

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN )  
MULREADY, Insurance Commissioner, )  
 )  
Petitioner, )  
vs. )  
 )  
**CRISTINA RODRIGUEZ**, a licensed bail )  
bondsman in the State of Oklahoma, )  
 )  
AND )  
 )  
**BARRY GREGG TUCKER**, a multicounty )  
agent bondsman licensed in the state of )  
Oklahoma, )  
 )  
Respondents.

**FILED**  
FEB 26 2019  
INSURANCE COMMISSIONER  
OKLAHOMA

CASE NO. 18-0888-DIS

**CONDITIONAL ADMINISTRATIVE ORDER**  
**AND NOTICE OF RIGHT TO BE HEARD**

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner, by and through counsel, Teresa L. Green, and alleges and states as follows:

**JURISDICTION**

1. Glen Mulready 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. §§ 1301-1340.
2. Respondent Cristina Rodriguez (“Respondent Rodriguez”) is a licensed bail bondsman in the State of Oklahoma holding license number 200295. Respondent Rodriguez’s address of record is 1511 W. Gore Blvd. Ste 2, Lawton, OK 73501-3662.
3. Respondent Barry Gregg Tucker (“Respondent Tucker”) is a multicounty agent bondsman in the state of Oklahoma holding license number 199820. Respondent Tucker’s

address of record is P.O. Box 803, Wewoka, OK 74884-0803.

4. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to *59 O.S. §§ 1310 and 1332*.

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 \$250.00 nor more than \$2,500.00 for each occurrence.

6. If Respondents request 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.

7. 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.

**FINDINGS OF FACT**

8. On or about May 4, 2017, an appearance bond was executed as follows:

|                  |                     |
|------------------|---------------------|
| Defendant:       | Justin Golden Lewis |
| Case Number(s):  | CM-2017-676         |
| City/County:     | Comanche County     |
| Surety:          | Barry Tucker        |
| Bondsman:        | Cristina Rodriguez  |
| Power Number(s): | 000190              |
| Bond Amount(s):  | \$1,000.00          |

9. On or about July 13, 2018, the Defendant failed to appear and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued on or about July 20, 2018,

by the Comanche County District Court. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondent Rodriguez and Respondent Tucker with return receipt requested within thirty (30) days after the Order's filing.

10 Respondent Rodriguez received a copy of the Order and Judgment of Forfeiture on or about August 8, 2018.

11. Respondent Tucker received a copy of the Order and Judgment of Forfeiture on or about July 23, 2018.

12. The ninety-first (91<sup>st</sup>) day after receipt of the Order and Judgment of Forfeiture was October 22, 2018.

13. On or about November 8, 2018, the Comanche County District Court ordered that the Order and Judgment of Forfeiture was stayed for ninety (90) days from the date of the order, until February 6, 2019.

14. The forfeiture was paid on or about February 8, 2019.

15. The forfeiture was not timely paid, and the defendant was not timely returned to custody.

#### **CONCLUSIONS OF LAW**

16. Respondents have violated *59 O.S. 1310(A)(2) and (28)*, by failing to return the Defendant to custody within ninety (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*.

17. Pursuant to *59 O.S. § 1310(B)*, any bondsman violating a provision of the Bail Bond Act, *59 O.S. §§ 1301 et seq.*, may be subject to a fine of not less than \$250.00 but not more

than \$2,500.00 per violation.

**ORDER**

**IT IS THEREFORE ORDERED that Respondent Rodriguez and Respondent Tucker 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 fines are not paid within 30 days, Respondents' respective licenses will be suspended and shall remain suspended until the fines are paid in full.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner that this Order is a Conditional Order. Unless either Respondent Rodriguez or Respondent Tucker request a hearing with respect to the Findings of Fact set forth above within thirty (30) days of the date of this Conditional Order, the penalties set forth above shall become a Final Order on the thirty-first (31<sup>st</sup>) day following the date of mailing this Order. A request for hearing should be in writing and addressed to Teresa L. Green, Oklahoma Insurance Department, Legal Division, 3625 NW 56<sup>th</sup> 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 will be conducted according to the procedures for contested cases under the Insurance Code and 75 O.S. § 250 *et seq.* If the Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order will act as notice of the matters to be reviewed at the hearing, and the Findings of Fact, Conclusions of Law, and penalties imposed in this Conditional Order will be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 20<sup>th</sup> day of February, 2019.



GLEN MULREADY  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

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Teresa L. Green  
Assistant General Counsel  
Oklahoma Insurance Department  
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 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 20<sup>th</sup> day of February, 2019, to:

Cristina Rodriguez  
1511 W. Gore Blvd. Ste 2  
Lawton, OK 73501-3662

9214 8902 0982 7500 0176 93

**CERTIFIED MAIL NO.**

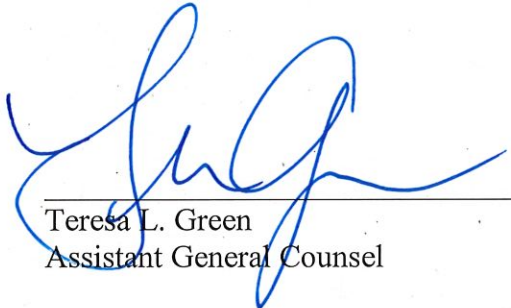
Barry Gregg Tucker  
P.O. Box 803  
Wewoka, OK 74884-0803

9214 8902 0982 7500 0177 09

**CERTIFIED MAIL NO.**

and a copy was delivered to:

Bail Bonds Division



Teresa L. Green  
Assistant General Counsel



18-0883-D1's  
(Rodriguez) TLG

Date Produced: 03/18/2019

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0176 93. Our records indicate that this item was delivered on 03/13/2019 at 04:51 p.m. in LAWTON, OK 73501. The scanned image of the recipient information is provided below.

Signature of Recipient :

Cristina Rodriguez  
CRISTINA RODRIGUEZ

Address of Recipient :

1511 W GORE # 2

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

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

CRISTINA RODRIGUEZ  
1511 W GORE BLVD STE 2  
LAWTON OK 73501-3662

Customer Reference Number: C1239287.7082696



18-0888-DIS  
(Tucker) TLG

Date Produced: 03/04/2019

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0177 09. Our records indicate that this item was delivered on 02/28/2019 at 09:23 a.m. in WEWOKA, OK 74884. The scanned image of the recipient information is provided below.

Signature of Recipient :

Address of Recipient :

PO Box 803

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

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

BARRY GREGG TUCKER  
PO BOX 803  
WEWOKA OK 74884-0803

Customer Reference Number: C1239287.7082697