## BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

BEFORE THE INSURANCE STATE OF O	KLAHOMA
STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,	KLAHOMA  MAR. 27  NSURANCE OF
Petitioner,	MAR 27 2017 )  NSURANCE COMMISSIONER )
vs.	)
MICHAEL CAMPBELL, a licensed bail bondsman in the State of Oklahoma,	) ) CASE NO. 17-0130-DIS
AND	
CURTIS PLETCHER, a professional 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, Sara A. Worten, 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. §§ 101-7401, and the Oklahoma Bail Bond Act, 59 O. S. §§ 1301-1340.
- 2. Respondent Michael Campbell ("Campbell") is a licensed bail bondsman in the State of Oklahoma holding license number 100133998.
- 3. Respondent, Curtis Pletcher ("Pletcher"), is a professional bail bondsman in the state of Oklahoma holding license number 199574.
  - 4. The Insurance Commissioner has jurisdiction over the subject matter raised in this

dispute and may issue penalties pursuant to 59 O.S. §§ 1310 and 1332.

5. 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.

6. If a Respondent requests a hearing in writing in this matter, pursuant to *OAC* 365:1-7-1, the Insurance Commissioner, pursuant to 59 O.S. §1311.1, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent.

7. The Insurance Commissioner, pursuant to *OAC 365:1-7-5 and 59 O.S.* § 1311.1(E), 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**

8. On or about August 11, 2016, an appearance bond was executed as follows:

Defendant:

Fredericka Lily Walton

Case Number(s):

CF-2016-3015

City/County:

Comanche County

Surety:

Curtis Pletcher

Bondsman:

Michael Campbell

Power Number(s):

92920

Bond Amount(s):

\$4,000.00

9. On October 27, 2016, the Defendant failed to appear and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued and filed on October 27, 2016, by the Oklahoma County District Court. A true and correct copy of the Order and Judgment of

Forfeiture was mailed to Campbell and Pletcher with return receipt requested within thirty (30) days after the Order's filing.

- 10. Pletcher received a copy of the Order and Judgment of Forfeiture on November 10, 2016.
- 11. Pursuant to Oklahoma Regulation 365:25-5-40 (b)(2), the ninety-first (91<sup>st</sup>) day after receipt of the Order and Judgment of Forfeiture was February 9, 2017.
- 12. As of the date of the filing of this Conditional Administrative Order, the forfeiture has not been paid. The defendant was untimely returned to custody on February 14, 2017.

## **ALLEGED VIOLATIONS OF LAW**

- 13. Respondents have violated 59 O.S. § 1332 by failing to return the Defendant to custody 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.
- 14. Pursuant to 59 O.S. § 1310(B), any bondsman 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 per violation.

#### **ORDER**

IT IS THEREFORE ORDERED that Campbell and Pletcher are <u>each</u> FINED Five Hundred Dollars (\$500.00). The fines are 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 fines are not paid within thirty (30) days, Respondents' respective licenses will be suspended and shall remain suspended until the fines are paid in full.

IT IS FURTHER ORDERED that the face amount of the bond forfeiture shall be

deposited with the Oklahoma County Court Clerk in Oklahoma County case number CF-2016-3015. If the forfeiture is not paid within thirty (30) days of this Conditional Order, the Oklahoma Insurance Department is ordered to withdraw the face amount of the bonds from Pletcher's professional bail bondsman certificate of deposit and forward it to the Oklahoma County Court Clerk 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 either Campbell or Pletcher requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date of this Conditional Order, the penalties set forth above shall become a Final Order on the thirty-first (31st) day following the date of mailing this Order. A request for hearing should be in writing and addressed to Sara Worten, Oklahoma Insurance Department, Legal Division, 3625 NW 56<sup>th</sup> 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 and shall be served on the Oklahoma Insurance Department within the thirty (30) days allotted. The proceedings on such requested hearing will be conducted in accordance with the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., and the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 through 324. If either Campbell or Pletcher serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as a 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 27 day of March, 2017.



JOHN D. DOAK INSURANCE COMMISSIONER STATE OF OKLAHOMA

Sara A. Worten

Assistant General Counsel 3625 NW 56<sup>th</sup> Street, Suite 100 Oklahoma City, Oklahoma, 73112

Tel. (405) 521-2746 Fax (405) 522-0125

## **CERTIFICATE OF MAILING**

Michael Campbell 115 S. Peters Ave Suite 6 Norman, OK 73069-6047

**CERTIFIED MAIL NO.** 

7016 0910 0000 8401 2928

Michael Campbell 129 Savannah Ardmore, OK 73401

CERTIFIED MAIL NO.

7016 0910 0000 8401 2935

Curtis Pletcher P.O. Box 66 Springer, OK 73458

CERTIFIED MAIL NO.

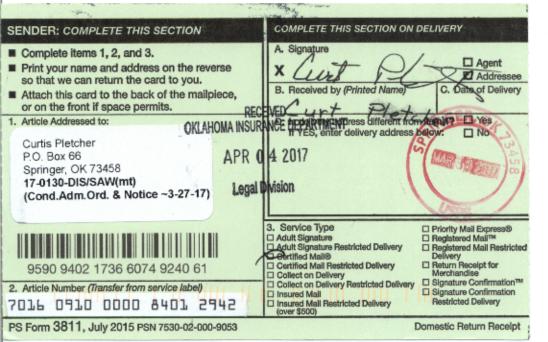
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and a copy was delivered to:

Lewis Garrison Bail Bonds Division

Sara A. Worten

Assistant General Counsel





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Domestic Return Receipt	□ Collect on Delivery Restricted Delivery □ Signature Confirmation     □ Insured Mail Restricted Delivery Restricted Delivery (over \$500)	3. Service Type    Adult Signature Restricted Delivery   Registered Mail Restricted Delivery   Registered Mail Restricted Delivery   Registered Mail Restricted Delivery   Receipt for   Registered Mail Restricted Delivery   Receipt for   Receipt for   Registered Mail Restricted Delivery   Receipt for   Receip	1	APR 8 2017	NAME of the state	B. Received by (Printed Name) C. D	A. Signature ☐ Agent ☐ Addressee	COMPLETE THIS SECTION ON DELIVERY	