

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

FILED

AUG 08 2023

**INSURANCE COMMISSIONER
OKLAHOMA**

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
))
Petitioner,)
vs.)
))
DANA ANN MOORE, a licensed bail bondsman)
in the State of Oklahoma,)
))
AND)
))
DENNIS LLOYAL BERGLAN, a multicounty)
agent bondsman licensed in the State of)
Oklahoma,)
))
Respondents.)

CASE NO. 23-0437-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, Andrea M. Golden, 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. Dana Ann Moore (“Respondent Moore”) is a licensed bail bondsman in the State of Oklahoma holding license number 100241878. Respondent Moore’s mailing address of record is P.O. BOX 752 Sayre, Oklahoma 73662-0752.
3. Dennis Lloyal Berglan (“Respondent Berglan”) is a multicounty agent bondsman in the State of Oklahoma holding license number 199413. Respondent Berglan’s mailing address of record is 1945 Exchange Avenue, Oklahoma City, Oklahoma 73108-2821.

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.

FINDINGS OF FACT

7. On or about November 8, 2022, an appearance bond was executed as follows:

Defendant:	Ricardo Villanueva Hernandez, Jr.
Case Number(s):	CF-2022-86
City/County:	Washita County
Surety:	Dennis Lloyal Berglan
Bondsman:	Dana Ann Moore
Power Number(s):	22836
Bond Amount(s):	\$20,000.00

8. On or about February 21, 2023, the Defendant failed to appear, and the bond was declared forfeited. The Washita District Court issued an Order and Judgment of Forfeiture on or about March 2, 2023. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondent Moore and Respondent Berglan at their respective address of record with return receipt requested within thirty (30) days after the Order's filing.

9. On March 8, 2023, Respondent Moore received a copy of the Order and Judgment of Forfeiture.

10. On March 8, 2023, Respondent Berglan received a copy of the Order and Judgment of Forfeiture.

11. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was June 7, 2023.

12. As of the date of this Order, the forfeiture remains unpaid; the forfeiture was not timely paid, and the Defendant was not timely returned to custody.

CONCLUSIONS OF LAW

13. 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 ninety-one (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 Respondent Moore is **FINED** Five Hundred Dollars (**\$500.00**) and that Respondent Berglan is **FINED** Five Hundred Dollars (**\$500.00**). The fines are to be paid within thirty (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 either Respondent requests a hearing with respect to the Findings of Fact set forth above within thirty (30) days of the date of this Conditional Order, the penalties set forth above will become a Final Order on the thirty-first (31st) day following the date of mailing this Order. A request for hearing should be in writing and

addressed to Andrea M. Golden, 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 thirty (30) days allotted. The proceedings on such requested hearing will be conducted in accordance with the Oklahoma Insurance Code, 36 O.S. §§ 101 – 7401, and the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 through 324. If either 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 8th day of August 2023.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Andrea M. Golden, OBA #33390
Assistant General Counsel
Oklahoma Insurance Department
400 NE 50th Street
Oklahoma City, Oklahoma 73105
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 sent via e-mail and by certified mail, with postage prepaid and return receipt requested, on this 8th day of August 2023 to:

Dana Ann Moore
P.O. BOX 752
Sayre, OK 73662-0752
blusteelinvestigation@yahoo.com
[REDACTED]

CERTIFIED MAIL NO.
7017 1070 0001 1036 7784

Dennis Lloyal Berglan
1945 Exchange Ave.
Oklahoma City, OK 73108-2821
d_n_k_2000@yahoo.com

CERTIFIED MAIL NO.
7017 1070 0001 1036 7791

and a copy was delivered to:

Bail Bonds Division



Andrea M. Golden
Assistant General Counsel