

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

FILED

JAN 02 2018

**INSURANCE COMMISSIONER,
OKLAHOMA**

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,)
)
)
)
 Petitioner,)
 vs.)
)
 GREGORY ALLEN BATES, a licensed bail)
 bondsman in the State of Oklahoma,)
)
 AND)
)
 U.S. FIRE INSURANCE COMPANY, an)
 insurance company licensed to act as bail)
 surety in the state of Oklahoma,)
)
 Respondents.)
)

CASE NO. 17-0838-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 his Counsel, 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 et seq.* and the Oklahoma Bail Bond Act, *59 O. S. §§ 1301 et seq.*

2. Respondent Gregory Allen Bates is a licensed bail bondsman in the State of Oklahoma holding license number 199085

3. Respondent U.S. Fire Insurance Company is an insurance company licensed to act as bail surety in the state of Oklahoma holding NAIC number 21113.

ALLEGATION OF FACTS

1. On or about July 5, 2017, an appearance bond was executed as follows:

Defendant:	James Douglas Valdez
Case Number(s):	CM-2017-1991
City/County:	Oklahoma County, Oklahoma
Surety:	U.S. Fire Insurance Company
Bondsman:	Gregory Allen Bates
Power Number(s):	U5-20628031
Bond Amount(s):	\$2,000.00

2. On July 17, 2017 the Defendant failed to appear and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued and filed in the case on July 17, 2017 by the Oklahoma County District Court. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondents' respective addresses of record with return receipt requested within thirty (30) days after the Order's filing.

3. Bates received a copy of the Order and Judgment of Forfeiture on July 31, 2017 as evidenced electronically by the United States Postal Service Tracking website. U.S. Fire received a copy of the Order and Judgment of Forfeiture on July 29, 2017 as evidenced electronically by the United States Postal Service Tracking website.

4. The defendant was incarcerated on October 20, 2017.

5. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was October 30, 2017. The face amount of the forfeited bond was not deposited with the Court Clerk by this date; no notice was given that defendant was in custody in another jurisdiction by this date; the bondsman did not request a hold be placed in Oklahoma County by this date; and the bondsman did not guarantee travel expenses from the other jurisdiction would be paid by this date.

6. 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, as well as 36 O.S. § 619.

7. Pursuant to 59 O.S. § 1310(B), in addition to any denial, censure, suspension, or revocation of a license, any bondsman violating a provision of the Bail Bond Act, 59 O.S. §§ 1301-1341, may be subject to a civil penalty of not less than \$250.00 but not more than \$2,500.00 per violation.

8. Pursuant to 36 O.S. § 619, any insurance company violating any provision of the Insurance Code 36 O.S. §§ 101 et seq., may be subject to a civil penalty of not more than \$5,000.00 per violation.

ALLEGED VIOLATIONS OF LAW

1. Respondent Bates has violated 59 O.S. § 1310(A)(2) and OAC 365:25-5-44 by failing to file notice with the Oklahoma County Court Clerk by the ninety-first day after receipt of the Order and Judgment of Forfeiture, certifying that the defendant was returned to custody by the ninetieth day after receipt of the Order and Judgment of Forfeiture.

2. Respondent U.S. Fire has violated 36 O.S. § 619 by knowingly failing to comply with any lawful rule or order of the Insurance Commissioner. Specifically, U.S. Fire knowingly violated OAC 365:25-5-41(b)(2) and 365:25-5-44 as well as 59 O.S. § 1332.

ORDER

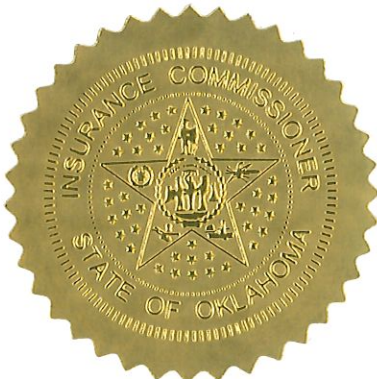
IT IS THEREFORE ORDERED that Bates and U.S. Fire are each FINED FIVE HUNDRED DOLLARS (\$500.00). The fines are to be paid within thirty (30) days of the date of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. If the fines are not paid within thirty (30) days of the date of this Order, 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 Bates or U.S. Fire 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 Julie Meaders, 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 et seq.*

If either Bates or U.S. Fire serve 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 2nd day of January, 2018.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Julie Meaders

Julie Meaders
Deputy General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma 73112
Tel. (405) 521-2746

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 2nd day of January, 2018, to:

Gregory Allen Bates
P.O. Box 27202
Tulsa, OK 74149-0202
CERTIFIED MAIL NO. 9214 8902 0982 7500 0042 80

U.S. Fire Insurance Company
Attn: Dee Evans
11490 Westheimer Road, Suite 300
Houston, Texas 77077-6841
CERTIFIED MAIL NO. 9214 8902 0982 7500 0042 97

and a copy was delivered to:

Bail Bonds Division



Julie Meaders



Date Produced: 01/15/2018

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0042 97. Our records indicate that this item was delivered on 01/08/2018 at 01:53 p.m. in HOUSTON, TX 77077. The scanned image of the recipient information is provided below.

Signature of Recipient :

Signature X	
Printed Name	Sharel Jackson

Address of Recipient :

Delivery Address	11490 Westhaver Rd #300
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Sincerely,
United States Postal Service

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Date Produced: 01/08/2018

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0042 80. Our records indicate that this item was delivered on 01/05/2018 at 10:10 a.m. in TULSA, OK 74106. The scanned image of the recipient information is provided below.

Signature of Recipient :

Signature of Recipient: [Handwritten signature: SHIRLEY GROSS]

Address of Recipient :

Address of Recipient: [Handwritten address: 214 S. W. 10th St.]

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United States Postal Service

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