

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED
OCT 18 2018
INSURANCE COMMISSIONER
OKLAHOMA

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

Petitioner,)

vs.)

Case No. 18-0757-DIS

BEEELER MONTCLARE PINKSTON,)
formerly a licensed bail bondsman in the State)
of Oklahoma,)

and)

CURTIS WAYNE PLETCHER, a licensed)
multicounty agent bail bondsman in the State)
of Oklahoma,)

Respondents.)

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 et seq., and the Oklahoma Bail Bond Act, 59 O. S. §§ 1301-1341.

2. Respondent Beeler Montclare Pinkston ("Pinkston") was previously a licensed bail bondsman in the State of Oklahoma holding license number 100199524. Pinkston's bail bondsman license expired on March 31, 2018.

3. Respondent Curtis Wayne Pletcher ("Pletcher") is a licensed multicounty agent bail bondsman in the State of Oklahoma holding license number 199574.

4. Pursuant to 59 O.S. § 1310(E), "[for] one (1) year after notification by the Commissioner of an alleged violation, or for two (2) years after the last day the person was licensed, whoever is the lesser period of time, the Commissioner shall retain jurisdiction as to any person who cancels his bail bondsman's license or allows the license to lapse, or otherwise ceases to be licensed, if the person while licensed as a bondsman allegedly violated any provision of the [Oklahoma Bail Bond Act]."

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 of a violation.

ALLEGATIONS OF FACT

1. On March 1, 2017, an appearance bond was executed as follows:

| | |
|------------------|---|
| Defendant: | Christopher Charles Hesler |
| Case Number(s): | CM-2018-270 |
| City/County: | Canadian County District Court |
| Surety: | Curtis Wayne Pletcher |
| Bondsman: | Beeler Montclare Pinkston |
| Power Number(s): | 100946; 100947 |
| Bond Amount(s): | \$5,000.00; \$500.00 (\$5,500.00 total) |

2. On May 21, 2018, the Defendant failed to appear and the bonds were declared forfeited. On May 30, 2018, an Order and Judgment of Forfeiture was issued and filed in the case by the Canadian County District Court. On June 18, 2018, a true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondents with return receipt requested,

which was within thirty (30) days of the forfeiture Order's filing.

3. Pinkston received a copy of the Order and Judgment of Forfeiture on June 20, 2018, as evidenced electronically by the United States Postal Service Tracking website.

4. The Order and Judgment of Forfeiture was sent to Pletcher's mailing address of record on file with the Oklahoma Insurance Department.

5. Pursuant to O.A.C. 365:25-5-40(b)(1), the calculated ninety-first (91st) day after receipt of each Order and Judgment of Forfeiture was September 19, 2018.

6. As of the date of this *Order*, the bond forfeitures have not been 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 forfeitures within ninety-one (91) days from receipt of the Order and Judgment of Forfeiture.

ORDER

IT IS THEREFORE ORDERED that Respondents Pinkston and Pletcher are each FINED Two Hundred Fifty Dollars (\$250.00). 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 that Respondent Pletcher is to pay the forfeitures in Canadian County District Court Case Number CM-2018-270, State of Oklahoma v. Christopher Charles Hesler. If the forfeitures are not paid within thirty days from receipt of this Order, pursuant to 59 O.S. § 1306.1(B), the Oklahoma Insurance Department shall withdraw the respective face amount of the bonds, Five Thousand Dollars (\$5,000.00) and Five Hundred Dollars (\$500.00), from Pletcher's multicounty agent bondsman deposit and forward it to the Canadian County District Court for payment of the bond forfeitures.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless Respondent Pinkston and/or Respondent Pletcher requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date of receipt 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 receipt of 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 the Oklahoma Bail Bond Act (59 O.S. §§ 1301-1341) and the Oklahoma Administrative Procedures Act (75 O.S. §§ 308a et seq.). If Respondent Pinkston and/or Respondent Pletcher 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 18th day of October, 2018.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Barron B. Brown

Barron B. Brown
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Telephone: (405) 521-2746
Facsimile: (405) 522-0125

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 18th day of October, 2018, to:

Beeler Montclare Pinkston
P.O. Box 55510
Del City, OK 73155-0510

CERTIFIED MAIL NO.

9214 8902 0982 7500 0136 71

Curtis Wayne Pletcher
P.O. Box 66
Springer, OK 73458-0066

CERTIFIED MAIL NO.

9214 8902 0982 7500 0136 88

Barron B. Brown

Barron B. Brown
Assistant General Counsel



18-0757-Dis RB
pinkston

Date Produced: 10/29/2018

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0136 71. Our records indicate that this item was delivered on 10/25/2018 at 03:40 p.m. in OKLAHOMA CITY, OK 73115. The scanned image of the recipient information is provided below.

Signature of Recipient :
(Authorized Agent)

Angel pinkston
Angel pinkston

Address of Recipient :

SSS10

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.

Sincerely,
United States Postal Service

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18-0757-Dis
Pletew
BBB

Date Produced: 10/22/2018

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0136 88. Our records indicate that this item was delivered on 10/19/2018 at 11:52 a.m. in SPRINGER, OK 73458. The scanned image of the recipient information is provided below.

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Sincerely,
United States Postal Service

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