BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

FILED
JUL 23 2019
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN MULREADY, Insurance Commissioner, Petitioner,	)	
vs.	)	
	)	**Case No. 19-0472-DIS**
MISTY DAWN MANNING, a licensed bail bondsman in the State of Oklahoma, Respondent.	)	

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, Barron B. Brown, and alleges and states as follows:

JURISDICTION AND AUTHORITY

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 et seq., including the Oklahoma Bail Bond Act, 59 O. S. §§ 1301-1341.

2. Misty Dawn Manning ("Respondent") is a licensed surety bail bondsman in the State of Oklahoma holding license number 100158122.

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. Pursuant to 59 O.S. § 1304 and O.A.C. 365:25-5-35(c), each bail bondsman license expires biennially at 12:00 o'clock midnight on the last day of the birth month of the bondsman

unless the Commissioner receives a complete renewal filing.

2. Additionally, no person shall act in the capacity of a bail bondsman or perform any of the functions, duties or powers under the provisions of 59 O.S. §§ 1301 et seq. of the Oklahoma Bail Bond Act, unless that person shall be qualified and licensed as provided in 59 O.S. §§ 1301 et seq. of the Oklahoma Bail Bond Act or as authorized pursuant to the Bail Enforcement and Licensing Act. 59 O.S. § 1303(A).

3. Respondent's bail bonds license expired on March 31, 2019. Respondent was notified via electronic mail correspondence of said license expiration date by the Oklahoma Insurance Department's Bail Bonds Division ("OID Bail") forty-five (45) days prior to the expiration date of her license. In addition, Respondent did not submit a complete renewal filing to OID Bail on or before her license expiration date.

4. Respondent reinstated her bail bonds license with OID Bail on May 6, 2019.

5. From April 1, 2019 through May 4, 2019, Respondent executed approximately sixteen (16) appearance bonds, totaling $68,165.00, in the State of Oklahoma without maintaining an active bail bonds license as required by 59 O.S. § 1303(A).

ALLEGED VIOLATIONS OF LAW

1. Respondent has violated 59 O.S. § 1310(A)(2), violation of any law of this state or any lawful rule, regulation, or order of the Commissioner relating to bail, through a violation of 59 O.S. § 1303(A), by acting in the capacity of a bail bondsman in the State of Oklahoma without being properly licensed.

ORDER

IT IS THEREFORE ORDERED by the Insurance Commissioner that Respondent is CENSURED and FINED Two Hundred Fifty Dollars ($250.00). The fine is to be paid within

thirty (30) days from the date of 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 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 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 shall be conducted according to the procedures for contested cases under the Oklahoma Bail Bond Act (59 O.S. §§ 1301-1341) and the Oklahoma Administrative Procedures Act (75 O.S. §§ 308a et seq.). If Respondent 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 23rd day of July, 2019.

GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Barron B. Brown

Assistant General Counsel
Oklahoma Insurance Department
3625 NW 56th 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 23rd day of July, 2019, to:

Misty Dawn Manning
102 N Central Ave
Idabel, OK 74745

CERTIFIED MAIL NO. 9214 8902 0982 7500 0226 73

and a copy was delivered via electronic mail to:

Bail Bonds Division

Barron B. Brown
Assistant General Counsel

UNITED STATES POSTAL SERVICE

19-0472-DIS
BBB

Date Produced: 07/29/2019

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0226 73. Our records indicate that this item was delivered on 07/25/2019 at 09:53 a.m. in IDABEL, OK 74745. The scanned image of the recipient information is provided below.

Signature of Recipient : Misty Manning

Address of Recipient : 102 Wanted

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:

MISTY DAWN MANNING
102 N CENTRAL AVE
IDABEL OK 74745-3846

Customer Reference Number: C1511054.8385161