BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

FILED

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner, Petitioner,	DEC 1 3 2018 INSURANCE COMMISSIONER OKLAHOMA
VS.) CASE NO. 18-0885-DIS
JAIME LEE SHAW, a licensed bail bondsman in the State of Oklahoma,)))
Respondent.	j

CONDITIONAL ADMINISTRATIVE ORDER <u>AND NOTICE OF RIGHT TO BE HEARD</u>

COMES NOW the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner, by and through counsel, Brian C. Chandler, 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., as well as the Oklahoma Bail Bond Act, 59 O.S. §§ 1301-1341.
- 2. Jaime Lee Shaw ("Respondent") is a licensed cash bail bondsman in the State of Oklahoma holding License Number 100288781.
- 3. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to 59 O.S. § 1310.
- 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.

- 5. If 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.
- 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.

PROPOSED FINDINGS OF FACT

- 7. Pursuant to 59 O.S. § 1314(B) and OAC 365:25-5-36(a), a licensed bondsman shall electronically submit monthly reports for each line of authority by the fifteenth day of each month.
- 8. Respondent failed to timely submit her April cash bond report which was due no later than 5/15/2018. Respondent's report was filed untimely on 5/16/2018. *OAC 365:25-5-36(a)*.
- 9. Respondent failed to timely submit her May cash bond report which was due no later than 6/15/2018. Respondent's report was filed untimely on 6/22/2018. *OAC 365:25-5-36(a)*.
- 10. Respondent failed to timely submit her October cash bond report which was due no later than November 15, 2018. Respondent's report was filed untimely on 11/16/2018. *OAC* 365:25-5-36(a).

PROPOSED CONCLUSIONS OF LAW

11. Respondent has violated 59 O.S. § 1314(B) by failing on three (3) occasions to timely file monthly cash bond reports, specifically, April 2018, May 2018, and October 2018 monthly cash bond reports. 59 O.S. §§ 1314(B) and 1310(A)(24).

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraph, that Respondent violated the provisions of 59 O.S. §§ 1310(A)(24) and 1314(B) and is hereby CENSURED and FINED FIVE HUNDRED DOLLARS (\$500.00). The \$500.00 fine is to be paid within thirty (30) days of this Conditional Administrative Order and Notice of Right to be Heard and made payable to the Oklahoma Insurance Department. Subject to the conditions in the following paragraph, failure to comply with this Conditional Administrative Order and Notice of Right to be Heard 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 Respondent requests a hearing with respect to the Proposed Findings of Fact set forth above within thirty (30) days 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 mailing of this Order. Such request for hearing, if desired, shall be in writing, addressed to Brian C. Chandler, Assistant General Counsel, Legal Division, Oklahoma Insurance Department, 3625 NW 56th St., Suite 100, Oklahoma City, Oklahoma 73112, and shall state the basis for requesting the hearing. The request 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 Bail Bondsmen Act, 59 O.S. §§ 1301 et seq.,

Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., and the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 through 403. If Respondent 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 Proposed Findings of Fact, Proposed Conclusions 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 12th day of December, 2018



JOHN D. DOAK INSURANCE COMMISSIONER STATE OF OKLAHOMA

Brian C. Chandler, OBA# 31016

Assistant General Counsel

Legal Division

Oklahoma Insurance Department 3625 NW 56th Street, Suite 100

Oklahoma City, Oklahoma 73112

(405) 521-2746

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 certified mail, with postage prepaid and return receipt requested on this day of December, 2018, to:

Jaime Lee Shaw 608 SW D Ave. Ste. 2

Lawton, OK 73501-4560 **CERTIFIED MAIL NO.**

9214 8902 0982 7500 0154 08

and a copy was also delivered to:

Lewis Garrison, Director Bail Bonds Division

Brian C. Chandler



December 19, 2018

Dear Shery Standerfer:

The following is in response to your request for proof of delivery on your item with the tracking number: 9214 8902 0982 7500 0154 08.

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Item Details

Status:

Status Date / Time: December 17, 2018, 11:47 am

Location: LAWTON, OK 73501

Postal Product: First-Class Mail®

Extra Services: Certified Mail™

Return Receipt Electronic

Recipient Name: JAMIE LEE SHAW

Shipment Details

Weight: 2.0oz

Recipient Signature

Signature of Recipient:

Address of Recipient:

(1 WL80)

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