

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

FILED
APR 26 2022
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
vs.)
)
JAMES KEITH EGGENBERG, a multicounty)
agent bondsman in the State of Oklahoma,)
)
Respondent.)

CASE NO. 22-0198-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 James Keith Eggenberg (“Respondent”) is a multicounty agent bondsman in the State of Oklahoma holding license number 199991. Respondent’s address of record is PO Box 1562, Ardmore, Oklahoma 73402-1562.
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.

FINDINGS OF FACT

6. On or about December 6, 2021, the Oklahoma Insurance Department's Bail Division ("OID") received notice that Respondent failed to accept or claim the certified copy of the Order and Judgement of Forfeiture mailed from the Bryan County Court Clerk's office regarding case number(s): CF-2021-211, CF-2021-181, and CF-2021-191 involving defendant Justin Lee Davis.

7. On or about January 3, 2022, OID received notice that Respondent failed to accept or claim the certified copy of the Order and Judgement of Forfeiture mailed from the Bryan County Court Clerk's office regarding case number CF-2020-171 involving defendant Larenz Deiondre Bowens.

8. On or about January 3, 2022, OID received notice that Respondent failed to accept or claim a certified copy of the Order and Judgement of Forfeiture mailed from the Bryan County Court Clerk's office regarding case number(s) CF-2020-206, CF-2020-359 and CF-2010-497 involving defendant(s) Thomas Duncan Jr. and Jesse Brown.

9. On or about January 6, 2022, OID received notice that Respondent failed to accept or claim a certified copy of the Order and Judgement of Forfeiture mailed from the Bryan County Court Clerk's office regarding case number(s): CM-2021-252, CF-2017-564, CM-2017-621, CM-2021-502, CM-2021-585, CM-2019-1060, CM-2020-657, CM-2020-737 involving various defendants.

10. On or about January 6, 2022, OID received notice that Respondent failed to accept or claim a certified copy of the Order and Judgement of Forfeiture mailed from the Bryan County Court

Clerk's office regarding case number(s): CF-2021-199, CF-2021-288, CF-2021-249, CF-2021-281, CF-2018-375, and CM-2021-525 involving various defendants.

11. On or about January 26, 2022, OID received notice that Respondent failed to accept or claim a certified copy of the Order and Judgement of Forfeiture mailed from the Bryan County Court Clerk's office regarding case number(s): CF-2021-93, CF-2021-261, CF-2021-210, CF-2021-272 involving various defendants.

12. On or about March 24, 2022, OID received notice that Respondent failed to accept or claim a certified copy of the Order and Judgement of Forfeiture mailed from the Bryan County Court Clerk's office regarding case number(s): CF-2021-319, CF-2021-188, CF-2021-290, CF-2021-162 involving various defendants.

13. OID confirmed that the Bryan County Court Clerk mailed all notices to Respondent's mailing address of record.

CONCLUSIONS OF LAW

14. Respondent has violated *59 O.S. 1310(A)(32)* on seven (7) different occasions by failing to accept or claim the certified mailing of Order and Judgements of Forfeiture from the Bryan County Court Clerk.

ORDER

IT IS THEREFORE ORDERED that Respondent is **CENSURED** and **FINED** One Thousand Seven Hundred Fifty Dollars (**\$1,750.00**). 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 73105. 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 73105. 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 20th day of April 2022.



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, 73105
(405) 522-4805
Bo.debose@oid.ok.gov

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 20th day of April, 2022, to:

James Keith Eggenberg
PO Box 1562
Ardmore, Oklahoma 73402-1562
keggenberg@yahoo.com

CERTIFIED MAIL NO:
9214 8902 0982 7500 0458 01

James Keith Eggenberg
299 Cool Shady Lane
Ardmore, Oklahoma 73401-1451

CERTIFIED MAIL NO:
9214 8902 0982 7500 0458 18

and a copy was delivered to:

Bail Bonds Division



Antuanya "Bo" DeBose
Assistant General Counsel



22-01928-015
(P.O. Box 1562) ASD

Date Produced: 05/02/2022

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0458 01. Our records indicate that this item was delivered on 04/27/2022 at 03:39 p.m. in ARDMORE, OK 73401. The scanned image of the recipient information is provided below.

Signature of Recipient :

Jim Eggenberg
Jerri Eggenberg

Address of Recipient :

1562

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:

JAMES KEITH EGGENBERG
PO BOX 1562
ARDMORE OK 73402-1562

Customer Reference Number: C3388704.19829832



22-0198-1)is

(299 Cool Shady) ASD
LN

Date Produced: 05/02/2022

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0458 18. Our records indicate that this item was delivered on 04/27/2022 at 12:56 p.m. in ARDMORE, OK 73401. The scanned image of the recipient information is provided below.

Signature of Recipient :) EGG Emburg
AJ Rt2 Q119

Address of Recipient : 299 Cool Shady

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.