

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

**FILED**

**APR 16 2019**

**INSURANCE COMMISSIONER  
OKLAHOMA**

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

Petitioner,

vs.

Case No. 19-0238-DIS

LONNY DELL HEMBY, a licensed bail  
bondsman in the State of Oklahoma,

AND

J.B. ASKINS, a multicounty agent bail bondsman  
licensed in the state of Oklahoma,

Respondents.

**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, Brian C. Chandler, and alleges and states as follows:

**JURISDICTION**

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma (“Commissioner”) and administers and enforces the Oklahoma Bail Bond Act, *59 Okla. Stat. Ann. §§ 1301-1341*. The Commissioner is the chief executive officer of the Oklahoma Insurance Department (“Department”). *36 Okla. Stat. Ann. § 301*.

2. The Commissioner has jurisdiction over the subject matter raised in this administrative action and may issue penalties pursuant to *59 Okla. Stat. Ann. § 1310*.

3. Respondent Lonny Dell Hemby (“Respondent Hemby”) is a licensed bail bondsman in the State of Oklahoma holding license number 199332, and Respondent’s mailing

address of record with the Department is 1221 N. Classen Blvd., Oklahoma City, OK 73106-6891.

4. Respondent J.B. Askins ("Respondent Askins") is a multicounty agent bail bondsman in the state of Oklahoma holding license number 199885, and Respondent's mailing address of record with the Department is 1221 N. Classen Blvd., Oklahoma City, OK 73106-6891.

5. 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. *59 Okla. Stat. Ann. § 1310(B)*,

6. If either Respondent requests a hearing in writing, the Commissioner shall appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent. *Okla. Admin. Code § 365:1-7-1; 59 Okla. Stat. Ann. § 1311.1*.

7. Upon written request reasonably made by a person affected by the hearing and at such person's expense, the Commissioner shall cause a full stenographic record of the proceedings to be made by a competent court reporter. *Okla. Admin. Code § 365:1-7-5*

#### **PROPOSED FINDINGS OF FACT**

8. On or about December 6, 2017, an appearance bond was executed as follows:

Defendant:	Carissa Lynne Jackson
Case Number(s):	CF-2003-6886
City/County:	Oklahoma County District Court
Surety:	J.B. Askins
Bondsman:	Lonny Hemby
Power Number(s):	100-16959
Bond Amount(s):	\$2,000.00

9. On December 18, 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 December 28, 2018, by the Oklahoma County District Court. A true and correct copy of the *Order and Judgment of Forfeiture* was mailed to each Respondent at their respective address of record on file with the Oklahoma Insurance Department with return receipt requested within thirty (30) days after the Order's filing.

10. Respondent Hemby received a copy of the *Order and Judgment of Forfeiture* on December 31, 2018.

11. Respondent Askins received a copy of the *Order and Judgment of Forfeiture* on December 31, 2018.

12. The ninety-first (91<sup>st</sup>) day after receipt of the *Order and Judgment of Forfeiture* was, by administrative rule, Monday, April 1, 2019.

13. The forfeiture was paid untimely on April 9, 2019.

#### **PROPOSED CONCLUSIONS OF LAW**

14. Respondents Hemby and Askins have violated 59 Okla. Stat. Ann. § 1310(A)(2) and (28) by violating the provisions of 59 Okla. Stat. Ann. § 1332 wherein Respondents failed to return the Defendant to custody within ninety (90) days or remit the face amount of the bond to the Oklahoma County Court Clerk by the 91<sup>st</sup> day after receipt of the *Order and Judgment of Forfeiture*, respectively.



## ORDER

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner that each Respondent has violated 59 Okla. Stat. Ann. § 1310(A)(2) and (A)(28) by violating the provisions of 59 Okla. Stat. Ann. § 1332 wherein Respondents failed to return the Defendant to custody within ninety (90) days or remit the face amount of the bond to the Oklahoma County Court Clerk by the 91<sup>st</sup> day after receipt of the *Order and Judgment of Forfeiture*, respectively, and that each Respondent is **FINED TWO-HUNDRED AND FIFTY (\$250.00) DOLLARS**. Each respective fine is to be paid within thirty (30) days of the receipt of this conditional administrative order on each Respondent and made payable to the Oklahoma Insurance Department. In the event the fines are not paid or a hearing requested pursuant to the subsequent paragraph within thirty (30) days of receipt of this conditional administrative order, further administrative action may be taken.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner that this order is a conditional administrative order. Unless either Respondent requests a hearing with respect to the proposed findings of fact set forth above within thirty (30) days of receipt of this conditional administrative order, the penalties set forth above shall become a final administrative order on the thirty-first (31<sup>st</sup>) day following the date of receipt of this conditional administrative order. A request for hearing should be in writing and addressed to Brian C. Chandler, Assistant General Counsel, Oklahoma Insurance Department, 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 conditional administrative order and shall be served on the Oklahoma Insurance Department within the thirty (30) days allotted. The proceedings on

