BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

| STATE OF OKLA | AHOMA FILEDY |
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| STATE OF OKLAHOMA, ex rel. GLEN MULREADY, Insurance Commissioner, Petitioner, | AHOMA FEB 2 3 2021 INSURANCE COMMISSIONER OKLAHOMA |
| VS. |) |
| STEPHEN MAC PURVIS, a multicounty agent bondsman licensed in the state of Oklahoma, Respondent. | CASE NO. 21-0067-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, Antuanya "Bo" DeBose, 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 Stephen Mac Purvis ("Respondent Purvis") is a multicounty agent bondsman in the State of Oklahoma holding license number 200283. Respondent Purvis' address of record is 215 N. 5th Avenue, Durant, Oklahoma 74701-4301.
- 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 1332.
- 4. 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.

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 Respondents.

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.

FINDINGS OF FACT

7. On or about July 30, 2019, an appearance bond was executed as follows:

Defendant:

Christopher Ryan Ross

Case Number(s):

CF-2019-294

City/County:

Bryan County

Surety:

Stephen Mac Purvis

Bondsman: Power Number(s):

Stephen Mac Purvis N/A

Bond Amount(s):

\$2509.00

- 8. On or about September 14, 2020 the Defendant failed to appear and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued on or about September 25, 2020 by the Bryan County District Court. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondent Purvis to his address of record with return receipt requested within thirty (30) days after the Order's filing.
- 9. Respondent Purvis' copy of the Order and Judgement of Forfeiture was returned unclaimed.

- 10. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was January 18, 2021.
- 11. The forfeiture remains unpaid as of February 23, 2021.

CONCLUSIONS OF LAW

12. Respondents have violated 59 O.S. 1310(A)(6) 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.

ORDER

IT IS THEREFORE ORDERED that Respondent Purvis is FINED \$750.00. The fine shall be paid within 30 days of the date of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department located at 400 NE 50th Street, Oklahoma City, Oklahoma 73112. Failure to comply with a proper order of the Commissioner will result in further administrative action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless Respondent Purvis requests 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 31st day following the date of mailing this Order. A request for hearing should be in writing and addressed to Antuanya "Bo" DeBose, Oklahoma Insurance Department, Legal Division, 400 NE 50th Street, 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 Respondent Purvis 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

day of <u>February</u> 2021.

GLEN MULREADY INSURANCE COMMISSIONER STATE OF OKLAHOMA

Antuanya "Bo" DeBose
Assistant General Counsel
Oklahoma Insurance Department
400 NE 50th Street

Oklahoma City, Oklahoma, 73112

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 _______ day of February, 2021, to:

Stephen Mac Purvis 215 North 5th Avenue Durant, Oklahoma 74701-4301

Stephen Mac Purvis 1508 Colt Drive Durant, Oklahoma 74701 CERTIFIED MAIL NO: 9214 8902 0982 7500 0348 81

CERTIFIED MAIL NO: 9214 8902 0982 7500 0348 98

and a copy was delivered to:

Bail Bonds Division

Antuanya "Bo" DeBose Assistant General Counsel



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SCANNED MAR 0 1 2021

Date Produced: 03/08/2021

OKLAHOMA INSURANCE DEPARTMENT

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0348 81. Our records indicate that this item was delivered on 03/01/2021 at 10:37 a.m. in DURANT, OK 74701. The scanned image of the recipient information is provided below.

Signature of Recipient:

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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.

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STEPHEN MAC PURVIS 215 N 5TH AVE DURANT OK 74701-4301

Customer Reference Number:

C2542557.14616594





Date Produced: 03/08/2021

OKLAHOMA INSURANCE DEPARTMENT:

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STEPHEN MAC PURVIS 1508 COLT DR DURANT OK 74701-7833

