

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

FILED

APR 06 2017

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.)	
DOAK, Insurance Commissioner,)	
)	
Petitioner,)	
v.)	Case No. 16-1101-DIS
)	
CONNIE LYNETTE HOLT,)	
A licensed bail bondsman in the)	
State of Oklahoma,)	
Respondent.)	

ADMINISTRATIVE ORDER

This matter is a proceeding under the Oklahoma Insurance Code (“Code”), 36 O.S. § 101, et. seq., and is conducted pursuant the Oklahoma Administrative Procedures Act, 75 O.S. § 301, et. seq., whereby Respondent, Connie Lynette Holt, is a licensed bail bondsman in the State of Oklahoma holding license 40081904. The Oklahoma Department of Insurance (hereinafter OID) filed and issued on January 17, 2017, a Notice of Hearing and Order for Show Cause as to why the bail bondsman’s license of Connie Lynette Holt should not be immediately cancelled, suspended, revoked and/or whether she should be fined based upon allegations set forth in the Notice of Hearing which were actions asserted by OID to be violations of the Oklahoma Bail Bond Act, 59 O.S. §§ 1301-1341. Proper notice was given to the Respondent of the hearing by certified mail and the Order setting a hearing date of February 8, 2017 at 9:30 a.m. was received by Respondent with that notice. Subsequent to receipt of the notice of hearing, the parties by and through Sandra LaVenue, Senior Counsel for OID and Jeff Eulberg, counsel for the Respondent, agreed to continue the hearing on the issues related to this matter until March 7, 2017 at 9:30 a.m. at the offices of OID.

On March 7, 2017, the above captioned case came on for hearing at the office of the Department of Insurance, 3625 N.W. 56th Street, Oklahoma City, Oklahoma 73112, and testimony and evidence was received at that time. Oklahoma Insurance Commissioner John D. Doak had appointed the independent Hearing Examiner, John D. Miller, to preside at the hearing as a quasi-judicial officer pursuant 36 O.S. § 319. The hearing was recorded electronically by employees of the Department. Petitioner was represented by Senior Counsel, Sandra LaVenue. Respondent, Connie Lynette Holt appeared in person and was represented by her attorney, Jeff Eulberg. Testimony and evidence was heard in regards to four separate cases related to the Respondent before the undersigned Hearing Examiner. Due to the amount of evidence submitted, the Hearing Examiner took the matters under advisement to review the evidence prior to issuance of his findings.

Therefore after consideration of the testimony and evidence presented, this independent Hearing Examiner issues his order of findings and conclusions of law as to this particular case.

FINDINGS OF FACT

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 (hereinafter “Code”), 36 O.S. §§ 101-7301.

2. Respondent, Connie Lynette Holt, is a licensed bail bondsman in the State of Oklahoma holding license number 40081904 with a mailing address on record with the OID of 604 N. Reformatory Road, El Reno, OK 73036 and the Oklahoma Insurance Department (OID) has jurisdiction over the subject matter raised in this action and likewise has the jurisdiction and authority to impose penalties for any and all violations of the Oklahoma Bail Bond Act, 59

O.S. §§ 1301-1341 committed by the Respondent which are established by clear and convincing evidence.

3. The Insurance Commissioner, pursuant 36 O.S. § 319, appointed the undersigned independent Hearing Examiner and that Hearing Examiner has the jurisdiction to sit as a quasi-judicial officer and to rule on the matters related to this case.

4. That Respondent, Connie Lynette Holt, on or about March 1, 2016 executed an appearance bond for Defendant, Cameron Dale Lawson, in Canadian County, Oklahoma felony case no. CF-2014-332 in the bond amount of \$2,500.00 with power of attorney no. U3-20583239. The surety was United States Fire Insurance Company (USFIC).

5. On August 16, 2016, the Defendant failed to appear and the court issued a bench warrant and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued and filed in the case on August 26, 2016, by the Canadian County District Court. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondent Holt and USFIC by USPS certified mail with return receipt within thirty (30) days after the filing of the Order.

6. Respondent Holt received a copy of the Order and Judgment of Forfeiture on August 31, 2016 and USFIC received their copy of the same Order and Judgment of Forfeiture on August 29, 2016.

7. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was November 30, 2016.

8. On December 2, 2016, the Canadian County Court Clerk sent notice to the OID that neither Holt or USFIC had paid the bond forfeiture by the nine-first (91st) day.

9. Defendant Cameron Dale Lawson had previous bench warrant issued by the Court on July 13, 2016 for his failure to pay on his fines and costs according to his cost administration

plan. On August 19, 2016 a motion to withdraw a warrant for his failure to pay fines and costs as ordered was filed and the warrant for failure to pay fines and costs as ordered was withdrawn and cost administration plan was reinstated.

10. The warrant for failure to appear was never withdrawn and Defendant Cameron Dale Lawson was not returned to custody.

11. Respondent Holt paid the bond forfeiture on December 6, 2016, which was six (6) days past the statutory required ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture.

12. Pursuant 59 O.S. § 1310 (A) and (B) of the Oklahoma Bail Bond Act, the Insurance Commissioner has the authority to impose certain statutory penalties including but not limited to the denial, censure, suspension, revocation of a bail bondsman's license as well as impose a civil penalty of a fine of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00) for each occurrence or violation of the provisions of the Oklahoma Bail Bond Act.

CONCLUSIONS OF LAW

1. Respondent Holt violated 36 O.S. § 1332 (D) by failing to deposit cash or other valuable securities in the face amount of the bond of \$2,500.00 with the Canadian County Court Clerk in Case no. CF-2014-332 on the ninety-first (91st) day after her receipt of the Order and Judgment and the Defendant, Cameron Dale Lawson, for whom the bond had been posted had not been returned to custody by said date and the forfeiture had not been stayed.

2. Respondent Holt violated 36 O.S. § 1310 (A) 2 and 7 by violating 36 O.S. § 1332 (D) as stated in Section 1 above.

3. Respondent violated 36 O.S. § 1310 (A) 28 by failing to pay fees to the Canadian County District Court Clerk as required by this title and more specifically stated in Section 1 above.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that it has been established by clear and convincing evidence that Respondent, Connie Lynette Holt, has violated 36 O.S. § § 1310 (A) 2, (A) 7 and (A) 28 of the Oklahoma Bail Bondsman Code and as a result a civil penalty of a FINE in the amount of Two Hundred Fifty (\$250.00) DOLLARS is imposed. The fine is to be paid within thirty (30) days of receipt of this order.

IT IS FURTHER ORDERED that Connie Lynette Holt is assessed the costs of this matter in the amount of One Hundred Twenty Five Dollars (\$125.00) to be paid to the Oklahoma Insurance Department with thirty (30) days of the receipt of this order.

WITNESS My Hand this 6th day of April, 2017.



A handwritten signature in blue ink that reads "John D. Miller".

JOHN D. MILLER, OBA # 6213
INDEPENDENT HEARING EXAMINER
OKLAHOMA INSURANCE DEPARTMENT

CERTIFICATE OF MAILING

I, Sandra LaVenue hereby certify that a true and correct copy of this above and foregoing Administrative Order was mailed via certified mail with return receipt requested, and via regular mail, on the 7th day of April, 2017, to:

Jeff Eulberg
Eulberg Law Office, PLLC
925 S. 6th
Oklahoma City, OK 73106

CERTIFIED MAIL NO.:

And that a copy was delivered to:

OID Licensing Division



Sandra LaVenue
Senior Counsel, OID
3625 NW 56th Street, Suite 100
OKLAHOMA CITY, OK 73112