

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

FILED
JUL 12 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. 19-0173-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 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 28, 2017, an appearance bond was executed as follows:

Defendant:	Lara Maloy
Case Number(s):	CM-2012-372
City/County:	Payne County
Surety:	Curtis Pletcher
Bondsman:	Chasity Carey
Power Number(s):	115215
Bond Amount(s):	\$1,000.00

9. On or about March 13, 2018, the Defendant failed to appear and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued on or about March 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 The copy of the Order and Judgement mailed to Respondent Carey was returned stating "RETURN TO SENDER INSUFICIENT ADDRESS UNABLE TO FORWARD" on or about April 30, 2018.

11. Respondent Pletcher received a copy of the Order and Judgment of Forfeiture on or about May 3, 2018.

12. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was August 2, 2018.

13. On or about August 8, 2018, the Payne County Court issued the Order staying the execution of the bond for an additional 90 days from the date of the motion. The Order extends the 91st day to November 26, 2018.

14. As of this date, the forfeiture has not been paid nor the Defendant returned to custody.

CONCLUSIONS OF LAW

15. 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.

16. 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. Payment is to be made by either cashier's check or money order. 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-2012-372, State of Oklahoma v. Lara Ann Maloy-Tafolla. 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 (\$1,000.00), 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

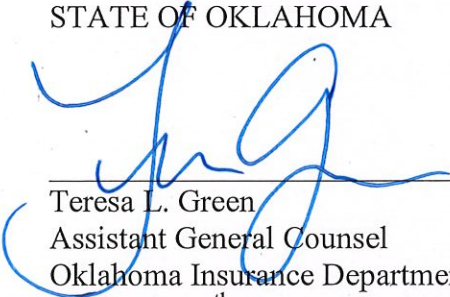
56th St., Suite 100, Oklahoma City, Oklahoma 73112. The request for hearing must state the grounds for the request to set aside or modify the Order.

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 12th day of July, 2019.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



Teresa L. Green
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 *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 12th day of July, 2019, to:

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

9214 8902 0982 7500 0223 90

CERTIFIED MAIL NO.

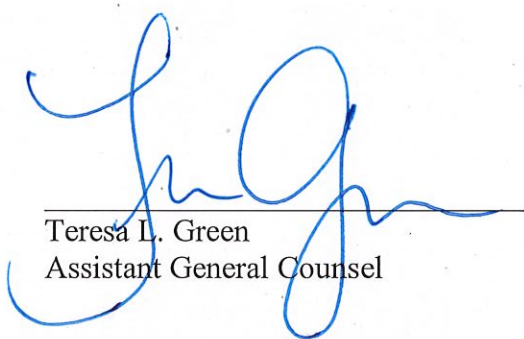
Curtis Wayne Pletcher
P.O. Box 66
Springer, OK 73458-0066

9214 8902 0982 7500 0224 06

CERTIFIED MAIL NO.

and a copy was delivered to:

Bail Bonds Division



Teresa L. Green
Assistant General Counsel



19-0173-12's
Carey TLA

Date Produced: 07/22/2019

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0223 90. Our records indicate that this item was delivered on 07/15/2019 at 04:15 p.m. in CUSHING, OK 74023. The scanned image of the recipient information is provided below.

Signature of Recipient :

[Handwritten signature]
CHASITY DAWN CAREY

Address of Recipient :

**1146 E 3RD ST
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: C1491033.8287766



19-0173-Dis
(Pletcher)
TLG

Date Produced: 07/22/2019

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0224 06. Our records indicate that this item was delivered on 07/19/2019 at 01:38 p.m. in SPRINGER, OK 73458. The scanned image of the recipient information is provided below.

Signature of Recipient :

Curt
Curt Pletcher

Address of Recipient :

P.O. Box 66

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: C1491033.8287767