

**BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA**

**FILED**  
*MAR*  
**06 2020**

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

**INSURANCE COMMISSIONER]  
OKLAHOMA**

**Petitioner,**

**vs.**

**Case No. 19-0765-DIS**

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

2. Jessica Kendrale Smith ("Respondent") is a licensed surety bail bondsman in the State of Oklahoma holding license number 3000451045. Respondent is a licensed insurance adjuster in the State of Oklahoma holding license number 3000451045, which will expire on February 28, 2021. Her address of record is 8308 NW 112th St., Oklahoma City, OK 73162.

3. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to 59 O.S. § 1310 and 36 O.S. § 6220.

### **FINDINGS OF FACT**

4. Respondent was previously fined by the Oklahoma Insurance Department ("OID") in OID Case No. 19-0511-DIS and Case No. 19-0644-DIS for failing to file monthly reports in violation of 59 O.S. § 1310(A)(24). Respondent was ordered to pay two hundred fifty dollars (\$250.00) in OID Case No. 19-0511-DIS and two thousand dollars (\$2,000.00) in OID Case No. 19-0644-DIS.

5. On or about December 4, 2019, the OID Bail Bond Division learned that Respondent had failed to submit her monthly reports for September and October of 2019.

6. As of the date of this Order, Respondent has failed to submit her monthly reports for the above-mentioned months, as well as for the following months: November and December of 2019; and January of 2020. Respondent as also failed to pay the above-mentioned fines.

### **CONCLUSIONS OF LAW**

7. Pursuant to 59 O.S. § 1314(B) and Okla. Admin. Code § 365:25-5-36(a), a licensed bail bondsman shall electronically submit to the Insurance Commissioner (the "Commissioner") monthly reports for each line of authority within fifteen (15) days after the end of each preceding month – even if no bonds were written under any particular component of the license during that month.

8. Respondent has violated 59 O.S. § 1310(A)(24) on five (5) occasions by failing to timely file monthly reports for the months of September, October, November and December of 2019; and January of 2020 as required by 59 O.S. § 1314(B) and OAC 365:25-5-36.

9. Pursuant to 59 O.S. § 1310(B), in addition to any potential denial, censure, suspension, or revocation, any person found in violation of 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.

10. Respondent has violated 36 O.S. § 6220(A)(7) on two (2) occasions by refusing to comply with the lawful orders of the Insurance Commissioner in Case Nos. 19-0511-DIS and 19-0644-DIS.

11. Pursuant to 36 O.S. § 6220(A), the Insurance Commissioner may censure, suspend, revoke, or refuse to issue or renew a license of any person in violation of any provision of the Oklahoma Insurance Adjusters Licensing Act.

### **ORDER**

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner, subject to the following paragraph, that Respondent is hereby **FINED** in the amount of **Two Thousand Three Hundred Dollars (\$2,300.00)** for a violation of 59 O.S. § 1314(B) and OAC 365:25-5-36. The **\$2,300.00 fine is to be paid within thirty (30) days** of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** by the Insurance Commissioner that a restriction shall be placed on Respondent's insurance adjuster license upon its expiration on February 28, 2021. Upon such date, Respondent's license will not be approved for renewal until the **\$2,300.00 fine** is paid to the Oklahoma Insurance Department.

Respondent is further notified that she may request a hearing within **thirty (30) days** of the receipt of this Order. If Respondent does not request a hearing within **thirty (30) days** of receipt of this Order, it shall become a **FINAL ORDER** on the 31<sup>st</sup> day following receipt.

A request for hearing shall be made in writing to Kayla M. Rochelle, Assistant General Counsel, Oklahoma Insurance Department, Legal Division, 400 NE 50<sup>th</sup> Street, Oklahoma City, Oklahoma 73105. The request for hearing must state the grounds for the request to set aside or

modify the Order. Upon such request, a hearing shall be conducted before an independent hearing examiner.

The 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 et seq. If Respondent timely serves a request for hearing, this Conditional Order shall 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 of this matter through hearing.

**WITNESS** My Hand and Official Seal this 6th day of March 2020.

GLEN MULREADY  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA



Kayla M. Rochelle  
Kayla M. Rochelle, OBA #34014  
Assistant General Counsel  
Oklahoma Insurance Department  
400 NE 50<sup>th</sup> Street  
Oklahoma City, Oklahoma, 73105  
Telephone: (405) 521-4036  
Facsimile: (405) 522-0125  
Email: Kayla.Rochelle@oid.ok.gov



**CERTIFICATE OF SERVICE**

I, Kayla Rochelle, hereby certify that a true and correct copy of the above and foregoing Conditional Administrative Order was mailed certified, return receipt requested, on this 6<sup>th</sup> day of March 2020 to:

Jessica Kendrale Smith  
8308 NW 112<sup>th</sup> St  
Oklahoma City, OK 73162

**CERTIFIED MAIL NO.**

**7018 1130 0001 5225 1355**

and a copy was delivered to:

Bail Bonds Division

  
\_\_\_\_\_  
Kayla M. Rochelle

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Jessica Kendral Smith  
8308 NW 112th St.  
OKC, OK 73162  
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Jessica Kendral Smith  
8308 NW 112th St.  
OKC, OK 73162  
SMS/19-0765-DIS/Cond Ord



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2. Article Number (Transfer from service label)

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PS Form 3811, July 2015 PSN 7530-02-000-9053

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A. Signature

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Jessica Kendral Smith

☒ Agent

☐ Addressee

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3-7-20

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MAR 13 2020

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