

**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.)
)
DENNIS RYAN CARSTENSEN, a licensed)
bail bondsman in the State of Oklahoma,)
)
AND)
)
FREDRICK CLARK HOLDER, a professional)
bail bondsman licensed in the state of)
Oklahoma,)
)
Respondents.)

CASE NO. 17-0880-DIS

**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 Dennis Ryan Carstensen ("Carstensen") is a licensed bail bondsman in the State of Oklahoma holding license number 100221587.

3. Respondent, Fredrick Clark Holder ("Holder") is a professional bail bondsman in the State of Oklahoma holding license number 199639.

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 August 15, 2017, an appearance bond was executed as follows:

Defendant:	Christopher I. Willis
Case Number(s):	CM-2006-1508
City/County:	Comanche County
Surety:	Fredrick Clark Holder
Bondsman:	Dennis Ryan Carstensen
Power Number(s):	02446
Bond Amount(s):	\$1,000.00

9. On August 25, 2017, the Defendant failed to appear and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued and filed on August

29, 2017, by the Comanche County Court Clerk. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Carstensen and Holder at their addresses of record on file with the Oklahoma Insurance Department with return receipt requested within thirty (30) days after the Order's filing.

10 The Order and Judgment of Forfeiture mailed to Carstensen was returned undelivered.

11. Holder received a copy of the Order and Judgment of Forfeiture on or before September 6, 2017.

12. The ninety-first (91st) day after receipt of the Order and Judgment of forfeiture was December 6, 2017.

13. As of the date of this filing, the forfeiture has not been paid.

ALLEGED VIOLATIONS OF LAW

14. Respondents Carstensen and Holder have violated 59 O.S. § 1310(A)(2) and (28) by violating the provisions of 59 O.S. § 1332 and by failing to pay fees due to a district court clerk as required by the Oklahoma Bail Bond Act, 59 O.S. § 1301-1341.

15. 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 Carstensen and Holder are each FINED Five Hundred and 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 or a hearing requested within thirty (30) days, OID may initiate further administrative action.

IT IS FURTHER ORDERED that the face amount of the bond forfeiture shall be deposited with the Comanche County Court Clerk in Comanche County case numbers CM-2006-1508. 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 Holder's professional bail bondsman certificate of deposit and forward to the Comanche 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 Carstensen or Holder 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 LaVene, 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 Carstensen or Holder 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 3rd day of January, 2018



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

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

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 January, 2018, to:

Dennis Ryan Carstensen
1901 W. Gore Blvd.
Suite A
Lawton, OK 73501

CERTIFIED MAIL NO. 9214 8902 0982 7500 0043 58

Fredrick Clark Holder
P.O. Box 370
Antlers, OK 74523-0370

CERTIFIED MAIL NO. 9214 8902 0982 7500 0043 65

and a copy was delivered to:

Lewis Garrison
Bail Bonds Division



Sandra LaVenue
Senior Counsel

Date Produced: 01/08/2018

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0043 58. Our records indicate that this item was delivered on 01/05/2018 at 10:41 a.m. in LAWTON, OK 73501. The scanned image of the recipient information is provided below.

Signature of Recipient :

Signature	X	<i>Marcy Carstensen</i>
Printed Name		<i>Marcy Carstensen</i>

Address of Recipient :

Delivery Address	<i>1901 Gore Blvd</i>
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Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

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OKLAHOMA INSURANCE DEPARTMENT:

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