BEFORE THE INSURANCE COMMISSIONER OF THE

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STATE OF OKLAHOMA, ex rel. GLEN MULREADY, Insurance Commissioner, Petitioner,))))	AUG 21 2019 ANCE COMMISSIONER
vs.))	,
GARRETT NATHANIEL SELLARS, a licensed bail bondsman in the State of Oklahoma,) CASE NO. 19-0525-DIS	
AND))	
ROXANA KAY SELLARS, a licensed professional bail bondsman 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, 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. §§ 1301-40.
- 2. Respondent Garrett Nathaniel Sellars ("Respondent Garrett") is a licensed bail bondsman in the State of Oklahoma holding license number 40079789. Respondent Garrett's mailing address of record is P.O. Box 9803, Tulsa, OK 74157-0803.
- 3. Respondent Roxana Kay Sellars ("Respondent Roxana") is a licensed professional bail bondsman in the state of Oklahoma holding license number 200184.

Respondent Roxana's mailing address of record is P.O. Box 9803, Tulsa, OK 74157-0803.

- 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 December 12, 2017, an appearance bond was executed as follows:

Defendant:

Randy Lee Steele

Case Number(s):

CF-2014-6185

City/County:

Tulsa County

Surety:

Roxana Sellers

Bondsman:

Garrett Sellars

Power Number(s):

15034

Bond Amount(s):

\$10,000.00

9. On or about April 4, 2019, the Defendant failed to appear and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued on or about April 8, 2019,

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

- Respondent Garrett received a copy of the Order and Judgment of Forfeiture on or about April 22, 2019.
- 11. Respondent Roxana received a copy of the Order and Judgment of Forfeiture on or about April 22, 2019.
- 12. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was July 22, 2019.
 - 13. The bond forfeiture was paid on July 24, 2019.
 - 14. The bond forfeiture was untimely paid.
 - 15. As of this date, the Defendant has not been returned to custody.

CONCLUSIONS OF LAW

- 16. 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.
- 17. 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 Garrett Nathaniel Sellars and

Respondent Roxana Kay Sellars are <u>each</u> FINED \$250.00. The fines are to be paid within thirty (30) days of the date of this Conditional Administrative 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.

Commissioner that this Order is a Conditional Order. Unless either Respondent Garrett or Respondent Roxana request 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 receipt of 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 (36 O.S. §§ 101 et seq.), the Oklahoma Bail Bond Act (59 O.S. §§1301 et seq.), and the Oklahoma Administrative Procedures Act (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 21^{St} day of August, 2019.



GLEN MULREADY INSURANCE COMMISSIONER STATE QF OKLAHOMA

Teresa L. Green, OBA #32897

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

Garrett Nathaniel Sellars P.O. Box 9803 Tulsa, OK 74157-0803

9214 8902 0982 7500 0231 82

CERTIFIED MAIL NO.

Roxana Kay Sellars P.O. Box 9803 Tulsa, OK 74157-0803

CERTIFIED MAIL NO.

9214 8902 0982 7500 0231 99

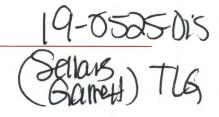
and a copy was delivered to:

Bail Bonds Division

Teresa L. Green

Assistant General Counsel





Date Produced: 09/09/2019

OKLAHOMA INSURANCE DEPARTMENT:

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Garratt Sellar

Address of Recipient:

9803

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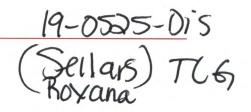
Sincerely, United States Postal Service

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GARRETT NATHANIEL SELLARS PO BOX 9803 TULSA OK 74157-0803





Date Produced: 09/09/2019

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Signature of Recipient:

Must hur Carrett Sellar

Address of Recipient:

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Sincerely, United States Postal Service

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ROXANA KAY SELLARS PO BOX 9803 TULSA OK 74157-0803