

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED
JUL 10 2017
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,
Petitioner,
vs.
CURTIS SCOTT HOPCUS, 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.

Case No. 17-0375-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, 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 Curtis Scott Hopcus (“Hopcus”) is a licensed bail bondsman in the State of Oklahoma holding license number 100230523.
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 25, 2016, an appearance bond was executed as follows:

Defendant:	Carla Love
Case Number(s):	16-05565; 16-05566; 16-0743W; 15-37613
City/County:	City of Lawton Municipal Court
Surety:	Curtis Wayne Pletcher
Bondsman:	Curtis Scott Hopcus
Power Number(s):	104032; 104033; 104034; 104035
Bond Amount(s):	\$200.00; \$300.00; \$1,000.00; \$200.00

2. On October 17, 2016, the Defendant failed to appear and the bond was declared forfeited. On October 17, 2016, an Order and Judgment of Forfeiture was issued and filed in the case by the City of Lawton 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. Hopcus received a copy of the Order and Judgment of Forfeiture on October 20, 2016, as evidenced electronically by the United States Postal Service Tracking website.

4. Pletcher received a copy of the Order and Judgment of Forfeiture on October 26, 2016, as evidenced electronically by the United States Postal Service Tracking website.

5. Pursuant to 59 O.S. § 1332(D), "[if], within ninety (90) days from receipt of the order and judgment of forfeiture from the court clerk, or mailing of the notice if no receipt is made, the defendant is not returned to custody, or the forfeiture has not been stayed, the bondsman and, if applicable, the insurer whose risk it is shall deposit cash or other valuable securities in the face amount of the bond with the court clerk ninety-one (91) days from receipt

of the order and judgment of forfeiture from the court clerk, or mailing of the notice if no receipt is made."

6. The ninetieth (90th) day after receipt of the Order and Judgment of Forfeiture was January 18, 2017.

7. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was January 19, 2017.

8. The defendant was not timely returned to custody by the 90th day nor was the bond forfeiture timely paid by the 91st day as required by 59 O.S. § 1332(D).

ALLEGED VIOLATIONS OF LAW

1. Respondents have violated 59 O.S. § 1310(A)(2) violation of any laws of this state or any lawful rule, regulation, or order of the Commissioner relating to bail.

2. 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 Hopcus and Pletcher are each FINED Seven Hundred Fifty Dollars (\$750.00). The fines are to be paid within thirty (30) days from receipt of this Order and made payable to the Oklahoma Insurance Department. Payment may be made by either cashier's check or money order. If Respondents' 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, 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 10th day of July, 2017.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

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 10th day of July, 2017, to:

Curtis Scott Hopcus
611 SW E. Ave.
Lawton, OK 73501-4511

CERTIFIED MAIL NO. 9214 8902 0982 7500 0001 38

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

CERTIFIED MAIL NO. 9214 8902 0982 7500 0001 45



Barron B. Brown
Assistant General Counsel

Date Produced: 07/17/2017

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0001 38. Our records indicate that this item was delivered on 07/12/2017 at 11:09 a.m. in LAWTON, OK 73501. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

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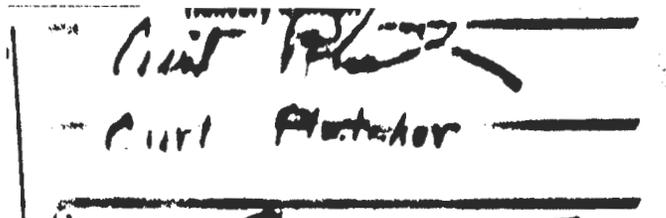
Customer Reference Number: C462461.2942642

Date Produced: 07/17/2017

OKLAHOMA INSURANCE DEPARTMENT:

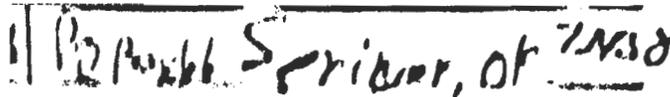
The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0001 45. Our records indicate that this item was delivered on 07/13/2017 at 12:51 p.m. in SPRINGER, OK 73458. The scanned image of the recipient information is provided below.

Signature of Recipient :



Curt Fletcher

Address of Recipient :



1124444 Springer, OK 73458

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

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Customer Reference Number: C462461.2942643