

FILED
NOV 02 2021
INSURANCE COMMISSIONER
OKLAHOMA

Respondents.

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:

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 Kenne Warren Carroll (“Respondent Carroll”) is a licensed bail bondsman in the State of Oklahoma holding license number 100247135. Respondent Carroll’s address of record is 5690 W. Pace Road, Tishomingo, Oklahoma 73460-4648.

3. Respondent Stacy Ellis Cain (“Respondent Cain”) is a multicounty agent bondsman in the State of Oklahoma holding license number 112423. Respondent Cain’s address of record is 1805 N. Broadway Avenue, Ada, Oklahoma 74820-1407.

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(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.

6. 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.

7. 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

8. On or about January 4, 2019, an appearance bond was executed as follows:

Defendant:	Clyde James Burrow
Case Number(s):	CF-2019-1
City/County:	Murray County
Surety:	Stacy Ellis Cain
Bondsman:	Kenne Warren Carroll
Power Number(s):	10994
Bond Amount(s):	\$5,000.00

9. On or about December 6, 2019 the Defendant failed to appear and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued on or about December 13, 2019 by the Murray County District Court. A true and correct copy of the Order and Judgment of Forfeiture

was mailed to Respondent Carroll and Respondent Cain to their address of record with return receipt requested within thirty (30) days after the Order's filing.

10. Respondent Carroll's copy of the Order and Judgement of Forfeiture was received December 16, 2019.

11. Respondent Cain's copy of the Order and Judgement of Forfeiture was received December 16, 2019.

12. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture, pursuant with SCAD-2020-36, was May 18, 2020.

13. The forfeiture was untimely paid September 9, 2021.

CONCLUSIONS OF LAW

14. 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 by the Insurance Commissioner that both Respondent Carroll and Respondent Cain are **FINED \$500.00**. 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 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 either Respondent Carroll or

Respondent Cain request 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 either Respondent Carroll or Respondent Cain serve 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 2nd day of November 2021.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Antuanya “Bo” DeBose
Antuanya “Bo” DeBose
Assistant General Counsel
Oklahoma Insurance Department
400 NE 50th Street
Oklahoma City, Oklahoma, 73112
(405) 522-4805

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 2nd day of November, 2021, to:

Kenne Warren Carroll
5690 W Pace Road
Tishomingo, Oklahoma 73460-4648

CERTIFIED MAIL NO:
9214 8902 0982 7500 0417 66

Stacy Ellis Cain
1805 N Broadway Ave
Ada, Oklahoma 74820-1407

CERTIFIED MAIL NO:
9214 8902 0982 7500 0417 73

and a copy was delivered to:

Bail Bonds Division



Antuanya "Bo" DeBose
Assistant General Counsel



21-0423-015
(Carroll) ASI

Date Produced: 11/08/2021

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0417 66. Our records indicate that this item was delivered on 11/03/2021 at 02:26 p.m. in TISHOMINGO, OK 73460. The scanned image of the recipient information is provided below.

Signature of Recipient :
(Authorized Agent)


Jessie Meadows

Address of Recipient :

5690 W Pace Rd
Tishomingo, OK
73460

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:

KENNE WARREN CARROLL
5690 W PACE RD
TISHOMINGO OK 73460-4648

Customer Reference Number: C3036518.17646155



21-0423-DIS
(Cain) ASD

Date Produced: 11/08/2021

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0417 73. Our records indicate that this item was delivered on 11/04/2021 at 12:54 p.m. in ADA, OK 74820. The scanned image of the recipient information is provided below.

Signature of Recipient :

Stacy Ellis Cain
VLIBRIK

Address of Recipient :

1805 N
Broadway

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:

STACY ELLIS CAIN
1805 N BROADWAY AVE
ADA OK 74820-1407

Customer Reference Number: C3036518.17646156