

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA**

FILED
JAN 11 2019
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,)	
)	
Petitioner,)	
vs.)	CASE NO. 18-0911-DIS
)	
RHONDA SUE DYER, a formerly licensed bail bondsman in the State of Oklahoma,)	
)	
and)	
)	
DUSTIN CLINT PLETCHER, a multicounty agent bail bondsman licensed in the state of Oklahoma)	
)	
Respondents.)	

**CONDITIONAL 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, Teresa L. Green, and alleges and states as follows:

JURISDICTION

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 et seq.*
2. Respondent Rhonda Sue Dyer (“Respondent Dyer”) is a formerly licensed bail bondsman in the State of Oklahoma holding license number 100227423. Respondent Dyer’s mailing address of record with the Oklahoma Insurance Department is 505 N. Western Ave., Oklahoma City, OK 73106-7437.
3. Respondent Dustin Clint Pletcher (“Respondent Pletcher”) is a multicounty agent

bail bondsman in the state of Oklahoma holding license number 40070339. Respondent Pletcher's mailing address of record with the Oklahoma Insurance Department is 12844 Acme Rd., Shawnee, OK 74804-9194.

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

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.

6. If either 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.

FINDINGS OF FACT

7. On or about September 23, 2016, an appearance bond was executed as follows:

Defendant:	Million Pollard
Case Number(s):	CF-2016-7498
County:	Oklahoma County
Surety:	Dustin Clint Pletcher
Bondsman:	Rhonda Sue Dyer
Power Number(s):	5893
Bond Amount(s):	\$1,500.00

8. On or about August 27, 2018, the Defendant failed to appear and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued and filed in the case on or about September 5, 2018, by the Oklahoma County District Court. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondent Dyer and Respondent Pletcher at

their address of record on file with the Oklahoma Insurance Department with return receipt requested within thirty (30) days after the Order's filing.

9. The Order and Judgment of Forfeiture mailed to Respondent Dyer was "Unclaimed/Being Returned to Sender" on or about September 22, 2018.

10. Respondent Pletcher received a copy of the Order and Judgment of Forfeiture on or about September 14, 2018.

11. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was December 14, 2018.

12. On December 17, 2018, Respondent Pletcher paid the forfeiture.

13. As of the date of this filing, the forfeiture was paid untimely and the defendant was not timely returned to custody.

CONCLUSIONS OF LAW

14. Respondent Dyer 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.*

15. Respondent Pletcher 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.*

16. Respondents have violated *59 O.S. 1310(A) (6), (9) and (28)* by failing to comply with Order of Judgment & Forfeiture.

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, ADJUDGED AND DECREED by the Insurance Commissioner that Respondent Rhonda Sue Dyer and Respondent Dustin Clint Pletcher are **each FINED** in the amount of **TWO HUNDRED AND FIFTY DOLLARS (\$250.00)** for the violations of 59 O.S. § 1310(A)(2) (6), (9) and (28). The fine is to be **paid within thirty (30) days of receipt of this Order**. 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 the Respondent requests a hearing with respect to the Findings of Fact set forth above within thirty (30) days of the date of mailing of this Order, this Order and the penalties set forth above will become a Final Order on the thirty-first (31st) day following the date of mailing this Order. A request for hearing should be in writing addressed to Teresa L. Green, 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 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 11th day of January, 2018.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

A handwritten signature in blue ink, appearing to read "Teresa L. Green", written over a horizontal line.

Teresa L. Green, OBA #32897
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, OK 73112
Telephone: (405) 521-4063
Facsimile: (405) 522-0125

CERTIFICATE OF MAILING

I, Teresa L. Green, hereby certify that a true and correct copy of the above and foregoing *Conditional 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 17th day of December 2018, to:

Rhonda Sue Dyer
505 N. Western Ave.
Oklahoma City, OK 73106-7437

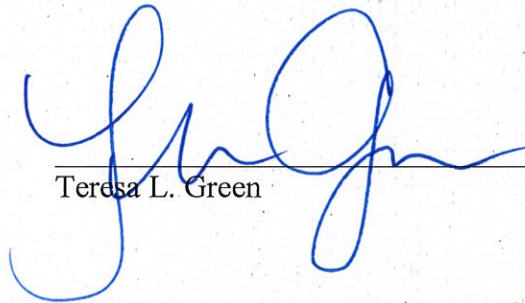
CERTIFIED MAIL NO. **9214 8902 0982 7500 0166 41**

Dustin Clint Pletcher
12844 Acme Rd.
Shawnee, OK 74804-9194.

CERTIFIED MAIL NO. **9214 8902 0982 7500 0166 58**

and a copy was delivered to:

Bail Bonds Division



Teresa L. Green



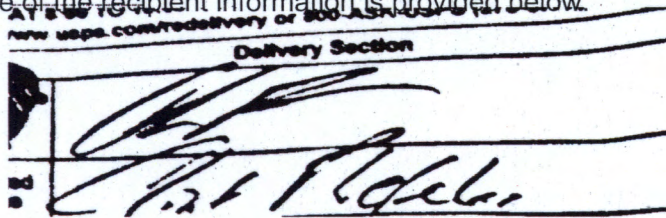
18-0911-015
Cletcher) TLG

Date Produced: 01/21/2019

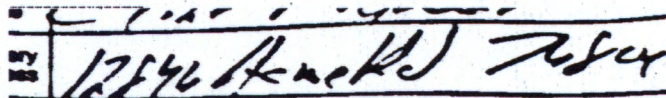
OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0166 58. Our records indicate that this item was delivered on 01/16/2019 at 02:19 p.m. in SHAWNEE, OK 74801. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



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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:

DUSTIN CLINT PLETCHER
12844 ACME RD
SHAWNEE OK 74804-9194

Customer Reference Number: C1165871.6697438

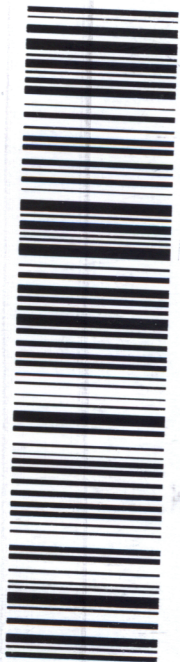


JOHN D. DOAK
Insurance Commissioner
 Oklahoma Insurance Department
 5 Corporate Plaza
 3625 N.W. 56th St., Ste. #100
 Oklahoma City, OK 73112-4511

CP:6W 61.5 RB3

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RHONDA SUE DYER
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731124511

NIXIE 731 SE 1 0102/03/19
 RETURN TO SENDER
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 UNABLE TO FORWARD
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1-17



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