# BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA APR 17 2019

STATE OF OKLAHOMA, ex rel. GLEN MULREADY, Insurance Commissioner,	OKI AHOM	IMISSIONER
Petitioner, )	Case No. 19-0230-DIS	
JULIA JANAY SPENCER, a licensed bail bondsman in the State of Oklahoma,		
and )		
BONNIE DAILEY GALMOR, a licensed multicounty agent bail bondsman in the State of Oklahoma,		
Respondents.		

# AND NOTICE OF RIGHT TO BE HEARD

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner, by and through counsel, Barron B. Brown, 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. §§ 101-7301, and the Oklahoma Bail Bond Act, 59 O. S. §§ 1301-1341.
- 2. Respondent Julia Janay Spencer ("Spencer") is a licensed bail bondsman in the State of Oklahoma holding license number 100234156.
- 3. Respondent Bonnie Dailey Galmor ("Galmor") is a licensed multicounty agent bail bondsman in the State of Oklahoma holding license number 200305.
  - 3. 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 of a violation.

## ALLEGATIONS OF FACT

1. On or about May 10, 2018, an appearance bond was executed as follows:

Defendant:

Steven Ray Breshears

Case Number(s):

CF-2017-7098

City/County:

Oklahoma County District Court

Surety:

Bonnie Dailey Galmor

Bondsman:

Julia Janay Spencer B10 08240

Power Number(s):

Bond Amount(s):

\$10,000.00

- 2. On December 12, 2018, the Defendant failed to appear and the bond was declared forfeited. On December 21, 2018, an Order and Judgment of Forfeiture was issued and filed in the case by the Oklahoma County District Court. On December 21, 2018, a true and correct copy of the Order and Judgment of Forfeiture was mailed to each Respondent with return receipt requested, which was within thirty (30) days of the forfeiture Order's filing.
- Spencer received a copy of the Order and Judgment of Forfeiture on December 3. 24, 2018, as evidenced by the United States Postal Service certified mail receipt.
- 4. Galmor received a copy of the Order and Judgment of Forfeiture on January 2, 2019, as evidenced by the United States Postal Service certified mail receipt.
- 5. Pursuant to O.A.C. 365:25-5-40(b)(1), the calculated ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was March 25, 2019.
- 6. The bond forfeiture was untimely paid on April 1, 2019. Additionally, the Defendant was not timely returned to custody.

# **ALLEGED VIOLATIONS OF LAW**

1. Respondents have violated 59 O.S. § 1310(A)(2) violation of any laws of this state or any lawful rule, regulation, or order of the Commissioner relating to bail, through a violation of 59 O.S. § 1332(D), by failing to timely return the Defendant within ninety (90) days or by failing to timely remit payment in the face amount of the bond forfeiture within ninety-one (91) days from receipt of the Order and Judgment of Forfeiture.

#### **ORDER**

IT IS THEREFORE ORDERED that Respondents Spencer and Galmor are <u>each</u> FINED Two Hundred Fifty Dollars (\$250.00). The fines are to be paid within thirty (30) days from receipt of this Order and made payable to the Oklahoma Insurance Department. Payment may be made by either cashier's check or money order. Failure to comply with a proper order of the Insurance Commissioner 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 Spencer and/or Respondent Galmor requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date of receipt of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first day following the date of receipt of this Order. A request for hearing should be in writing addressed to Barron B. Brown, 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 shall be conducted according to the procedures for contested cases under the Oklahoma Bail Bond Act (specifically- 59 O.S. §§ 1311-1311.1) and the Oklahoma Administrative Procedures Act (75 O.S. §§ 308a et seq.). If Respondent Spencer and/or Respondent Galmor serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as notice of the matters to be reviewed at the hearing, and the Allegations of Fact, Alleged Violations 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 17th day of April, 2019.



GLEN MULREADY INSURANCE COMMISSIONER STATE OF OKLAHOMA

Sam Vs. Vsrom

Barron B. Brown

Assistant General Counsel

Oklahoma Insurance Department 3625 NW 56<sup>th</sup> Street, Suite 100

Oklahoma City, Oklahoma, 73112

Telephone: (405) 521-2746 Facsimile: (405) 522-0125

#### **CERTIFICATE OF MAILING**

I, Barron B. Brown, 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 17<sup>th</sup> day of April, 2019, to:

Julia Janay Spencer 11606 Shasta Ln. Oklahoma City, OK 73162-1601

CERTIFIED MAIL NO.

9214 8902 0982 7500 0198 02

Bonnie Dailey Galmor 212 E. Main Street Sayre, OK 73662

CERTIFIED MAIL NO.

9214 8902 0982 7500 0198 19

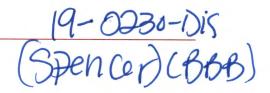
and that a copy was delivered via electronic mail to:

**Bail Bonds Division** 

Barron B. Brown

Assistant General Counsel





Date Produced: 04/22/2019

#### OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0198 02. Our records indicate that this item was delivered on 04/20/2019 at 04:50 p.m. in OKLAHOMA CITY, OK 73162. The scanned image of the recipient information is provided below.

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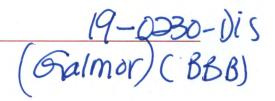
Sincerely, United States Postal Service

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JULIA JANAY SPENCER 11606 SHASTA LN OKLAHOMA CITY OK 73162-1601





Date Produced: 04/22/2019

#### OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0198 19. Our records indicate that this item was delivered on 04/19/2019 at 08:57 a.m. in SAYRE, OK 73662. The scanned image of the recipient information is provided below.

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212 m

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Sincerely, United States Postal Service

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BONNIE DAILEY GALMOR 212 E MAIN ST SAYRE OK 73662-2916