STATE OF ARIZONA FILED

MAR 17 2008

#### STATE OF ARIZONA

#### DEPARTMENT OF INSURANCE

| <b>DEPI</b> | <b>OF INSURANCE</b>                     |
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| BY          | San |

| In the Matter of          | )<br>Docket No. 08A-028-INS   |
|---------------------------|---|
| JODEAN TINSLEY GINGERICH, | ORDER SUMMARILY SUSPENDING  BAIL BOND AGENT LICENSE  AND NOTICE OF OPPORTUNITY  FOR HEARING |
| Respondent.               | )<br>)  |

The Arizona Department of Insurance (the "Department") alleges that **Jodean Tinsley Gingerich** has violated provisions of Arizona Revised Statutes ("A.R.S."), Title 20. In light of the serious nature of these allegations, the Director of Insurance for the State of Arizona ("Director") finds that the public health, safety and welfare imperatively require emergency action, within the meaning of A.R.S. §41-1092.11(B).

# **FINDINGS OF FACT**

- Jodean Tinsley Gingerich ("Respondent") is licensed as a bail bond agent,
   Arizona license number 876045 which expires on December 31, 2009.
- 2. Respondent's addresses of record with the Department are: 16431 S. 34<sup>th</sup> Way, Phoenix, Arizona 85048 (business); P.O. Box 93400, Phoenix, Arizona 85070 (mailing); and 318 W. Nopal Place, Chandler, Arizona 85225 (residence).
- 3. On October 19, 2007, the insurer holding Respondent's surety bond notified the Department that Respondent's bail agent bond was to be cancelled 30 days after receipt of the notice by the Department.

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- On November 26, 2007, the Department sent Respondent a letter, return receipt 4. requested, at his mailing address of record, notifying Respondent that he had failed to maintain a surety bond as required by law.
- On January 2, 2008, the Department's November 26, 2007 letter was returned 5. by the Post Office as "Unclaimed."
- As of November 16, 2007 (October 19, 2007 plus 30 days), Respondent has not 6. maintained a bond in favor of this State executed by a surety insurer authorized to do business in this State.
  - 7 The public health, safety and welfare imperatively require emergency action.

## **CONCLUSIONS OF LAW**

- The Director has jurisdiction. 1.
- Respondent's conduct constitutes a violation of the requirement that each bail 2. bond agent maintain in force while license a bond in favor of this State executed by a surety insurer authorized to do business in this State, within the meaning of A.R.S. § 20-340.02.
- 3. Grounds exist to order a summary suspension within the meaning of A.R.S. § 41-1092.11(B).

# **ORDER**

#### IT IS HEREBY ORDERED THAT:

Respondent's license is summarily suspended effective immediately. 1.

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Director of Insurance

## NOTICE OF OPPORTUNITY FOR HEARING

Pursuant to Title 20 of the Arizona Revised Statutes, Respondent is hereby notified that Respondent may request a hearing pursuant to A.R.S. § 20-161 to contest the summary suspension. Such request must be in writing and received at the following address within thirty (30) days from the date hereof:

> **Arizona Department of Insurance** 2910 North 44th Street, Suite 210 Phoenix, Arizona 85018-7269

Upon receipt of a timely written request for hearing, the Director will issue an order setting the time and place of the hearing.

COPY of the foregoing mailed, return receipt requested, this 17th day of March, 2008, to:

Jodean Tinsley Gingerich 13 16431 S. 34<sup>th</sup> Way Phoenix, Arizona 85048 14

Respondent

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15 Jodean Tinsley Gingerich P.O. Box 93400 16 Phoenix, Arizona 85070

Respondent

Jodean Tinsley Gingerich 318 W. Nopal Place Chandler, Arizona 85225

Respondent 19

COPY of the foregoing mailed 20 this 17th day of March , 2008, to:

Mary Butterfield, Assistant Director Mary E. Kosinski, Exec. Asst. - Regulatory Affairs Steven Fromholtz, Licensing Director Catherine M. O'Neil, Assistant Director Arnold Sniegowski, Administrative Investigations

Arizona Department of Insurance 2910 N. 44th Street, Suite 210 Phoenix, Arizona 85018 Office of the Attorney General Consumer Protection and Advocacy Section Agency Unit 1275 W. Washington Phoenix, Arizona 85007-2997





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