

**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. )  
 )  
 )  
**ROGER STEVENS**, a licensed bail bondsman in )  
the State of Oklahoma, )  
 )  
AND )  
 )  
**RUSSELL ROBERTS**, a professional )  
bail bondsman licensed in the state of Oklahoma, )  
 )  
Respondents. )

CASE NO. 17-0781-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 Roger Stevens ("Stevens") is a licensed bail bondsman in the State of Oklahoma holding license number 100271454. Stevens' address of record is 11142 N. 163<sup>rd</sup> East Avenue, Owasso, Oklahoma 74055.

3. Respondent Russell Roberts ("Roberts") is a professional bail bondsman in the state of Oklahoma holding license number 200351. Roberts' address of record is 301 N. Denver

Avenue, Tulsa, Oklahoma 74103.

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 January 9, 2017, an appearance bond was executed as follows:

Defendant:	Demarlin Marqurise Avington
Case Number(s):	CF-2015-234
City/County:	Hughes County
Surety:	Russell Roberts
Bondsman:	Roger Stevens
Power Number(s):	31285
Bond Amount(s):	\$5,000.00

9. On or about June 6, 2017, the Defendant failed to appear and the bonds were declared forfeited. An Order and Judgment of Forfeiture was issued and filed on June 21, 2017,

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

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

11. Roberts received a copy of the Order and Judgment of Forfeiture on June 24, 2017.

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

13. The forfeiture has not been paid and 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 Stevens and Roberts 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** that the face amount of the bond forfeiture shall be deposited with the Hughes County Court Clerk in case number CF-2015-234. If the forfeiture is not paid within thirty (30) days of this Conditional Order, the Oklahoma Insurance Department is ordered to withdraw the face amount of the bond from Roberts' professional bail bondsman certificate of deposit and forward it to the Hughes County Court Clerk for payment of the bond forfeiture.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner that this Order is a Conditional Order. Unless either Stevens or Roberts 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 (31<sup>st</sup>) 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 56<sup>th</sup> 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 Stevens or Roberts 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 28<sup>th</sup> day of November, 2017.



JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Sara A. Worten", written over a horizontal line.

Sara A. Worten  
Assistant General Counsel  
3625 NW 56<sup>th</sup> 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 28<sup>th</sup> day of November 2017, to:

Roger Stevens  
11142 N. 163rd East Avenue  
Owasso, OK 74055-6023

**Bar Code NO.** 9214 8902 0982 7500 0031 60

Russell Roberts  
301 N. Denver Avenue  
Tulsa, OK 74103-1419

**Bar Code NO.** 9214 8902 0982 7500 0031 77

and a copy was delivered to:

Lewis Garrison  
Bail Bonds Division



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Sara A. Worten  
Assistant General Counsel



Date Produced: 12/04/2017

DOCKETED  
NOV 30 2017  
114

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0031 77. Our records indicate that this item was delivered on 11/30/2017 at 02:10 p.m. in TULSA, OK 74103. The scanned image of the recipient information is provided below.

Signature of Recipient :

Address of Recipient :

301 N. Hennepin  
Tulsa, OK 74103

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Delivered 11/30/17 =  
334 + 30 = 364 = Sat  
Dec 30th, since falls on  
weekend & 1st is holiday  
last day to pay fine &  
request hearing is  
Tuesday Jan 2nd, 2018



17-0781-DIS  
Stevens

Date Produced: 12/25/2017

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0031 60. Our records indicate that this item was delivered on 12/19/2017 at 09:29 a.m. in OWASSO, OK 74055. The scanned image of the recipient information is provided below.

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Address of Recipient :

11142 N. 163E A4

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