

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

FILED
JAN 03 2018
INSURANCE COMMISSIONER
OKLAHOMA

**STATE OF OKLAHOMA, ex rel. JOHN D.
DOAK, Insurance Commissioner,**

Petitioner,

vs.

**GLORIA JANE HIGHERS, a licensed bail
bondsman in the State of Oklahoma,**

and

**BANKERS INSURANCE COMPANY, an
insurance company licensed to act as a bail
surety in the State of Oklahoma,**

Respondents.

Case No. 17-0839-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, Barron B. Brown, and alleges and states as follows:

JURISDICTION AND AUTHORITY

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. §§ 101-7301, and the Oklahoma Bail Bond Act, 59 O. S. §§ 1301-1341.
2. Respondent Gloria Jane Highers ("Highers") is a licensed bail bondsman in the State of Oklahoma holding license number 40049319.
3. Respondent Bankers Insurance Company ("BIC") is an insurance company licensed to act as bail surety in the State of Oklahoma (NAIC Company Code 33162).
4. 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 of a violation.

ALLEGATIONS OF FACT

1. On April 18, 2016, an appearance bond was executed as follows:

Defendant:	Lloyd D. Sloan
Case Number(s):	CF-2016-343
City/County:	Muskogee County District Court
Surety:	Bankers Insurance Company
Bondsman:	Gloria Jane Highers
Power Number(s):	52765399-3
Bond Amount(s):	\$25,000.00

2. On March 9, 2017, the Defendant failed to appear and the bond was declared forfeited. On March 20, 2017, an Order and Judgment of Forfeiture was issued and filed in the case by the Muskogee County District Court. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondents with return receipt requested within thirty (30) days after the forfeiture Order's filing.

3. Highers received a copy of the Order and Judgment of Forfeiture on April 3, 2017, as evidenced by the United States Postal Service certified mail receipt.

4. BIC received a copy of the Order and Judgment of Forfeiture on April 3, 2017, as evidenced by the United States Postal Service certified mail receipt.

5. Pursuant to OAC 365:25-5-40, the calculated ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was July 5, 2017, which, by order of the Muskogee County District Court, was extended thirty (30) days to August 4, 2017.

6. Highers initially paid the bond forfeiture on August 4, 2017 by check. However,

that check payment was returned to the Muskogee County District Court as insufficient funds. Highers later replaced the insufficient funds on or about August 31, 2017. As such, the forfeiture was untimely paid. Additionally, the defendant was not timely returned to custody.

ALLEGED VIOLATIONS OF LAW

1. Respondents have violated 59 O.S. § 1310(A)(2) violation of any laws of this state or any lawful rule, regulation, or order of the Commissioner relating to bail, through a violation of 59 O.S. § 1332(D), by failing to timely return the Defendant within ninety (90) days or by failing to timely remit payment in the face amount of the bond forfeiture within ninety-one (91) days from receipt of the Order and Judgment of Forfeiture.

2. Respondent BIC has violated 36 O.S. § 619(A)(2) and 59 O.S. § 1310(A)(2) by failing to comply with OAC 365:25-5-41(b)(2), which requires an insurer to either pay all bail bond forfeitures within ninety-one (91) days or have all bail bond forfeitures vacated by the court within ninety-one (91) days after receipt of the Order and Judgment of Forfeiture pursuant to OAC 365:25-5-40.

ORDER

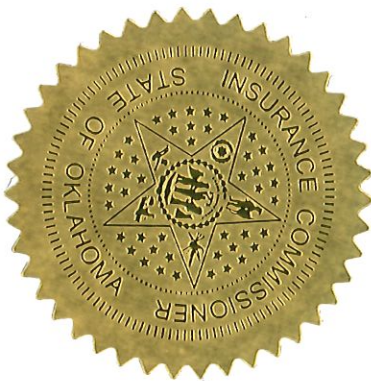
IT IS THEREFORE ORDERED that Respondents Highers and BIC are each FINED Five Hundred Dollars (\$500.00). The fines are to be paid within thirty (30) days from receipt of this Order and made payable to the Oklahoma Insurance Department. Payment may be made by either cashier's check or money order. Failure to comply with a proper order of the Insurance Commissioner may result in further administrative action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless the Respondent requests a hearing

with respect to the Allegations of Fact set forth above within thirty (30) days of the date of mailing of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first day following the date of mailing this Order. A request for hearing should be in writing addressed to Barron B. Brown, 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.

Any such hearing shall be conducted according to the procedures for contested cases under Oklahoma Insurance Code (36 O.S. §§ 101 et seq.), the Oklahoma Bail Bond Act (specifically- 59 O.S. §§ 1311-1311.1), OAC 365:1-7-1 et seq. and the Oklahoma Administrative Procedures Act (75 O.S. §§ 308a et seq.). If the Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as 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 3rd day of January, 2018.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Barron B. Brown

Barron B. Brown
Assistant General Counsel
Oklahoma Insurance Department
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
(405) 521-2746

CERTIFICATE OF MAILING


I, Barron B. Brown, 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 certified mail, with postage prepaid and return receipt requested, on this 3rd day of January, 2018, to:

Gloria Jane Highers
415 W. Broadway St.
Muskogee, OK 74401-6614

CERTIFIED MAIL NO. 9214 8902 0982 7500 0044 02

Bankers Insurance Company
11101 Roosevelt Blvd. N.
Saint Petersburg, FL 33716-2340

CERTIFIED MAIL NO. 9214 8902 0982 7500 0044 19



Barron B. Brown
Assistant General Counsel

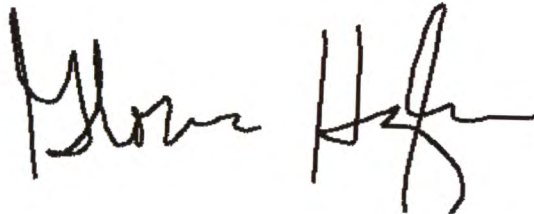
DOCKETED
JAN 05 2018
dy

Date Produced: 01/08/2018

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for **Certified Mail™/RRE item number 9214 8902 0982 7500 0044 02**. Our records indicate that this item **was delivered on 01/05/2018 at 11:39 a.m. in MUSKOGEE, OK 74401**. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :

115 W B Street

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Sincerely,
United States Postal Service

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Customer Reference Number: C648918.3988888

*Delivered 1/5/18 =
5 + 30 = 35 } Last Day
to pay fine of Request
Hearing is Sunday
Feb 4, but since it falls
on weekend is due
Monday Feb 5, 2018*

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✓ Delivered

January 9, 2018 at 1:08 pm

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SAINT PETERSBURG, FL 33702

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*Delivered 1/9/18 = 19+30 = 49 > last day to pay
pay or request hearing is
Sunday Feb 18, but since it
falls on weekend is due
Monday Feb 19, 2018*

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Return Receipt Email



Tracking History



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