

dispute and may issue penalties pursuant to *59 O.S. §§ 1310 and 1332 and 36 O.S. § 619*.

5. If Glass or CFIC 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 and 36 O.S. § 319*, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent.

6. 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

7. On or about May 8, 2017, an appearance bond was executed as follows:

Defendant:	Dustin Marie Sneed
Case Number(s):	CF-2013-1544
City/County:	Cleveland County
Surety:	Crum & Forster Indemnity Company
Bondsman:	Linda Glass
Power Number(s):	CF5-70258700
Bond Amount(s):	\$1,000.00

8. On or about September 13, 2017, the Defendant failed to appear and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued and filed on or about September 20, 2017, by the Cleveland County District Court. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Glass and CFIC with return receipt requested within 30 days after the Order's filing.

9. Glass received a copy of the Order and Judgment of Forfeiture on October 5, 2017.

10. CFIC received a copy of the Order and Judgment of Forfeiture on September 22,

2017.

11. The ninety-first day after receipt of the Order and Judgment of Forfeiture was January 4, 2018.

12. As of the date of the filing of this Conditional Administrative Order, the forfeiture has not been paid. The defendant was not timely returned to custody.

ALLEGED VIOLATIONS OF LAW

13. Glass violated *59 O.S. 1310(A)(2) and (28)*, by failing to return the Defendant to custody within 90 days or remit payment in the face amount of the bond forfeiture within 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*.

14. CFIC violated *36 O.S. § 619* by failing to comply with *OAC 365:25-5-40* and *365:25-5-41(b)(2)* and as also required by *59 O.S. §1332*.

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.

16. Pursuant to *36 O.S. § 618*, any insurance company violating any provision of any statute for which the Commissioner has jurisdiction may be subject to a civil penalty of not more than \$5,000.00 for each occurrence.

ORDER

IT IS THEREFORE ORDERED that Glass and CFIC are each FINED \$250.00.

The fines are 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,

Glass's license will be suspended and shall remain suspended until the fine is paid in full. In addition, failure to comply with a proper order of the Commissioner may result in further administrative action.

IT IS FURTHER ORDERED that the face amount of the bond forfeiture shall be deposited with the Cleveland County District Court Clerk within 30 days of receipt of this Order. Failure to do so shall result in the Glass's license being suspended and **CANCELLATION** of CFIC's license privilege and authorization to do business within the State of Oklahoma and **CANCELLATION** of the surety appointment of all surety bondsman agents of CFIC.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless either Glass or CFIC request a hearing with respect to the Allegations of Fact set forth above within 30 days of the date of this Conditional Order, 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 and addressed to Sara 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 and shall be served on the Oklahoma Insurance Department within the 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 Glass or CFIC 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 29th day of March, 2018.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



Sara A. Worten

Assistant General 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 29th day of March 2018, to:

Linda Glass
408 W. Pennsylvania Ave.
Chickasha, OK 73018-2447

CERTIFIED MAIL NO.

9214 8902 0982 7500 0066 04

Crum & Forster Indemnity Company
305 Madison Avenue
Morristown, NJ 07962

CERTIFIED MAIL NO.

9214 8902 0982 7500 0066 11

and a copy was delivered to:

Lewis Garrison
Manager - Bail Bonds Division



Sara A. Worten
Assistant General Counsel