

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

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
vs.)
)
MISTY DAWN MANNING, a licensed bail)
bondsman in the State of Oklahoma,)
)
Respondent.)
)

FILED
AUG 05 2021
INSURANCE COMMISSIONER
OKLAHOMA

CASE NO. 21-0366-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 Misty Dawn Manning (“Respondent”) is a licensed bail bondsman in the State of Oklahoma holding license number 100158122. Respondent’s address of record is 102 N Central, Idabel, Oklahoma 74745.
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 the Respondent requests 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.

FINDINGS OF FACT

7. Pursuant to *59 O.S. §1303(A)*, no person shall act in the capacity of a bail bondsman or perform any of the functions, duties or powers prescribed for bail bondsmen under the provisions of *§1301 et seq.* of this title, unless that person shall be qualified and licensed as provided in *§1301 et seq.* of this title or as authorized pursuant to the Bail Enforcement and Licensing Act.

8. Pursuant to *59 O.S. §1304*, each bail bondsman license issued shall expire biennially at 12:00 o'clock midnight on the last day of the birth month of the bondsman, unless revoked or suspended prior thereto by the Insurance Commissioner.

9. Pursuant to *OAC 365: 25-5-35(d)*, if the license has not been renewed by the expiration date, a bail bondsman shall not be authorized to continue acting as a bail bondsman.

10. Respondent's license expired March 31, 2021. Approximately forty five (45) days prior to the license expiration date, the Oklahoma Insurance Department ("OID") sent an email to Respondent advising her of the license's expiration date. Respondent did not submit a complete renewal filing to OID on or before her license expiration date.

11. From April 1, 2021 through May 23, 2021, Respondent executed approximately thirty-

eight (38) appearance bonds while Respondent's license was expired.

12. Respondent reinstated her license on or about May 28, 2021.

CONCLUSIONS OF LAW

13. Respondent has violated 59 O.S. §1310(A)(2) and §1303(A) by executing thirty-eight (38) appearance bonds while her license was expired.

ORDER

IT IS THEREFORE ORDERED by the Insurance Commissioner that Respondent is **CENSURED** and **FINED** Five Hundred Dollars (**\$500.00**). 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 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 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 5th day of August 2021.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

A. DeBose

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 5th day of August, 2021, to:

Misty Dawn Manning
102 N. Central
Idabel, Oklahoma 74745
mistyandkyle@hotmail.com

CERTIFIED MAIL NO:
9214 8902 0982 7500 0391 90

and a copy was delivered to:

Bail Bonds Division

A. DeBose

Antuanya "Bo" DeBose
Assistant General Counsel



21-0306-Dis
ASD

Date Produced: 08/23/2021

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0391 90. Our records indicate that this item was delivered on 08/18/2021 at 12:22 p.m. in IDABEL, OK 74745. The scanned image of the recipient information is provided below.

Signature of Recipient :

Wesley W. W. W.
Wesley W. W. W.

Address of Recipient :

102 N CENTRAL AVE
IDABEL, OK 74745-3846

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Sincerely,
United States Postal Service

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