

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

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
vs.)
)
BRET TODD, a licensed bail bondsman in the)
State of Oklahoma,)
)
AND)
)
GINA LEBOUF, a multicounty agent)
bondsman licensed in the State of Oklahoma,)
)
Respondents.)

FILED
MAR
06 2020
INSURANCE COMMISSIONER
OKLAHOMA

Case No. 20-0102-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, Kayla M. Rochelle, 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 Bret Todd ("Respondent Todd") is a licensed bail bondsman in the State of Oklahoma holding license number 100177916. Respondent Todd's address of record is 4516 Fondulac St., Muskogee, OK 74401.
3. Respondent Gina LeBoeuf ("Respondent LeBoeuf") is a multicounty agent bondsman in the State of Oklahoma holding license number 199571. Respondent LeBoeuf's address of record

is 4041 NW 39th St, Oklahoma City, OK 73112

FINDINGS OF FACT

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. 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.

6. 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.

7. On or about March 29, 2019, an appearance bond was executed as follows:

Defendant:	Cassandra Opal Macaruso
Case Number(s):	CF-2019-181
City/County:	Muskogee County
Surety:	Gina LeBoeuf
Bondsman:	Bret Todd
Power Number(s):	11386
Bond Amount(s):	\$1,500.00

8. On or about September 3, 2019, the Defendant failed to appear and the bonds were declared forfeited. An Order and Judgment of Forfeiture was issued on or about September 10, 2019, by the Muskogee County District Court. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondent Todd and Respondent LeBoeuf with return receipt requested within thirty (30) days after the Order's filing.

9. Respondent Todd received a copy of the Order and Judgment of Forfeiture on or about

October 2, 2019.

10. Respondent LeBoeuf received a copy of the Order and Judgment of Forfeiture on or about September 13, 2019.

11. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was December 13, 2019.

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

CONCLUSIONS OF LAW

13. 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.

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

15. 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, 59 O.S. §§ 1301-1340, may be subject to a civil penalty of not less than \$250.00 nor more than \$2,500.00 for each occurrence.

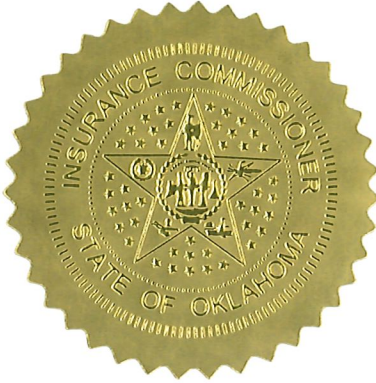
ORDER

IT IS THEREFORE ORDERED that Respondent Todd and Respondent LeBoeuf are **each FINED Two Hundred Fifty Dollars (\$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. If the fines are not paid within thirty (30) days, Respondents' respective licenses will be suspended and shall remain suspended until the fines are paid in full.

IT IS FURTHER ORDERED that the face amount of the bond forfeiture shall be deposited with the Muskogee County Court Clerk in Muskogee County case number CF-2019-181, *State v. Cassandra Macaruso*. If the forfeiture is not paid within thirty (30) days of this Conditional Order, the Oklahoma Insurance Department is ordered to withdraw the face amount of the bonds from Respondent LeBoeuf's professional bail bondsman certificate of deposit and forward it to the Muskogee 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 Todd or Respondent LeBoeuf requests 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 will become a **Final Order** on the 31st day following the date of mailing this Order. A request for hearing should be in writing and addressed to Kayla M. Rochelle, Oklahoma Insurance Department, Legal Division, 400 NE 50th Street, Oklahoma City, Oklahoma 73105. 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 thirty (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 Todd or Respondent LeBoeuf serves 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 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 50th Street
Oklahoma City, Oklahoma, 73105
Telephone: (405) 521-2746
Facsimile: (405) 522-0125
Email: Kayla.Rochelle@oid.ok.gov

