restricted Delivery □ Restricted Delivery □ Restricted Delivery | | |
| PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt | | | |



