BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

FILED

JUL 31 2017

INSURANCE COMMISSIONER OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,	)	
Petitioner,	)	
vs.	)	
CYNTHIA AAN-ROGERS, a licensed bail bondsman in the State of Oklahoma,	)	CASE NO. 17-0527-DIS 17-0528-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

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 Cynthia Aan-Rogers ("Aan-Rogers") is a licensed bail bondsman in the State of Oklahoma holding license number 100161982.

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*.

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 either 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*, 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 March 5, 2017, an appearance bond was executed as follows:

Defendant:	Kenny Don Little
Case Number(s):	5974377
City/County:	Tulsa Municipal Court
Surety:	Curtis Pletcher
Bondsman:	Cynthia Aan-Rogers
Power Number(s):	98950
Bond Amount(s):	$500.00

9. Also, on or about March 5, 2017, an appearance bond was executed as follows:

Defendant:	Kenny Don Little
Case Number(s):	5974378
City/County:	Tulsa Municipal Court
Surety:	Curtis Pletcher
Bondsman:	Cynthia Aan-Rogers
Power Number(s):	98951
Bond Amount(s):	$300.00

10. On March 8, 2017, the Defendant failed to appear and the bonds were declared forfeited. An Order and Judgment of Forfeiture was issued in each of the above referenced cases and filed on March 13, 2017, by the Tulsa Municipal Court. A true and correct copy of the Orders and Judgment of Forfeiture were mailed to Aan-Rogers and Pletcher at their addresses of record on file with the Oklahoma Insurance Department with return receipt requested within thirty (30) days after the forfeiture orders were filed.

11 The Orders and Judgment of Forfeiture sent to Aan-Rogers by the Tulsa Municipal Court Clerk were returned unclaimed on April 10, 2017.

12. Pletcher received a copy of the Orders and Judgment of Forfeiture on March 23, 2017.

13. The ninetieth (90th) day after receipt of the Orders and Judgement of Forfeiture was June 21, 2017, and the ninety-first (91st) day was June 22, 2017.

14. In the cases set forth above, the defendant was neither returned to custody by the ninetieth (90th) day, nor the forfeitures paid by the ninety-first (91st) day.

ALLEGED VIOLATIONS OF LAW

15. Respondents Aan-Rogers and Pletcher have each violated *59 O.S. § 1310(A)(2) and (28)* by violating the provisions of *59 O.S. § 1332* in that they failed to return the defendant to custody by the ninetieth (90th) day or to pay the forfeitures by the ninety-first (91st) day after receipt of the Orders and Judgment of Forfeiture.

16. Respondent Aan-Rogers also violated the provisions of *59 O.S. § 1310(A)(32)* by failing to accept or claim certified mailings from both the Tulsa Municipal Court Clerk and the Oklahoma Insurance Department, which were addressed to Aan-Rogers' mailing address on file with the Oklahoma Insurance Department.

17. Pursuant to *59 O.S. § 1310(B),* any bondsman violating a provision of the Bail Bond Act, *59 O.S. §§ 1301-1341*, may be subject to a fine of not less than $250.00 but not more than $2,500.00 per violation.

ORDER

IT IS THEREFORE ORDERED that Aan-Rogers and Pletcher are each FINED Two Hundred and Fifty Dollars ($250.00). 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.

IT IS FURTHER ORDERED that the face amount of the bond forfeitures shall be deposited with the Tulsa Municipal Court Clerk in Tulsa Municipal case numbers 5974377 and 5974378. If the forfeitures are 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 to the Tulsa Municipal Court Clerk for payment of the bond forfeitures.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless either Aan-Rogers 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 Sandra LaVenue, 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 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.*; the Oklahoma Administrative Procedures Act, *75 O.S. §§ 250-324* and the Oklahoma Bail Bond Act, 59 *O.S. §§ 1301-1341.* If either Aan-Rogers 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 31st day of July, 2017

JOHN D. DOAK
INSURANCE COMMISSIONER

STATE OF OKLAHOMA

Sandra LaVenue
Senior Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 521-2746
Fax (405) 522-0125

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 31st day of July, 2017, to:

Cynthia Aan-Rogers
P.O. Box 691348
Tulsa, OK 74169

CERTIFIED MAIL NO. 9214 8902 0982 7500 0006 02

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

CERTIFIED MAIL NO. 9214 8902 0982 7500 0006 19

and a copy was delivered to:

Lewis Garrison
Bail Bonds Division

Sandra LaVenue
Senior Counsel

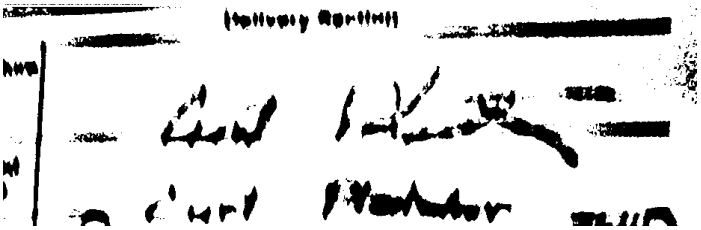
UNITED STATES POSTAL SERVICE

Date: August 11, 2017

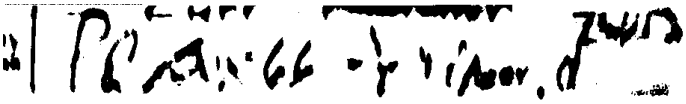
Sherry Standerfer:

The following is in response to your August 11, 2017 request for delivery information on your Certified Mail™/RRE item number 9214890209827500000619. The delivery record shows that this item was delivered on August 3, 2017 at 11:51 am in SPRINGER, OK 73458. 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 representative.

Sincerely,
United States Postal Service

UNITED STATES POSTAL SERVICE

Date: August 9, 2017

Sherry Standerfer:

In response to your request dated July 27, 2017, we regret to inform you that we were unable to locate any delivery information in our records regarding your item number 9214890209827500000411.

If you would like additional assistance with this inquiry, please take this receipt to your local Post Office or postal representative.

Sincerely,
United States Postal Service