BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

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STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,) OKLAHOMA
Petitioner, vs.	
THAD MOODY , a licensed bail bondsman in the State of Oklahoma,) CASE NO. 17-0473-DIS
AND	
RAYMOND MERRILL, a professional bail bondsman licensed in the state of Oklahoma,	
Respondents.	

CONSENT ORDER

COMES NOW the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner, and the Respondents, Thad Moody and Raymond Merrill, and enter into this Consent Order.

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 Thad Moody ("Moody") is a licensed bail bondsman in the State of Oklahoma holding license number 199565.
- 3. Respondent, Raymond Merrill ("Merrill"), is a professional bail bondsman in the state of Oklahoma holding license number 199369.
- 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.

STIPULATIONS OF FACT

1. On or about August 11, 2015, an appearance bond was executed as follows:

Defendant:

Vincent Lee Burrough

Case Number(s):

CF-2015-341 LeFlore County

City/County: Surety:

Raymond Merrill

Bondsman:
Power Number(s):

Thad Moody MB5 8542

Bond Amount(s):

\$5,000.00

- 2. On or about November 3, 2016, the Defendant failed to appear and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued on November 7, 2016, by the LeFlore County District Court. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Moody and Merrill with return receipt requested within thirty (30) days after the Order's filing.
- 3. Moody received a copy of the Order and Judgment of Forfeiture on November 12, 2016.
- 4. Merrill received a copy of the Order and Judgment of Forfeiture on November 12, 2016.
- 5. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was February 13, 2017.
 - 6. Prior to the ninety-first (91st) day after the receipt of the Order and Judgment of

Forfeiture Defendant was detained in Sebastian County, Arkansas. Moody was the bondsman of record for the Defendant on a second felony matter in LeFlore County, Oklahoma (CF-2016-126) and timely filed the proper documentation. Moody failed to file the same documentation in CF-2015-341.

CONCLUSIONS OF LAW

1. Moody and Merril violated 59 O.S. 1310(A)(2) and (28), 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 in accordance with the provisions of 59 O.S. § 1332 and OAC 365:25-5-40 and 365:25-5-41.

ORDER AND CONSENT

IT IS THEREFORE ORDERED by the Insurance Commissioner and CONSENTED to by the Respondents that they shall be and hereby are CENSURED.

WITNESS My Hand and Official Seal this

day of August, 2017

JAMES A. MILI Chief of Staff

Oklahoma Insurance Department Five Corporate Plaza

3625 NW 56th St., Suite 100

Oklahoma City, OK 73112-4511

APPROVED:

Fourth Scoufos
Attorney for Respondents
Raymond Merrill & Thad Moody

CERTIFICATE OF MAILING

I, Sara A. Worten, hereby certify that a true and correct copy of the above and foregoing Consent Order was mailed by certified mail with postage prepaid and return receipt requested on this _____ day of September, 2017, to:

Fourth Scoufos Scoufos Law Offices, P.C. P.O. Box 787 Sallisaw, OK 74955 Attorney for Respondents

BARCODE NO: 9214 8902 0982 7500 0016 47

and that a copy was delivered to:

Renonda Stogsdill Lewis Garrison Bail Bond Division

Sara A. Worten