such requested hearing will be conducted in accordance with the Oklahoma Bail Bondsman Act, 59 Okla. Stat. Ann. §§ 1301-1341 and the Oklahoma Administrative Procedures Act, 75 Okla. Stat. Ann. §§ 250- 324. If either Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this conditional administrative order shall act as a notice of the matters to be reviewed at the hearing and the proposed findings of fact, proposed conclusions of law, and penalties imposed in this conditional administrative order shall be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 12<sup>th</sup> day of April, 2019.



GLEN MULREADY  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA



Brian C. Chandler, OBA# 31016  
Assistant General Counsel  
Oklahoma Insurance Department  
3625 NW 56<sup>th</sup> Street, Suite 100  
Oklahoma City, Oklahoma, 73112  
Tel. (405) 521-2746

**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 certified mail with return receipt requested and postage pre-paid, on this 16<sup>th</sup> day of April, 2019 to:

Lonny Dell Hemby  
1221 N. Classen Blvd.  
Oklahoma City, OK 73106-6891

**CERTIFIED MAIL NO. 9214 8902 0982 7500 0196 97**

J.B. Askins  
1221 N. Classen Blvd.  
Oklahoma City, OK 73106-6891

**CERTIFIED MAIL NO. 9214 8902 0982 7500 0197 03**

and a copy was delivered to:

Lewis Garrison, Director  
Bail Bonds Division

  
Brian C. Chandler



April 23, 2019

Dear Sherry Standerfer:

The following is in response to your request for proof of delivery on your item with the tracking number:  
**9214 8902 0982 7500 0196 97.**

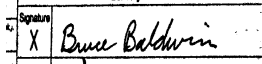
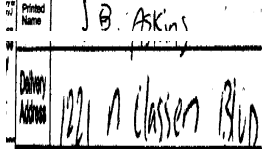
#### Item Details

<b>Status:</b>	Delivered, Front Desk/Reception/Mail Room
<b>Status Date / Time:</b>	April 17, 2019, 11:39 am
<b>Location:</b>	OKLAHOMA CITY, OK 73106
<b>Postal Product:</b>	First-Class Mail®
<b>Extra Services:</b>	Certified Mail™ Return Receipt Electronic
<b>Recipient Name:</b>	LONNY DELL HEMBY

#### Shipment Details

<b>Weight:</b>	2.0oz
----------------	-------

#### Recipient Signature

Signature of Recipient:	
Address of Recipient:	

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,  
United States Postal Service®  
475 L'Enfant Plaza SW  
Washington, D.C. 20260-0004



April 23, 2019

Dear Sherry Standerfer:

The following is in response to your request for proof of delivery on your item with the tracking number:  
**9214 8902 0982 7500 0197 03.**

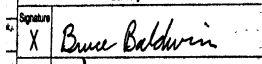
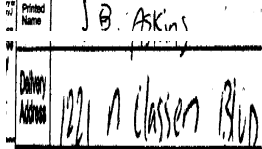
#### Item Details

<b>Status:</b>	Delivered, Front Desk/Reception/Mail Room
<b>Status Date / Time:</b>	April 17, 2019, 11:39 am
<b>Location:</b>	OKLAHOMA CITY, OK 73106
<b>Postal Product:</b>	First-Class Mail®
<b>Extra Services:</b>	Certified Mail™ Return Receipt Electronic
<b>Recipient Name:</b>	J B ASKINS

#### Shipment Details

<b>Weight:</b>	2.0oz
----------------	-------

#### Recipient Signature

Signature of Recipient:	
Address of Recipient:	

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,  
United States Postal Service®  
475 L'Enfant Plaza SW  
Washington, D.C. 20260-0004