

JUL 19 2006

DEPT OF INSURANCE

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STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:

No. 06A-036-INS

LEONARD JOSEPH BURNS,

CONSENT ORDER

Respondent.

On March 31, 2006, the State of Arizona, Department of Insurance (the "Department"), issued a Notice of Hearing in the matter of LEONARD JOSEPH BURNS ("Burns" or "Respondent"). Burns wishes to waive his right to a hearing and resolve this matter. Burns admits the following Findings of Fact are true and consents to the entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. On or about January 6, 2006, Leonard Joseph Burns ("Burns") filed an application for a Bail Bond Agent License with the Arizona Department of Insurance (the "Department").

2. Section F of the application asks, "If you are an applicant for a bail bond agent license, have you EVER been convicted of theft OR any other crime involving carrying or possession of a deadly weapon or dangerous instrument?". Burns answered, "No" to Section F of the application.

3. On January 6, 2006 the Department issued a bail bond agent license to Burns, license number 855229.

4. Burns is currently employed by All Out Bail Bonds, a business that solicits, services or assists in dealing in bail bonds, located at 17 South 10th Ave., Phoenix, Arizona.

5. On or about January 6, 1993 an Information and Complaint was filed in the

1 Maricopa County Superior Court in the matter of the State of Arizona v. Leonard Joseph
2 Burns, case number CR1993-000034, charging Burns with Theft, a class 3 felony in
3 violation of A.R.S. §§ 13-1802, 1801, 701, 702, 801, and 812.

4 6. On or about October 1, 1993, following the filing of a plea agreement on
5 August 3, 1993, the Court entered Judgment convicting Burns of one count of Theft, a class
6 6 undesignated offense, in violation of A.R.S. §§ 13-1802, 1801, 301, 302, 303, 304, 701,
7 702, 702.01, and 801, in the matter of State of Arizona v. Leonard Joseph Burns, case no.
8 CR1993-000034.

9 7. The Court imposed a sentence of 36 months supervised probation, and
10 ordered Burns to pay restitution to the victim in the amount of \$2,500.00, to pay a monthly
11 probation fee of \$50 and a special assessment fee of \$112, and to complete 100 hours of
12 community service at the direction of his probation officer.

13 8. On August 22, 1994, Burns was ordered discharged from probation and his
14 offense was designated as a misdemeanor.

15 **CONCLUSIONS OF LAW**

16 1. The Department has jurisdiction over this matter.

17 2. Burns' conduct, as alleged above, constitutes providing incorrect, misleading,
18 incomplete or materially untrue information in the license application, a violation of A.R.S. §
19 20-295(A)(1).

20 3. Burns' conduct, as alleged above, constitutes having been convicted in any
21 jurisdiction of theft, a violation of A.R.S. § 20-340.03(A)(9).

22 4. Burns' conduct, as alleged above, constitutes violating a provision of Title 20,
23 a violation of A.R.S. § 20-295(A)(2).

24 5. Grounds exist to revoke Burns' bail bond agent license, pursuant to A.R.S. §§
25 20-295(A)(1) and (2); and § 20-340.03(A)(9).

1 ORDER

2 **IT IS ORDERED:**

3 Burns will surrender his bail bond agent license number 855229, by
4 completing a Voluntary Surrender of Insurance License Form and returning it with this
5 Consent Order.

6 DATED AND EFFECTIVE this 18th day of July, 2006.

7
8 
9 CHRISTINA URIAS, Director
Arizona Department of Insurance

10 CONSENT TO ORDER

11 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law
12 and Order.

13 2. Respondent admits the jurisdiction of the Director of Insurance, State of
14 Arizona, and admits the foregoing Findings of Fact and consents to the entry of the
15 foregoing Conclusions of Law and Order.

16 3. Respondent is aware of his right to notice and a hearing at which it may be
17 represented by counsel, present evidence and cross-examine witnesses. Respondent
18 irrevocably waives his right to a hearing and to any court appeals relating to this Consent
19 Order.

20 4. Respondent states that no promise of any kind or nature, except as expressly
21 contained in this Consent Order, was made to him to induce him to enter into this Consent
22 Order, and that he has entered into this Consent Order voluntarily.

23 5. Respondent acknowledges that the acceptance of this Consent Order by the
24 Director is solely to settle this matter against him and does not preclude any other agency,
25 officer or subdivision of this state from instituting civil or criminal proceedings as may be
26 appropriate now or in the future nor does it preclude the Department from instituting civil or

1 criminal proceedings as may be appropriate in the future.

2

3 Date: _____

LEONARD JOSEPH BURNS

4

5 COPY of the foregoing mailed this
6 19th of July, 2006, to:

6

Lewis Kowal, Administrative Law Judge
7 Office of Administrative Hearings
1400 W. Washington, Suite 101
8 Phoenix, Arizona 58007

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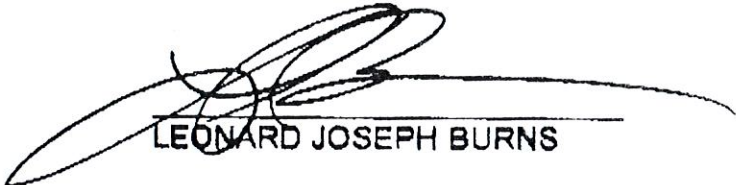
25

26

1 criminal proceedings as may be appropriate in the future.

2

3 Date: 5-11-06


LEONARD JOSEPH BURNS

4

5 COPY of the foregoing mailed this
6 of _____, 2006, to:

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8 Office of Administrative Hearings
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10 Phoenix, Arizona 85007

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