

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

**FILED**  
AUG 30 2019  
INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN )  
MULREADY, Insurance Commissioner, )  
 )  
Petitioner, )  
vs. )  
 )  
DEBORAH HOPCUS, a licensed bail bondsman )  
in the State of Oklahoma, )  
 )  
AND )  
 )  
FREDRICK CLARK HOLDER, a multicounty )  
agent bondsman licensed in the state of )  
Oklahoma, )  
 )  
Respondents. )

CASE NO. 19-0522-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, Sara A. Worten, 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 Deborah Hopcus ("Respondent Hopcus") is a licensed bail bondsman in the State of Oklahoma holding license number 100278096. Respondent Hopcus's address of record is 611 SW E Avenue, Lawton, Oklahoma 73501.

3. Respondent Fredrick Clark Holder ("Respondent Holder") is a multicounty agent bondsman in the state of Oklahoma holding license number 199639. Respondent Holder's

address of record is P.O. Box 370, Antlers, OK 74523-0370.

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 November 1, 2018, an appearance bond was executed as follows:

Defendant:	Keyshauna Adams
Case Number(s):	CM-2018-2026
City/County:	Comanche County
Surety:	Fredrick Clark Holder
Bondsman:	Deborah Hopcus
Power Number(s):	03129
Bond Amount(s):	\$1,000.00

9. On or about April 9, 2019, the Defendant failed to appear and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued on or about April 16, 2019,

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

10 Respondent Hopcus received a copy of the Order and Judgment of Forfeiture on or about April 18, 2019.

11. Respondent Holder received a copy of the Order and Judgment of Forfeiture on or about April 18, 2019.

12. The ninety-first (91<sup>st</sup>) day after receipt of the Order and Judgment of Forfeiture was July 18, 2019.

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

#### **CONCLUSIONS OF LAW**

14. 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 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*.

15. Respondents have violated *59 O.S. 1310(A)(6), (9) and (28)* by failing to comply with Order of Judgement & Forfeiture.

#### **ORDER**

**IT IS THEREFORE ORDERED that Respondent Hopcus and Respondent Holder 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. Failure to

comply with a proper order of the Commissioner will result in further administrative action.

**IT IS FURTHER ORDERED** that the face amount of the bond forfeiture shall be deposited with the Comanche County Court Clerk in Oklahoma County case number CM-2018-2026 - should the court clerk show bond forfeiture as outstanding. If the forfeiture is not paid within 30 days of this Conditional Order, the Oklahoma Insurance Department is ordered to withdraw the face amount of the bonds from Respondent Holder's professional bail bondsman certificate of deposit and forward it to the Comanche County Court Clerk 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 Hopcus or Respondent Holder request a hearing with respect to the Findings of Fact set forth above within 30 days of the date of this Conditional Order, the penalties set forth above will become a Final Order on the 31<sup>st</sup> day following the date of mailing this Order. A request for hearing should be in writing and addressed to Sara A. Worten, 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 and must be served on the Oklahoma Insurance Department within the 30 days allotted. The proceedings on such requested hearing will be conducted in accordance with the Oklahoma Insurance Code, *36 O.S. §§ 101 et seq.*, and the Oklahoma Administrative Procedures Act, *75 O.S. §§ 250 through 324*. If either Respondent Hopcus or Respondent Holder serve a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order will act as a 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 shall be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 30<sup>th</sup> day of August, 2019.



GLEN MULREADY  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

Sara A. Worton  
Assistant General Counsel  
Oklahoma Insurance Department  
3625 NW 56<sup>th</sup> 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 30<sup>th</sup> day of August, 2019, to:

Deborah Hopcus  
611 SW E. Ave.  
Lawton, OK 73501-4511

**CERTIFIED MAIL NO.**

9214 8902 0982 7500 0233 28

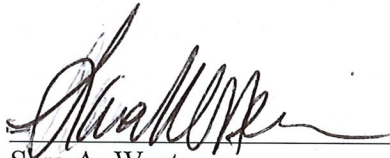
Fredrick Clark Holder  
P.O. Box 370  
Antlers, OK 74523-0370

**CERTIFIED MAIL NO.**

9214 8902 0982 7500 0233 35

and a copy was delivered to:

Bail Bonds Division

  
\_\_\_\_\_  
Sara A. Worten  
Assistant General Counsel



19-0522-DIS  
(Hopcus) 8AW

Date Produced: 09/09/2019

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0233 28. Our records indicate that this item was delivered on 09/03/2019 at 12:34 p.m. in LAWTON, OK 73501. The scanned image of the recipient information is provided below.

Signature of Recipient :

Address of Recipient :

**611 SW E AVE  
LAWTON, OK 73501**

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:

DEBORAH HOPCUS  
611 SW E AVE  
LAWTON OK 73501-4511

Customer Reference Number: C1590595.8777386



19-0522-Dis  
Holder 8W

Date Produced: 09/09/2019

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0233 35. Our records indicate that this item was delivered on 09/04/2019 at 12:11 p.m. in ANTLERS, OK 74523. The scanned image of the recipient information is provided below.

Signature of Recipient :

Clark Holder  
C. I. ARK Holder

Address of Recipient :

370

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:

FREDRICK CLARK HOLDER  
PO BOX 370  
ANTLERS OK 74523-0370

Customer Reference Number: C1590595.8777385