

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

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
vs.)
)
HOWARD LATRELL BARNETT, a licensed)
bail bondsman in the State of Oklahoma,)
)
AND)
)
RAYMOND LEE MERRILL, a multicounty)
agent bondsman licensed in the State of)
Oklahoma,)
)
Respondents.)

FILED
FEB 12 2021
INSURANCE COMMISSIONER
OKLAHOMA

Case No. 21-0039-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 Howard Latrell Barnett (“Respondent Barnett”) is a licensed bail bondsman in the State of Oklahoma holding license #96288. Respondent Barnett’s address of record is P.O. Box 2652, Oklahoma City, OK 73101-2652.

3. Respondent Raymond Lee Merrill (“Respondent Merrill”) is a multicounty agent bondsman in the State of Oklahoma holding license # 199369. Respondent Merrill’s

address of record is 104 N. Oak St., Sallisaw, Oklahoma 74955-4638.

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(A)*, the Insurance Commissioner may deny, censure, suspend, revoke, or refuse to renew any license issued pursuant to the Oklahoma Bail Bond Act.

6. 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.

ALLEGATIONS OF FACT

7. On or about September 14, 2019, an appearance bond was executed as follows:

Defendant:	Jassamine Sheree Satoe
Case Number(s):	CF-2019-4467
City/County:	Oklahoma County
Surety:	Raymond Merrill
Bondsman:	Howard Barnett
Power Number(s):	MB 10 9368
Bond Amount(s):	\$2,000.00

8. On or about September 10, 2020, the Defendant failed to appear, and the bond were declared forfeited. An Order and Judgment of Forfeiture was issued on or about September 22, 2020 by the Oklahoma County District Court. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondent Barnett and Respondent Merrill with return receipt requested within thirty (30) days after the Order's filing.

9. Respondent Barnett received a copy of the Order and Judgment of Forfeiture on or about September 24, 2020.

10. Respondent Merrill received a copy of the Order and Judgment of Forfeiture on or about September 24, 2020.

11. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was December 28, 2020.

12. The forfeiture was untimely paid on December 30, 2020.

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

ALLEGED VIOLATIONS OF LAW

14. Respondents have violated 59 O.S. §§ 1310(A)(2) and (A)(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 Okla. Admin. Code §§ 365:25-5-40(b) and 365:25-5-41.

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

ORDER

IT IS THEREFORE ORDERED that Respondent Barnett and Respondent Merrill are **each FINED Two Hundred Fifty Dollars (\$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. The fines may be paid by check, cashier's check, or money order. If the fines are not paid **within thirty (30) days of the date of this Conditional Order**, 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 Oklahoma County Court Clerk in Oklahoma County case number CF-2019-4467, *State v. Jessamine Sheree Satoe*. If the forfeiture is not paid within thirty (30) days of the date of this Conditional Order, the Oklahoma Insurance Department is ordered to withdraw the face amount of the bond from Respondent Merrill's multi-county agent bail bondsman certificate of deposit and forward it to the Oklahoma 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 Barnett or Respondent Merrill requests a hearing with respect to the Allegations of Fact set forth above within **thirty (30) days of the date of mailing of this Conditional Order**, the penalties set forth above will become a **Final Order** on the thirty-first (31st) day following the date of mailing of 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 this Conditional Order and must be served on the Oklahoma Insurance Department within the thirty (30) days allotted. Upon such request, a hearing shall be conducted before an independent hearing examiner.

The hearing will be conducted in accordance with the Oklahoma Bail Bond Act, 59 O.S. §§ 1301 *et seq.* and the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 *et seq.* If either Respondent Barnett or Respondent Merrill serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as a 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 12th day of February 2021.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

s/ Kayla M. Rochelle

Kayla M. Rochelle, OBA #34014
Assistant General Counsel
Oklahoma Insurance Department
400 NE 50th Street
Oklahoma City, OK 73105
Telephone: (405) 521-2748

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 certified mail, with postage prepaid and return receipt requested, and electronic mail on this 12th day of February 2021 to:

