

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

FILED

JAN 05 2016

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,)
)
)
Petitioner,)
)
v.)
)
ALECIA THOMAS, a licensed bail bondsman in the State of Oklahoma,)
)
)
AND)
)
)
SENECA INSURANCE COMPANY)
COMPANY, a licensed surety in the State of Oklahoma,)
)
)
Respondents.)

Case No. 15-1023-DIS

CONSENT ORDER

COMES NOW Petitioner, the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner (“the Insurance Commissioner”), by and through his counsel, Kelley Callahan, and Respondents Alecia Thomas, a licensed bail bondsman in the state of Oklahoma (“Respondent” or “Ms. Thomas”) and Seneca Insurance Company, Inc. (“Seneca” or “Surety”), by and through their counsel, Jeff Eulberg, and enter into this Consent Order under the following terms and conditions:

JURISDICTION

1. The Insurance Commissioner is charged with the duty of administering and enforcing all provisions of the Oklahoma Bail Bond Code, 59 O. S. §§ 1301-1340.

2. Respondent, Ms. Thomas, is a licensed bail bondsman in the State of Oklahoma holding license number 40161784. Respondent, Seneca, is a licensed Surety in the State of Oklahoma holding certificate of authority number 2344.

3. Ms. Thomas and Seneca know their rights--including the right to a public hearing—per the Conditional Administrative Order and Notice of Right to be Heard (“Conditional Order and Notice”) filed and served in this action, and have knowingly and freely waived these rights by not requesting an Administrative Hearing and by entering into this Consent Order.

STIPULATIONS OF FACT

1. On or about February 19, 2015, an appearance bond was executed as follows:

Defendant:	Shacoyia Hill
Case Number(s):	CM-15-1190
City/County:	Oklahoma County
Surety:	Seneca Insurance Company, Inc.
Bondsman:	Alecia Thomas
Power Number(s):	S06 02338768
Bond Amount(s):	\$6,000.00

2. On April 22, 2015, the Defendant failed to appear in the above-referenced case, and the Court forfeited the bond on the Defendant. An Order and Judgment of Forfeiture was issued and filed in the case on April 29, 2015 by the Oklahoma County District Court. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondents with return receipt requested within thirty (30) days after the Order's filing.

3. Ms. Thomas received a copy of the Order and Judgment of Forfeiture on May 28, 2015.

4. Seneca received a copy of the Order and Judgment of Forfeiture, but the PS Form 3811 was not dated.

5. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was August 27, 2015.

6. The forfeiture was untimely paid in full on August 28, 2015.

7. The following facts contribute to the Department's decision to enter into a Consent Order rather than go to Hearing. First, the Respondents payment of the bond forfeiture amount was only one day late. This warns the Respondents not to wait until the last minute to address bond forfeitures in Oklahoma County. The Department may not view any future failures to pay bond forfeitures by Respondents in the same fashion, even if the violation is only a matter of a few days. Second, Ms. Thomas' administrative record shows several cases where she received a censure, but only one serious enough to merit a \$250.00 fine. Increasing fines and possible other administrative actions will follow any further violations by Ms. Thomas and/or Seneca. Third, Respondents paid the forfeiture in full. Finally, Seneca has notice to work with this bondsman to meet all requirements of the Oklahoma Bail Bond Code and Regulations in a timely way.

CONCLUSIONS OF LAW

1. Respondents violated 59 O.S. § 1332 for failing to timely pay forfeiture on the bond issued to the Defendant.

2. Pursuant to 59 O.S. § 1310(B), "any person violating any provision of Sections 1301 through 1340 of this title 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."

3. This Consent Order and reduction in fines is warranted by Respondents' acts set out in Paragraph 7 of the Finding of Facts.

ORDER AND CONSENT

IT IS THEREFORE ORDERED by the Insurance Commissioner and **CONSENTED** to by Ms. Thomas and Seneca that within thirty (30) days of receipt of this Consent Order that they each will pay an administrative fine in the amount of Two Hundred and Fifty Dollars (\$250.00) for the above described violations of the Oklahoma Bail Bond Code within thirty days of receipt of this Consent Order.

WITNESS My Hand and Official Seal this 29th day of December, 2015.

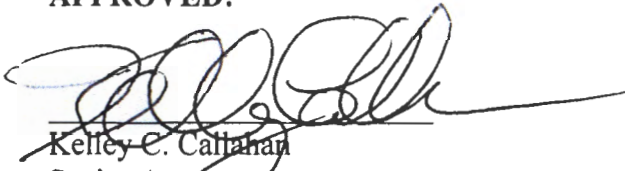


JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

James C. Mills

JAMES MILLS
CHIEF OF STAFF

APPROVED:



Kelley C. Callahan

Senior Attorney

Oklahoma Insurance Department

Five Corporate Plaza

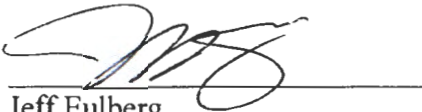
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Attorney for Bail Bondsman

Alecia Thomas and Surety Seneca

Insurance Company

CERTIFICATE OF SERVICE

I, Kelley Callahan, hereby certify that a true and correct copy of the above and foregoing *Consent Order* was mailed via certified mail with return receipt requested, and via regular mail, on this 5th day of ~~December, 2015~~, to:
January, 2016

Jeff Eulberg
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925 NW 6th Street
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Attorney for Bail Bondsman
Alecia Thomas and Surety Seneca
Insurance Company

Certified Mail No.
7015 0640 0002 7406 4213

And that a copy was delivered to the Bail Bonds Division.



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Jeff Eulberg
 Eulberg Law Offices, PLLC
 925 NW 6th Street
 OKC, OK 73106
 sms/15-1023-DIS/Const Ord



PS Form 3800, April 2015 PSN

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Jeff Eulberg
 Eulberg Law Offices, PLLC
 925 NW 6th Street
 OKC, OK 73106
 sms/15-1023-DIS/Const Ord



9590 9403 0272 5155 1344 80

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JAN 11 2016

Legal Division

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PS Form 3811, April 2015 PSN 7530-02-000-9053

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