CERTIFICATE OF MAILING

I, Kayla M. Rochelle, 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 10th day of March, 2020, to:

Bret Todd
4516 Fondulac St.
Muskogee, OK 74401

CERTIFIED MAIL NO. 7018 1130 0001 5225 1379

Gina LeBoeuf
4041 NW 39th St.
Oklahoma City, OK 73112

CERTIFIED MAIL NO. 7018 1130 0001 5225 1386

and a copy was delivered to:

Bail Bonds Division



Kayla M. Rochelle

7018 1130 0001 5225 1386

U.S. Postal ServiceTM CERTIFIED MAIL[®] RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com[®].**OFFICIAL USE**

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\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$
- ☐ Return Receipt (electronic) \$
- ☐ Certified Mail Restricted Delivery \$
- ☐ Adult Signature Required \$
- ☐ Adult Signature Restricted Delivery \$

Postage

\$

Total Postage and Fees

\$

Sent To

Street and Apt. No., or PO Box

City, State, ZIP+4[®]

PS Form 3800, April 2015 PSN

Gina LeBoeuf
4041 NW 39th St.
OKC, OK 73112

SMS/20-0102-DIS/Cond Ord

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Gina LeBoeuf
4041 NW 39th St.
OKC, OK 73112
SMS/20-0102-DIS/Cond Ord



9590 9402 4479 8248 3847 55

2. Article Number (Transfer from carrier label)

7018 1130 0001 5225 1386

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

John Probst

☐ Agent☐ Addressee

B. Received by (Printed Name)

John Probst

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

RECEIVED

OKLAHOMA INSURANCE DEPARTMENT

MAR 13 2020

Legal Division

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail[®]
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery

- ☐ Priority Mail Express[®]
- ☐ Registered MailTM
- ☐ Registered Mail Restricted Delivery
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation
- ☐ Signature Confirmation Restricted Delivery

☐ Delivery Restricted Delivery☐ Mail Restricted Delivery

(over \$500)

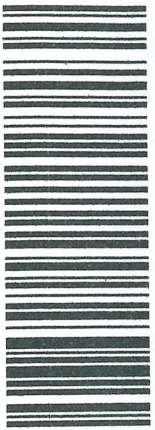
PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt



Oklahoma Insurance Department
 Legal Division
 400 NE 50th Street
 Oklahoma City, Oklahoma 73105

CERTIFIED MAIL®



7018 1130 0001 5225 1379

NEOPOST

FIRST-CLASS MAIL

03/06/2020

US POSTAGE \$007.60



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Extra Services & Fees (check box, add fee as appropriate)	\$
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$



Postage

\$

Total Postage and Fees

\$

Sent To

Street and Apt. No., or PO Box

City, State, ZIP+4®

PS Form 3800, April 2015 PSN

Bret Todd
 4516 Fondulac St.
 Muskogee, OK 74401
 SMS/20-0102-DIS/Cond Ord

RECEIVED
 OKLAHOMA INSURANCE DEPARTMENT

APR 06 2020
MAILROOM

Bret Todd
 4516 Fondulac St.
 Muskogee, OK 74401

NIXIE 731 DE 1

RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD

0004/02/20

UNC
 73105181600 *6657-0307-05-42

7440181600

7018 1130 0001 5225 1379

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1

Bret Todd
4516 Fondulac St.
Muskogee, OK 74401
SMS/20-0102-NIS/Cond Ord



9590 9402 4479 8248 3847 48

2. Article Number (Transfer from service label)

2018 1130 0001 5225 1379

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☒ Agent
☐ Address

B. Received by (Printed Name)	C. Date of Delivery
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D. Is delivery address different from item 1? ☐ Yes ☐ No
If YES, enter delivery address below:

APR 07 2020
Legal Division

3. Service Type

- ☐ Adult Signature
☒ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Registered Mail
☐ Registered Mail Restricted Delivery
☐ Return Receipt for Merchandise
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt