BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

CONDITIONAL ADMINISTRATIVE ORDER AND NOTICE OF RIGHT TO BE HEARD		INSURANGE BOMMISSIONER OKLAHOMA	
Respondent.)		
the State of Oklahoma,)		NOV 1 9 2013
SABRINA MCSWAIN, a licensed bail bondsman in)		
VS.)	Case No. 13-1183-DIS	FILED
Petitioner,)		
Insurance Commissioner,)		
STATE OF OKLAHOMA, ex rel. JOHN D. DOAK,)		

COMES NOW the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner, by and through counsel and alleges and states as follows:

JURISDICTION

1. John D. Doak 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. §§ 101-7301, and the Oklahoma Bail Bond Act, 59 O. S. §§ 1301-1340.

2. Sabrina McSwain ("Respondent") is a licensed bail bondsman in the State of Oklahoma holding license number 100135795.

FINDINGS OF FACT

1. On October 14, 2013, Respondent submitted to the Oklahoma Insurance Department ("the Department") her September 2013 Roche Surety & Casualty Company surety report.

2. With the report, Respondent submitted an Electronic Funds Transfer ("EFT") of Three Dollars (\$3.00). The Oklahoma State Treasurer charged the EFT back to the Department as "R01 - Not Sufficient Funds."

3. On October 28, 2013, Department staff sent Respondent a letter by email and certified mail, with return receipt requested, requesting that the funds be replaced and a service fee of \$25.00 be paid within five days of receipt of the letter.

4. On November 4, 2013, Respondent replaced the funds.

CONCLUSIONS OF LAW

 Respondent has violated 59 O.S. § 1310(A)(29) by uttering an insufficient funds EFT to the Commissioner.

ORDER

IT IS THEREFORE ORDERED that Sabrina McSwain is CENSURED.

Respondent is further notified that she may request a hearing within 30 days of the receipt of this Order concerning this action and upon such request the Oklahoma Insurance Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to Buddy Combs, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Suite 100, Oklahoma City, Oklahoma 73112 and <u>give an explanation of Respondent's actions described herein and any</u> <u>defenses thereto.</u>

If Respondent fails to request a hearing within 30 days of receipt of this Order, this Order shall become a **FINAL ORDER** on the 31st day after receipt.

WITNESS My Hand and Official Seal this 19th day of November, 2013.



JOHN D. DOAK INSURANCE COMMISSIONER STATE OF OKLAHOMA

William G. "Buddy" Combs Assistant General Counsel 3625 NW 56th Street, Suite 100 Oklahoma City, Oklahoma, 73112 Tel. (405) 521-2746 Fax (405) 522-0125

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 certified, return receipt requested on this ______ day of November, 2013, to:

Sabrina McSwain 4385 120TH AVE SE NORMAN, OK 73026-8353

William G. "Buddy" Combs



