

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

JAN 05 2017

INSURANCE COMMISSIONER
OKLAHOMA

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

Petitioner,)

vs.)

Case No. 16-1143-DIS

KIMBERLY KAY BOWLES, formerly a licensed bail bondsman in the State of Oklahoma,)
)

and)

CURTIS WAYNE PLETCHER, a multicounty agent bail bondsman licensed 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, Barron B. Brown, 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 Kimberly Kay Bowles (“Bowles”) was formerly a licensed bail bondsman in the State of Oklahoma holding license number 100195770. Bowles’ Oklahoma bail bonds license expired on or about October 31, 2016.

3. Respondent Curtis Wayne Pletcher (“Pletcher”) is a licensed multicounty agent

bondsman in the State of Oklahoma holding license number 199574.

4. Pursuant to 59 O.S. § 1310(B), in addition to any potential denial, censure, suspension, or revocation, any person violating any provision of the Oklahoma Bail Bond Act 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 of a violation.

ALLEGATIONS OF FACT

1. On or about July 12, 2016, an appearance bond was executed as follows:

Defendant:	Eric Dewayne Downs
Case Number(s):	416692; 416693
City/County:	Broken Arrow Municipal Court
Surety:	Curtis Wayne Pletcher
Bondsman:	Kimberly Kay Bowles
Power Number(s):	099882
Bond Amount(s):	\$838.00

2. On August 16, 2016, the Defendant failed to appear and the bond was declared forfeited. On August 31, 2016, an Order and Judgment of Forfeiture was issued and filed in the case by the Broken Arrow Municipal Court. 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 forfeiture Order's filing.

3. Bowles received a copy of the Order and Judgment of Forfeiture on September 15, 2016.

4. Pletcher received a copy of the Order and Judgment of Forfeiture on September 8, 2016.

5. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was December 15, 2016.

6. As of the date of this Order, the bond forfeiture has not been paid or otherwise set

aside or the bond exonerated.

ALLEGED VIOLATIONS OF LAW

1. Respondents have violated 59 O.S. § 1332(D); by failing to timely return the Defendant within ninety (90) days or timely remit payment in the face amount of the bond forfeitures within ninety-one (91) days from receipt of the Order and Judgment of Forfeiture.

ORDER

IT IS THEREFORE ORDERED that Respondents Bowles and Pletcher are each FINED Two Hundred Fifty Dollars (\$250.00). The fines are to be paid within thirty (30) days made payable to the Oklahoma Insurance Department. Payment may be made by either cashier's check or money order. If Respondent Pletcher's fine is not paid within thirty (30) days, his license will be suspended and shall remain suspended until the fine is paid in full.

IT IS FURTHER ORDERED that Respondent Pletcher is to pay the forfeiture in Broken Arrow Municipal Court Case Numbers 416692 and 416693, City of Broken Arrow v. Eric Dewayne Downs. If the forfeiture is not paid within thirty days, pursuant to 59 O.S. § 1332(D), the Oklahoma Insurance Department is ordered to withdraw the face amount of the bond, Eight Hundred Thirty-Eight Dollars (\$838.00), from Pletcher's multicounty agent deposit and forward it to the Broken Arrow Municipal Court for payment of the bond forfeiture.

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 56th 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 Oklahoma Insurance Code (36 O.S. §§ 101 et seq.), the Oklahoma Bail Bond Act (specifically- 59 O.S. §§ 1311-1311.1) 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 5th 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 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
(405) 521-2746

CERTIFICATE OF MAILING

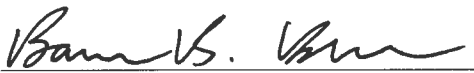
I, Barron B. Brown, hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to Be Heard* was mailed by certified mail, with postage prepaid and return receipt requested, on this 5th day of January, 2017, to:

Kimberly Kay Bowles
2225 S. 116th E. Ave.
Tulsa, OK 74129

CERTIFIED MAIL NO. 7016 0910 0000 8401 5981

Curtis Wayne Pletcher
P.O. Box 66
Springer, OK 73458-0066

CERTIFIED MAIL NO. 7016 0910 0000 8401 5998



Barron B. Brown
Assistant General Counsel

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Kimberly Kay Bowles
 2225 S. 116th E. Ave.
 Tulsa, OK 74129
 rlg/16-1143-DIS(BBB)/Cond Adm Ord

PS Form 3800, April 2015 PSN

7016 0910 0000 8401 5981

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:

Kimberly Kay Bowles
 2225 S. 116th E. Ave.
 Tulsa, OK 74129
 rlg/16-1143-DIS(BBB)/Cond Adm Ord

2. Article Number (Transfer from service label)
 7016 0910 0000 8401 5981

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 * Kimberly Bowles Agent Addressee

B. Received by (Printed Name)
 Kimberly Bowles

C. Date of Delivery
 1-13-17

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)

OKLAHOMA STATE DEPARTMENT OF REVENUE
 JAN 18 2017
 Legal Division

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Postage
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Total Postage and Fees
 \$ _____



Curtis Wayne Pletcher
 P.O. Box 66
 Springer, OK 73458-0066
 rlg/16-1143-DIS(BBB)/Cond Adm Ord

PS Form 3800, April 2015 PSN

7016 0910 0000 8401 5998

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> 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. 	<p>A. Signature </p> <p><input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>Curtis Wayne Pletcher</u> C. Date of Delivery <u>JAN 11 2017</u></p> <p>RECEIVED IS delivery address different from item 1? <input type="checkbox"/> Yes RECEIVED IS delivery address different from item 2? <input type="checkbox"/> No</p> <p>OKLAHOMA INSURANCE DEPARTMENT JAN 17 2017 Legal Division</p>
<p>1. Article Addressed to:</p> <p>Curtis Wayne Pletcher P.O. Box 66 Springer, OK 73458-0066 rlg/16-1143-DIS(BBB)/Cond Adm Ord</p> <p> 9590 9402 1736 6074 9245 59</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>2. Article Number (Transfer from service label)</p> <p>7016 0910 0000 8401 5998</p>	
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053</p>	<p>Domestic Return Receipt</p>