Howard Latrell Barnett
P.O. Box 2652
Oklahoma City, OK 73101-2652

CERTIFIED MAIL NO. 7020 2450 0000 1482 8155

Howard Latrell Barnett
217 N. Harvey Ave.
Ste 504
Oklahoma City, OK 73102-3802

CERTIFIED MAIL NO. 7020 2450 0000 1482 8162

Barnettbail@hotmail.com

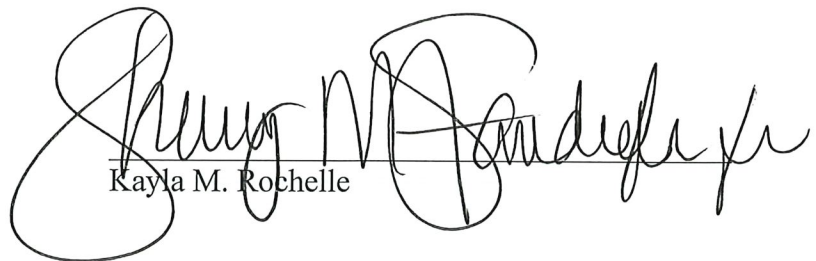
Raymond Lee Merrill
104 N. Oak St.
Sallisaw, OK 74955-4638

CERTIFIED MAIL NO. 7020 2450 0000 1482 8179

rm@merrillbonding.com

and a copy was delivered to:

Bail Bonds Division


Kayla M. Rochelle

Sherry Standerfer

From: Microsoft Outlook
To: Barnettbail@hotmail.com; rm@merrillbonding.com
Sent: Friday, February 12, 2021 12:18 PM
Subject: Relayed: St v. Merrill & Barnett/21-0039-DIS (87546)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

Barnettbail@hotmail.com (Barnettbail@hotmail.com)

rm@merrillbonding.com (rm@merrillbonding.com)

Subject: St v. Merrill & Barnett/21-0039-DIS (87546)

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☐ 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

Howard Latrell Barnett
217 N. Harvey Ave., Suite 504
Oklahoma City, OK 73102-3802
SMS/21-0039-DIS (KMR)/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:

Howard Latrell Barnett
217 N. Harvey Ave., Suite 504
Oklahoma City, OK 73102-3802
SMS/21-0039-DIS (KMR)/Cond Ord



9590 9402 6216 0265 0199 07

2. Article Number (Transfer from service label)
7020 2450 0000 1482 8162

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☒ *Wileto SKL* ☐ Agent
B. Received by (Printed Name) ☐ Addressee
Nicole Smith
C. Date of Delivery
2-19-21
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail[®]
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Insured Mail Restricted Delivery (over \$500)
- ☐ Priority Mail Express[®]
☐ Registered Mail[™]
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation[™]
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

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1. Article Addressed to:

Raymond Lee Merrill
104 N. Oak St.
Sallisaw, OK 74955-4638
SMS/21-0039-DIS (KMR)/Cond Ord



9590 9402 6216 0265 0199 14

2. Article Number (Transfer from service label)
7020 2450 0000 1482 8179

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

- A. Signature ☒ *Raymond Lee Merrill* ☐ Agent
B. Received by (Printed Name) ☐ Addressee
Raymond Lee Merrill
C. Date of Delivery
2-19-21
D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail[®]
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Insured Mail Restricted Delivery (over \$500)
- ☐ Priority Mail Express[®]
☐ Registered Mail[™]
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation[™]
☐ Signature Confirmation Restricted Delivery

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☐ 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

Raymond Lee Merrill
104 N. Oak St.
Sallisaw, OK 74955-4638
SMS/21-0039-DIS (KMR)/Cond Ord



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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

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P.O. Box 2652

Oklahoma City, OK 73101-2652

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Oklahoma City, OK 73101-2652
SMS/21-0039-DIS (KMR)/Cond Ord



9590 9402 6216 0265 0198 91

2. Article Number (Transfer from service label)

7020 2450 0000 1482 8155

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

Howard Barnett

3/5/21

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Mail Restricted Delivery (00)

Domestic Return Receipt