

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

**STATE OF OKLAHOMA, ex rel. JOHN D.
DOAK, Insurance Commissioner,**)
)
)
Petitioner,)
)
vs.)
)
**WADE HENDERSON, a licensed bail
bondsman in the State of Oklahoma,**)
)
Respondent.)

FILED
MAY 30 2017
INSURANCE COMMISSIONER
OKLAHOMA

CASE NO. 17-0326-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, 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. §§ 1301-1341*.

2. Respondent Wade Henderson (“Respondent”) is a licensed bail bondsman in the State of Oklahoma holding license number 100266932. Respondent’s mailing address of record with the Oklahoma Insurance Department is 1102 W Cherokee, Suite A, Wagoner, Oklahoma 74467.

3. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to *59 O.S. §§ 1310 and 1314*.

4. Respondent may request 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.

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

6. Pursuant to *59 O.S. § 1314(B)* and *OAC 365:25-5-36(a)*, every licensed bondsman shall electronically submit monthly reports for each line of authority (including cash bonds) by the fifteenth day of each month. The fee to upload the report on to the electronic system is three dollars (\$3.00) (the "Submittal Fee").

7. In November 2016, Respondent electronically submitted his October 2016 report.

8. On November 22, 2016, the State Treasurer notified the Oklahoma Insurance Department (the "Department") the Respondent submitted insufficient funds for payment of the Submittal Fee.

9. Respondent's March 2017 report was due on April 17, 2017. Respondent failed to file his March 2017 report.

10. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to *59 O.S. §§ 1310*.

11. Pursuant to *59 O.S. § 1310(A)*, the Insurance Commissioner may deny, censure, suspend, revoke, or refuse to renew any license issued under Sections 1301 through 1341 for any of the following causes:

2. Violation of any laws of this state or any lawful rule, regulation, or order of the Commissioner relating to bail;

24. For failing to file a report as required by Section 1314 of title 59.

29. For uttering an insufficient or uncollected check or electronic funds transfer to the Insurance Commissioner for any fees, fines or other payments received by the Commissioner from the bail bondsman.

12. Pursuant to *59 O.S. § 1310(B)*, in addition to any denial, censure, suspension, or revocation of a license, any bondsman violating a provision of the Bail Bond Act, *59 O.S. §§ 1301-1341*, may be subject to a civil penalty of not less than \$250.00 but not more than \$2,500.00 per violation.

CONCLUSIONS OF LAW

13. Respondent has violated *59 O.S. § 1310(A)(2) and (24)*, by failing to file his monthly report by the fifteenth day of the following month, or the first Monday following the fifteenth if the fifteenth falls on a weekend, in accordance with the provisions of *59 O.S. § 1314(B)*.

14. Respondent has violated *59 O.S. § 1310(A)(2) and (29)*, by submitting an insufficient electronic funds transfer to the Department associated with the March 2017 monthly report.

ORDER

IT IS THEREFORE ORDERED that Wade Henderson is **FINED** Two Hundred Fifty Dollars (\$250.00). The fine is to be paid within thirty (30) days of receipt of order. **Failure to pay the fine within the thirty (30) days allotted shall result in suspension of license.**

Respondent is further notified that he may request a hearing within thirty (30) days of receipt of this Order, 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, Assistant General Counsel, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Suite 100, Oklahoma City, Oklahoma 73112, and shall specify the grounds to be

relied upon as a basis for relief demanded at the hearing.

If Respondent does not request a hearing within the 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 30th day of May 2017.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA


Sara A. Worten
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma 73112
Tel. (405) 521-2746

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 by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 30th day of May, 2017, to:

Wade Henderson
1102 W Cherokee
Suite A
Wagoner, Oklahoma 74467

CERTIFIED MAIL NO. 7016 0910 0000 8401 2331

and a copy was delivered to:

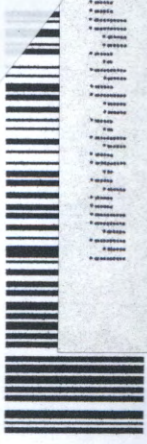
Lewis Garrison
Bail Bonds Division



Sara A. Worten
Assistant General Counsel



5 Corporate Plaza
 3625 N.W. 56th St., Ste. #100
 Oklahoma City, OK 73112-4511



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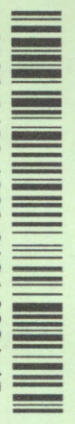
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 Wagoner, OK 74467
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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

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 Wade Henderson
 1102 W. Cherokee, Suite A
 Wagoner, OK 74467
 sms/16-0326-DIS (SAW) Cond Ord



9590 9402 1900 6104 3991 45

2. Article Number (Transfer from service label)
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PS Form 3811, July 2015 PSN 7530-02-000-9053

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- A. Signature Agent Addressee
- B. Received by (Printed Name) RECEIVED
- C. Date of Delivery
- D. Is delivery different from item 1? Yes No
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JUN 06 2017

Legal Division

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