

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

DEC 13 2018

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,)
)
)
Petitioner,)
)
vs.) CASE NO. 18-0887-DIS
)
DALINDA MICHELLE LONG, a licensed bail bondsman in the State of Oklahoma,)
)
)
Respondent.)

**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, 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. Dalinda Michelle Long (“Respondent”) is a licensed surety bail bondsman in the State of Oklahoma holding License Number 100227806. Respondent currently has no surety appointment but has an outstanding liability.

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) and (b)(2)*, a licensed bail bondsman shall electronically submit monthly reports for each line of authority by the fifteenth day of each month, or in the event that a licensed bail bondsman has an outstanding liability with a licensed professional bondsman and/or multi-county agent, the same shall submit monthly reports by the fifteenth day of each month even if the appointment has been cancelled.

8. Respondent previously had an appointment with Curtis Wayne Pletcher, a licensed professional bail bondsman with license number 199574. Said appointment was cancelled, but Respondent has an outstanding liability. Therefore, a monthly report is due. At the time of this filing, Respondent does not have a surety appointment.

9. Respondent failed to submit her August 2018 NOSURETY monthly report which was due no later than 9/17/2018. As of the date of this filing, Respondent's report remains unfiled. *OAC 365:25-5-36(a) and (b)*.

10. Respondent failed to submit her September 2018 NOSURETY monthly report

which was due no later than 10/15/2018. As of the date of this filing, Respondent's report remains unfiled. *OAC 365:25-5-36(a) and (b)*.

11. Respondent failed to timely submit her October 2018 NOSURETY monthly report which was due no later than 11/15/2018. As of the date of this filing, Respondent's report remains unfiled. *OAC 365:25-5-36(a) and (b)*.

PROPOSED CONCLUSIONS OF LAW

12. Respondent has violated *59 O.S. § 1314(B), 1310(A)24*, and *OAC 365:25-5-36(a) and (b)* by failing to file NOSURETY monthly reports, specifically, August 2018, September 2018, and October 2018. *59 O.S. §§ 1314 and 1310*.

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, 1314(B)* and *OAC:365:25-5-36(a) and (b)* and is hereby 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. In addition, Respondent is ordered to file the above-referenced reports chronologically with the Oklahoma Insurance Department within thirty (30) days of this *Conditional Administrative Order and Notice of Right to be Heard*. 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

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

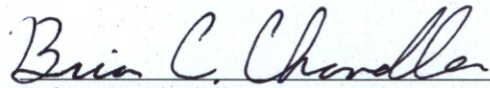
I hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to be Heard* was mailed by certified mail, with postage prepaid and return receipt requested on this 13th day of December, 2018, to:

Dalinda Michelle Long
2201 NW 35th St.
Oklahoma City, OK 73112-7945

CERTIFIED MAIL NO. **9214 8902 0982 7500 0154 15**

and a copy was also delivered to:

Lewis Garrison, Director
Bail Bonds Division



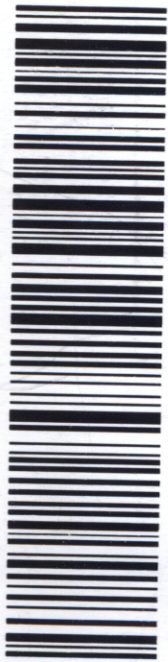
Brian C. Chandler



JOHN D. DOAK
Insurance Commissioner
 Oklahoma Insurance Department
 5 Corporate Plaza
 3625 N.W. 56th St., Ste. #100
 Oklahoma City, OK 73112-4511

CERTIFIED MAIL™

USPS CERTIFIED MAIL



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DALINDA MICHELLE LONG
 2201 NW 35TH ST
 OKLAHOMA CITY OK 73112-7945

Handwritten signature

12/14

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OKLAHOMA INSURANCE DEPARTMENT

JAN 08 2019

Legal Division