

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED
SEP 24 2019
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN
MULREADY, Insurance Commissioner,

Petitioner,
vs.

CHASITY DAWN CAREY, a licensed bail
bondsman in the State of Oklahoma,

AND

CURTIS WAYNE PLETCHER, a multicounty
agent bondsman licensed in the state of
Oklahoma,

Respondents.

CASE NO. 19-0172-DIS

AMENDED 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 Chasity Dawn Carey ("Respondent Carey") is a licensed bail bondsman in the State of Oklahoma holding license number 100157259. Respondent Carey's address of record is 1146 E 3rd St., Cushing, OK 74023-4145.

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

Pletcher's address of record is P.O. Box 66, Springer, OK 73458-0066.

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 July 15, 2018, an appearance bond was executed as follows:

Defendant:	Jacob Barton
Case Number(s):	CM-2018-923
City/County:	Payne County
Surety:	Curtis Pletcher
Bondsman:	Chasity Carey
Power Number(s):	127247
Bond Amount(s):	\$3,000.00

9. On or about July 17, 2018, the Defendant failed to appear and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued on or about July 26, 2018,

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

10 Respondent Carey received a copy of the Order and Judgment of Forfeiture on or about August 23, 2018.

11. Respondent Pletcher received a copy of the Order and Judgment of Forfeiture on or about August 27, 2018.

12. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was November 22, 2018.

13. On or about April 25, 2019, the Defendant appeared in person from the Payne County Jail in CM-2018-923, Payne County.

14. On or about June 14, 2019, the Defendant was sentenced in CM-2018-923, Payne County.

15. As of this date, the forfeiture has not been paid.

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

CONCLUSIONS OF LAW

17. 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 ninety-one (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.

18.

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 Carey and Respondent Pletcher 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 thirty (30) days, Respondents' respective licenses will be suspended and shall remain suspended until the fines are paid in full.

IT IS FURTHER ORDERED that Respondent Pletcher is to pay the forfeiture in Payne County District Court Case Number CM-2018-923, State of Oklahoma v. Jacob Barton. If the forfeiture is not paid within thirty days from receipt of this Order, pursuant to 59 O.S. §§ 1306.1(B) and 1332(D)(4)(b), the Oklahoma Insurance Department shall withdraw the face amount of the bond, One Thousand Dollars (\$3,000.00), from Pletcher's multicounty agent bail bondsman deposit and forward it to the Payne County District Court for payment of the bond forfeiture.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless either Respondent requests 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 (31st) 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 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 23rd day of September, 2019.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



Teresa L. Green, OBA #32897
Assistant General Counsel
Oklahoma Insurance Department
3625 NW 56th 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 *Amended 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 24th day of September, 2019, to:

Chasity Dawn Carey
1146 E 3rd St.
Cushing, OK 74023-4145

CERTIFIED MAIL NO.

9214 8902 0982 7500 0239 08

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

CERTIFIED MAIL NO.

9214 8902 0982 7500 0239 15

and a copy was delivered to:

Bail Bonds Division



Teresa L. Green
Assistant General Counsel



19-0172 DIS
TLG (Carey)

Date Produced: 10/14/2019

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0239 08. Our records indicate that this item was delivered on 10/09/2019 at 12:43 p.m. in CUSHING, OK 74023. The scanned image of the recipient information is provided below.

Signature of Recipient :

Chasity Carey
Chasity Carey

Address of Recipient :

1146 E 3rd
Cushing OK
74023

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:

CHASITY DAWN CAREY
1146 E 3RD ST
CUSHING OK 74023-4145

Customer Reference Number: C1638969.9037000



19-0172-015
TLG, Cletcher

Date Produced: 10/07/2019

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0239 15. Our records indicate that this item was delivered on 09/30/2019 at 11:31 a.m. in SPRINGER, OK 73458. The scanned image of the recipient information is provided below.

Signature of Recipient :

Signature	
Name	Curt Fletcher

Address of Recipient :

Address	P.O. Box 66 Springer, OK 73458
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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:

CURTIS WAYNE PLETCHER
PO BOX 66
SPRINGER OK 73458-0066

Customer Reference Number: C1638969.9037001