

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

FILED

MAY 21 2021

**INSURANCE COMMISSIONER
OKLAHOMA**

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
vs.)
)
DENNIS LLOYAL BERGLAN, a licensed bail)
bondsman and multicounty agent bondsman in)
the State of Oklahoma,)
)
Respondent.)

Case No. 21-0093-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 Dennis Lloyal Berglan ("Respondent") is a licensed bail bondsman and multicounty agent bondsman in the State of Oklahoma, holding license #199413. Respondent's address of record is 1945 Exchange Ave., Oklahoma City, Oklahoma 73108.

FINDINGS OF FACT

3. On or about November 11, 2019, an appearance bond was executed as follows:

Defendant:	Rebecca Elizabeth Whitaker
Case Number(s):	CM-2015-2476
City/County:	Oklahoma County

Surety:	Dennis Berglan
Bondsman:	Dennis Berglan
Power Number(s):	DB 018794
Bond Amount(s):	\$4,000.00

4. On or about October 9, 2020, the Defendant failed to appear, and the bond was declared forfeited. An Order and Judgment of Forfeiture were issued on or about October 19, 2020 by the Oklahoma County District Court. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondent with return receipt requested within thirty (30) days after the Order's filing.

5. Respondent received a copy of the Order and Judgment of Forfeiture on or about October 21, 2020.

6. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was January 20, 2021.

7. The forfeiture was paid on or about January 21, 2021.

8. The Defendant was returned to custody on or about January 21, 2021.

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

10. Pursuant to *59 O.S. § 1332(C)(1)*, the bail bondsman shall have ninety (90) days from receipt of the Order and Judgment of Forfeiture from the court clerk or mailing of the notice if no receipt is made to return the defendant to custody.

11. Pursuant to *§ 365:25-5-40(b)*, the defendant shall be returned to custody within ninety (90) days or the forfeiture shall be paid on the ninety-first (91) day.

12. Pursuant to *59 O.S. § 1310(A)(2)*, the Insurance Commissioner may deny, censure, suspend, revoke, or refuse to renew any license issued pursuant to the Oklahoma Bail

Bond Act for violating any laws of this state or any lawful rule, regulation, or order of the Commissioner relating to bail

13. Pursuant to *59 O.S. § 1310(A)(28)*, the Insurance Commissioner may deny, censure, suspend, revoke, or refuse to renew any license issued pursuant to the Oklahoma Bail Bond Act for failing to pay any fees to a district court clerk as are required by this title or failing to pay any fees to a municipal court clerk as are required by the Oklahoma Bail Bond Act or by *11 O.S. § 28-127*.

14. 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.

CONCLUSIONS OF LAW

15. Respondent 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)*.

ORDER

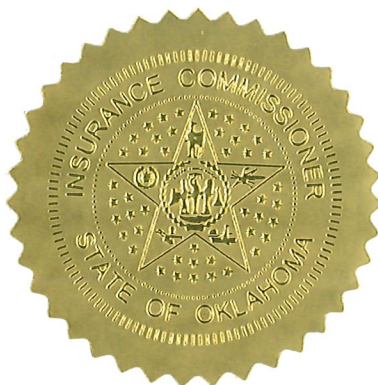
IT IS THEREFORE ORDERED that Respondent is hereby **FINED Two Hundred Fifty Dollars (\$250.00)**. The fine is to be paid within **thirty (30) days of the date of this Conditional Administrative Order** and made payable to the Oklahoma Insurance Department. The fine may be paid by check, cashier's check, or money order.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED by the Insurance Commissioner that this Order is conditional. Unless Respondent requests a hearing with

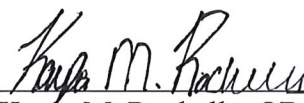
respect to the Findings of Fact set forth above within **thirty (30) days of the date of this Conditional Order**, the penalties set forth above will become a **Final Order** on the thirty-first (31st) day following the date of mailing of this Conditional Order. A request for hearing should be in writing 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 received by the Oklahoma Insurance Department within the thirty (30) days allotted.

