

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

**FILED**  
**MAR 02 2018**  
**INSURANCE COMMISSIONER**  
**OKLAHOMA**

**STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,** )  
 )  
 )  
 **Petitioner,** )  
**vs.** )  
 )  
**MORTON CLARK, a licensed bail bondsman** )  
**in the State of Oklahoma,** )  
 )  
 **Respondent.** )

**CASE NO. 18-0132-DIS**

**CONDITIONAL ORDER AND  
NOTICE OF HEARING AND ORDER TO SHOW CAUSE**

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. §§ 1301-1341*.

2. Respondent Morton Clark (“Respondent”) is a licensed bail bondsman in the State of Oklahoma holding license number 100181052 with a surety appointment from American Contractors Indemnity Company (“ACIC”). Respondent’s mailing address of record with the Oklahoma Insurance Department is 217 N. Harvey Avenue, Suite 203, Oklahoma City, Oklahoma 73102.

3. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to *59 O.S. § 1310*.

**ALLEGATIONS OF FACT**

4. Pursuant to *59 O.S. § 1314(B)* and *OAC 365:25-5-36(a)*, every licensed bondsman

shall electronically submit monthly reports by the fifteenth day of each month.

5. Respondent submitted his February 2017 ACIC report a day late on March 16, 2017. The report was due no later than March 15, 2017.

6. Respondent submitted his April 2017 ACIC report 2 days late on May 17, 2017. The report was due no later than May 15, 2017.

7. Respondent submitted his July 2017 cash report 2 days late on August 17, 2017. The report was due no later than August 15, 2017.

8. Respondent submitted his December 2017 cash report 1 day late on January 17, 2018. The report was due no later than January 16, 2018.

9. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to *59 O.S. §§ 1310*.

10. Pursuant to *59 O.S. § 1310(A)*, the Insurance Commissioner may deny, censure, suspend, revoke, or refuse to renew any license issued under Sections 1301 through 1341 for any of the following causes:

2. Violation of any laws of this state or any lawful rule, regulation, or order of the Commissioner relating to bail;
24. For failing to file a report as required by *Section 1314 of title 59*.

11. 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.

### **CONCLUSIONS OF LAW**

12. Respondent has violated *59 O.S. § 1310(A)(2) and (24)*, on 4 occasions by failing to file his monthly reports by the fifteenth day of the following month in accordance with the

provisions of 59 O.S. § 1314(B).

**ORDER**

IT IS THEREFORE ORDERED that Respondent Morton Clark is **CENSURED and FINED \$250.00** for violations of the Bail Bond Act. The fine is to be paid within 30 days of the date of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. If the fine is not paid within 30 days, the respondent will be subject to 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 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 Sara A. 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.

Any such hearing shall be conducted according to the procedures for contested cases under the Oklahoma Bail Bond Act and 75 O.S. § 250-323. 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 2nd day of March 2018.



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**

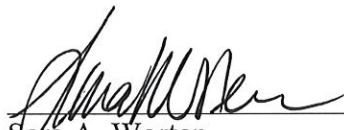
I hereby certify that a true and correct copy of the above and foregoing *Conditional Order* was mailed by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 2nd day of March 2018, to:

Morton Clark  
217 N. Harvey Ave.  
Suite 203  
Oklahoma City, OK 73102

**CERTIFIED MAIL NO.** 9214 8902 0982 7500 0057 75

and a copy was delivered to:

Lewis Garrison  
Bail Bonds Division

  
\_\_\_\_\_  
Sara A. Worten  
Assistant General Counsel



18-0132-Dis  
Clark

Date Produced: 03/12/2018

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0057 75. Our records indicate that this item was delivered on 03/05/2018 at 12:14 p.m. in OKLAHOMA CITY, OK 73102. The scanned image of the recipient information is provided below.

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