

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

FILED
FEB 23 2017
INSURANCE COMMISSIONER
OKLAHOMA

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

Petitioner,)

vs.)

CURTIS HOPCUS, a licensed bail bondsman in)
the State of Oklahoma,)

Respondent.)

CASE NO. 17-0035-DIS

**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:

JURISDICTION

1. John D. Doak is the Insurance Commissioner (“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. §§ 1301-1340.

2. Respondent Curtis Hopcus (“Respondent”) is a licensed bail bondsman in the State of Oklahoma holding license number 100230523.

3. Pursuant to 59 O.S. § 1310(B), any person violating any provision of Sections 1301 through 1340 is 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.

ALLEGATIONS OF FACT

1. The Oklahoma Insurance Department (“Department”) received a complaint against Respondent from Eric Garrett on November 17, 2016.

2. Mr. Garrett engaged Respondent to post the bonds for the release of Defendant Courtnee Hunter-Crane in case numbers 15-34104 (\$300.00 bond); 15-34102(\$750.00 bond); 15-34103(\$200.00 bond) all out of Lawton Municipal Court.

3. Defendant was originally bonded out by way of cash bonds paid with Mr. Garrett’s funds. Mr. Garrett wished to have the bonds switched to a surety bond and ultimately Respondent was engaged to post the surety bond.

4. The cash bonds funds were released by the Lawton Municipal Court Clerk and given to Respondent by Mr. Garrett’s associate. Mr. Garrett instructed Respondent to retain \$450.00 for the premiums and hold the remaining \$800.00 to return to Mr. Garrett upon his return to town.

5. Mr. Garrett reported Respondent has not returned his \$800.00 but instead released the \$800.00 to the Defendant, Courtnee Hunter-Crane.

6. The Department reached out to Respondent for a response on November 18, 2016 and December 14, 2016. The Department has yet to receive correspondence from Respondent regarding this matter.

7. Respondent failed to list Mr. Garrett or anyone else on the Affidavit of Undertaking as the person by whom consideration was received.

8. Respondent failed to list the surety company, Roche Surety & Casualty Company, Inc., as the insurer in the appearance bonds.

CONCLUSIONS OF LAW

1. Respondent has violated 59 O.S. § 1310(A)(4) in that Respondent converted funds received in the course of his business from Mr. Garrett and wrongfully delivered the funds to Courtnee Hunter-Crane.
2. Respondent violated 59 O.S. § 1310 (A)(23) by failing to respond to a properly mailed notification from the Department within a reasonable amount of time.
3. Respondent violated 59 O.S. § 1316(E) by failing to indicate the insurer, Roche Surety & Casualty Company, Inc., name and address on the appearance bonds.
4. Respondent violated 59 O.S. § 1322(A) by failing to indicated Mr. Garrett's name on the Affidavit of Undertaking as the person who gave the consideration for the bonds at issue.

ORDER

IT IS THEREFORE ORDERED that Respondent Curtis Hopcus is FINED One Thousand Two Hundred dollars (\$1,200.00). The fine is to be paid within thirty (30) days of the date of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. If the fine is not paid within thirty (30) days, Respondent's license will be suspended and shall remain suspended until the fine is paid in full.

Respondent is further notified that he may request a hearing within thirty (30) days of receipt of this Order, and upon such request, the Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to Sara A. Worten, Assistant General Counsel, Oklahoma Insurance Department, Legal Division, 3625 N.W. 56th Street, Suite 100, Oklahoma City, Oklahoma 73112, and shall specify the grounds to be relied upon as a basis for Respondent's defense to the charges herein.

If Respondent does not request a hearing within the thirty (30) days allotted, this

Conditional Administrative Order shall become a FINAL ORDER on the 31st day following Respondent's receipt of the Order.

WITNESS My Hand and Official Seal this 23rd day of February, 2017.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



Sara A. Worten

Assistant General Counsel
Oklahoma Insurance Department
3625 N.W. 56th Street, Suite 100
Oklahoma City, Oklahoma 73112
Tel. (405) 521-2746
Email: sara.worten@oid.ok.gov

CERTIFICATE OF SERVICE

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 mailed regular and sent electronically on this 23rd day of February, 2017 to:

Curtis Hopcus
611 SW E Avenue
Lawton, OK 73501

**CERTIFIED MAIL NO:
7016 0910 0000 8401 1013**

and a copy was delivered to:

Lewis Garrison
Bail Bonds Division



Sara A. Worten
Assistant General Counsel

U.S. Postal Service™
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FEB 23 2017
 118-9998

Curtis Hopcus
 611 SW E. Avenue
 Lawton, OK 73501
17-0035-DIS/SAW(mt)
(Cond. Adm. Ord. & Notice-2-23-17)

PS Form 3800, April 2015 PSN 7530-02-000-00047 See Reverse for Instructions

7016 0910 0000 8401 1013

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete items 1, 2, and 3.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece or on the front if space permits.</p>		<p>A. Signature X <i>[Signature]</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p>Curtis Hopcus 611 SW E. Avenue Lawton, OK 73501 17-0035-DIS/SAW(mt) (Cond. Adm. Ord. & Notice-2-23-17)</p>		<p>B. Received by (Printed Name) RECEIVED OKLAHOMA INSURANCE DEPARTMENT Legal Division</p> <p>C. Date of Delivery 2/27/17</p>	
<p>2. Article Number (Transfer from service label) 7016 0910 0000 8401 1013</p>		<p>D. Is delivery address different from item 1? YES, enter delivery address below: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery</p> <p><input checked="" type="checkbox"/> Certified Mail®</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery</p> <p><input type="checkbox"/> Collect on Delivery</p> <p><input type="checkbox"/> Collect on Delivery Restricted Delivery</p> <p><input type="checkbox"/> Insured Mail</p> <p><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>		<p><input type="checkbox"/> Priority Mail Express®</p> <p><input type="checkbox"/> Registered Mail™</p> <p><input type="checkbox"/> Registered Mail Restricted Delivery</p> <p><input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Signature Confirmation™</p> <p><input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	
<p>9590 9402 1736 6074 9232 55</p>		<p>PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>	

MAR 02 2017
 Legal Division

OKLAHOMA CITY, OK
FEB 27 2017
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