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 Respondent timely requests a 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 at the hearing.

WITNESS My Hand and Official Seal this 17th day of May 2021.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



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

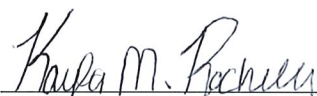
I hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to Be Heard* was mailed by certified mail, with postage prepaid and return receipt requested, on this 21st day of May 2021 to:

Dennis Lloyal Berglan
1945 Exchange Ave.
Oklahoma City, OK 73108-2821

CERTIFIED MAIL NO. 9214 8902 0982 7500 0376 77

and a copy was delivered to:

Bail Bonds Division



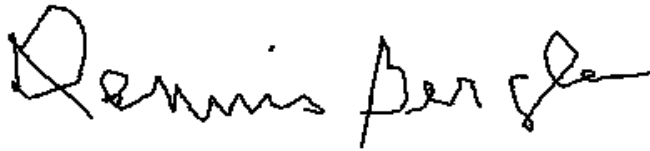
Kayla M. Rochelle

Date Produced: 06/07/2021

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0376 77. Our records indicate that this item was delivered on 06/02/2021 at 02:36 p.m. in OKLAHOMA CITY, OK 73147. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :

**1945 EXCHANGE AVE
OKLAHOMA CITY, OK 73108-2821**

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.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

DENNIS LLOYAL BERGLAN
1945 EXCHANGE AVE
OKLAHOMA CITY OK 73108-2821

Customer Reference Number: C2711153.15614809

Return Reference Number SMS/21-0093-DIS (KMR)/Cond Ord

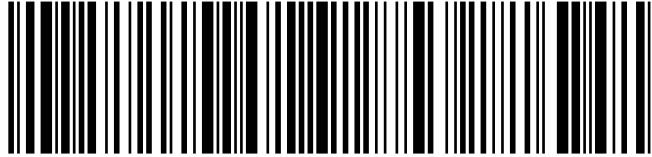
**Return address:**

OKLAHOMA INSURANCE DEPARTMENT
5 CORPORATE PLAZA
OKLAHOMA CITY, OK 73112

Recipient address:

DENNIS LLOYAL BERGLAN
1945 EXCHANGE AVE
OKLAHOMA CITY OK 73108-2821

MAILING DATE: 05/21/2021
DELIVERY DATE: 06/02/2021

USPS CERTIFIED MAIL

9214 8902 0982 7500 0376 77

USPS Tracking Label Number: 9214 8902 0982 7500 0376 77

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	OKLAHOMA CITY,OK 73105	05/21/2021 13:59
SHIPMENT RECEIVED ACCEPTANCE PENDING	OKLAHOMA CITY,OK 73118	05/21/2021 15:47
ORIGIN ACCEPTANCE	OKLAHOMA CITY,OK 73105	05/22/2021 06:54
PROCESSED THROUGH USPS FACILITY	OKLAHOMA CITY,OK 73107	05/22/2021 08:09
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PROCESSED THROUGH USPS FACILITY	OKLAHOMA CITY,OK 73107	05/23/2021 01:39
NO ACCESS	OKLAHOMA CITY,OK 73108	05/24/2021 12:39
NO AUTHORIZED RECIPIENT AVAILABLE	OKLAHOMA CITY,OK 73108	05/27/2021 12:00
AVAILABLE FOR PICKUP	OKLAHOMA CITY,OK 73147	05/28/2021 07:15
REMINDER TO SCHEDULE REDELIVERY	OKLAHOMA CITY,OK 73108	06/01/2021 03:26
DELIVERED	OKLAHOMA CITY,OK 73147	06/02/2021 14:36

CASE NUMBER: 21-0093-DIS

DEPARTMENT: LEGAL/KMR

SENDER: SMS

CUSTOM 4: CONDITIONAL ADMINISTRATIVE ORDER & NOTICE OF RIGHT TO BE HEARD