

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

FILED
NOV 28 2017
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,
Petitioner,
vs.
WILBERT JERROD BRADFORD, a licensed bail bondsman in the State of Oklahoma,
AND
RAYMOND MERRILL, a professional bail bondsman licensed in the state of Oklahoma,
Respondents.

CASE NO. 17-0763-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. §§ 1301-1340*.

2. Respondent Wilbert Jerrod Bradford (“Bradford”) is a licensed bail bondsman in the State of Oklahoma holding license number 100131607. Bradford’s address of record is 217 Harvey, Suite 504, Oklahoma City, Oklahoma 73102.

3. Respondent, Raymond Merrill (“Merrill”), is a professional bail bondsman in the state of Oklahoma holding license number 199369. Merrill’s address of record is 104 N. Oak

Street, Sallisaw, Oklahoma 74955-4638.

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 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(s).

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 May 23, 2017, an appearance bond was executed as follows:

Defendant:	Norris Wilson
Case Number(s):	CF-2017-3159
City/County:	Oklahoma County
Surety:	Raymond Merrill
Bondsman:	Wilbert Jerrod Bradford
Power Number(s):	MB5 19588
Bond Amount(s):	\$5,000.00

9. On or about June 22, 2017, the Defendant failed to appear and the bonds were declared forfeited. An Order and Judgment of Forfeiture was issued and filed on June 28, 2017,

by the Oklahoma County District Court. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Bradford and Merrill with return receipt requested within thirty (30) days after the Order's filing.

10 Bradford received a copy of the Order and Judgment of Forfeiture on June, 29, 2017.

11. Merrill received a copy of the Order and Judgment of Forfeiture on June 30, 2017.

12. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was September 28, 2017.

13. The forfeiture was untimely paid on October 4, 2017. The defendant was not timely returned to custody.

ALLEGED VIOLATIONS OF LAW

14. Respondents have 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*.

13. Respondents have violated *59 O.S. 1310(A)(6), (9) and (28)* by failing to comply with Order of Judgment & Forfeiture.

ORDER

IT IS THEREFORE ORDERED that Bradford and Merrill are each FINED Two Hundred 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.

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, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless either Bradford or Merrill request 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 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.*, and the Oklahoma Administrative Procedures Act, *75 O.S. §§ 250 through 324*. If either Bradford or Merrill 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 28th day of November, 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
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 20th day of November 2017, to:

Wilbert Jerrod Bradford
217 Harvey
Suite 504
Oklahoma City, OK 73102.


Bar Code NO. 9214 8902 0982 7500 0031 46

Raymond Merrill
104 N. Oak Street
Sallisaw, OK 74955-4638

Bar Code NO. 9214 8902 0982 7500 0031 53

and a copy was delivered to:

Lewis Garrison
Bail Bonds Division



Sara A. Worten
Assistant General Counsel



Merrill

DOCKETED
NOV 29 2017
alt

Date Produced: 12/04/2017

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0031 53. Our records indicate that this item was delivered on 12/01/2017 at 09:07 a.m. in SALLISAW, OK 74955. The scanned image of the recipient information is provided below.

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Address of Recipient :

184 n oak

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Sincerely,
United States Postal Service

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= 335 + 30 = 365 = Last
Day to pay Fine or Request
hearing is Sunday Dec 31st
falls on weekend & 1st is
Holiday so Last Day
is Tuesday Jan 2, 2018

Customer Reference Number: C610618.3781109



Bradford



Date: November 29, 2017

Maria Torres:

The following is in response to your November 29, 2017 request for delivery information on your Certified Mail™/RRE item number 9214890209827500003146. The delivery record shows that this item was delivered on November 29, 2017 at 11:38 am in OKLAHOMA CITY, OK 73102. The scanned image of the recipient information is provided below.

Signature of Recipient :

Handwritten signature

Address of Recipient :

*217 N HARVEY
504*

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Sincerely,
United States Postal Service

*Delivered NOV 29th 2017 = 333+30
= 363 = LAST DAY TO PAYTINE
OR REQUEST HEARING IS FRIDAY
December 29th 2017*