

4. If Respondent requests a hearing in writing in this matter, pursuant to OAC 365:1-7-1, the Insurance Commissioner, pursuant to 36 O.S. § 319, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent.

5. The Insurance Commissioner, pursuant to OAC 365:1-7-5, upon written request reasonably made by a person affected by the hearing and at such person's expense, shall cause a full stenographic record of the proceedings to be made by a competent court reporter.

ALLEGATIONS OF FACT

1. 59 O.S. § 1314 (D) requires each bail bondsman to submit to the Insurance Commissioner a monthly report of the bondsman.

2. The fee for uploading the required report onto the electronic database is Three dollars (\$3.00).

3. Submitting an insufficient electronic funds transfer to the Department is a violation of 59 O.S. § 1310(A)(29).

4. On July 15, 2016, Respondent submitted to the Oklahoma Insurance Department ("Department") an Electronic Funds Transfer ("EFT") of Three Dollars (\$3.00) for his June 2016 Lexington National Insurance Company ("LNIC") report.

5. On July 19, 2016, the Oklahoma State Treasurer notified the Department there were insufficient funds in the Respondent's account.

6. On July 28, 2016, Department staff sent communication to Respondent via electronic mail and certified mail, requesting that the funds be replaced within five days of receipt of the letter.

7. On August 9, 2016, Department attempted to contact Respondent by telephone, but the number was not in service.

8. As of today's date the funds have not been replaced.

ALLEGED CONCLUSIONS 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)(23) for failing to respond to a properly mailed notification within a reasonable amount of time.

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

ORDER

IT IS THEREFORE ORDERED that Delmer Phillips is **CENSURED** and **FINED** Five Hundred Dollars (\$250.00).

IT IS FURTHER ORDERED that Delmer Phillips shall replace the insufficient EFT. The total amount owed to the Department in this case, independent of the fine ordered above, is Three dollars (\$3.00).

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 Sara A. Worten, 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 fails to request a hearing within thirty (30) days of receipt of this Order, this Order shall become a FINAL ORDER on the 31st day and the fine ordered herein shall be due.

Upon this Order becoming final, Respondent's license will not be reinstated until the EFT is replaced and the fine of \$250.00 is paid.

WITNESS My Hand and Official Seal this 27th day of August, 2016.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA


Sara A. Worten, OBA # 21532
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 and by electronic mail on this 29th day of August, 2016, to:

Delmer Phillips
101 N. Denver Ave., Ste. D
Tulsa, OK 74103-1819
freedominkbailbondstulsa@gmail.com

**CERTIFIED MAIL NO:
7016 0910 0000 5833 8399**


Sara A. Worten

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<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$

Total Postage and Fees

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Delmer Phillips

101 N. Denver Ave., Ste. D

Tulsa, OK 74103-1819

16-0790-DIS/SAW(mt)

(Cond. Adm. Ord. & Notice ~8-29-16)

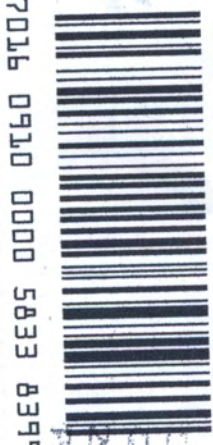


PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



JOHN D. DOAK
Insurance Commis
 Oklahoma Insurance Del
 5 Corporate Plaza
 3625 N.W. 56th St., Ste.
 Oklahoma City, OK 73112

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 Tulsa, OK 74103-1819

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

Delmer Phillips
 101 N. Denver Ave., Ste. D
 Tulsa, OK 74103-1819
 16-0790-DIS/SAW(mt)
 (Cond. Adm. Ord. & Notice - 8-29-16)



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. Article Addressed to:

Delmer Phillips
 101 N. Denver Ave., Ste. D
 Tulsa, OK 74103-1819
 16-0790-DIS/SAW(mt)
 (Cond. Adm. Ord. & Notice - 8-29-16)



9590 9402 1736 6074 9195 55

2. Article Number (Transfer from service label)

7016 0910 0000 5833 8399

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X
 Agent
 Addressee

B. Received by (Printed Name) **C. Date of Delivery**

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

SEP 06 2016

OKLAHOMA INSURANCE DEPARTMENT

Legal Division

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
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- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt