

OCT --7 2009

DEPT OF INSURANCE  
BY CB

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

In the Matter of:

**RICHARD ERNEST DICKERSON, DBA  
AFFORDABLE BAIL BONDS**

Respondent.

**No. 08A-054-INS**

**CONSENT ORDER**

The State of Arizona Department of Insurance ("Department") received evidence that Richard Ernest Dickerson, dba Affordable Bail Bonds ("Respondent," "Dickerson," or "Affordable") violated provisions of Title 20, Arizona Revised Statutes. Respondent wishes to resolve this matter without the commencement of formal proceedings, admits the following Findings of Fact are true, and consents to entry of the following Conclusions of Law and Order.

**FINDINGS OF FACT**

1. At all material times, Dickerson was licensed as a resident bail bond agent, Arizona license number 53476, which expires on September 30, 2010.

2. Dickerson's addresses of record with the Department are: c/o A-Affordable Bail Bonds, 364 N. 1st Avenue, Phoenix, Arizona 85003 (business and mailing) and 2526 W. Mobile Lane, Phoenix, Arizona 85041 (residence).

**MARION JEROLD BRADSBERRY**

3. The Department issued Marion Jerold Bradsberry ("Bradsberry") a Bail Bond Agent license on November 27, 2002, license number 143316.

4. On or about January 2, 2007, in *State of Arizona v. Bradsberry*, Maricopa County Superior Court, CR2006-105354-001DT, the court sentenced Bradsberry to three years of probation and ordered him to pay restitution, fines and fees after a conviction for attempted promoting prison contraband, a class 3 felony, in violation of A.R.S. §§ 13-1001,

1 2501, 2505, 3401, 3408, 610, 701, 702, 702.01 and 801. Bradsberry remains on  
2 probationary status.

3 5. On or about March 7, 2007, Bradsberry entered into a Consent Order with the  
4 Department, 07A-059-INS, revoking Bradsberry's bail bond agent license due to his felony  
5 conviction.

6 6. On or about December 12, 2007, the Department received a complaint  
7 notifying the Department that, despite his license revocation, Bradsberry continued posting  
8 bail bonds for Affordable at the Maricopa County Jail ("2007 complaint").

9 7. On or about December 20, 2007, the Department requested information  
10 regarding the 2007 complaint.

11 8. In a letter dated January 11, 2008, Marc Adair ("Adair"), attorney for  
12 Dickerson and Bradsberry, responded on behalf of Respondent to the Department's  
13 request for information. The letter acknowledges Respondent's knowledge that the  
14 Department revoked Bradsberry's license in March of 2007. It also admits that after  
15 Bradsberry's felony conviction and license revocation, Respondent continued to employ  
16 Bradsberry and allowed him to post bonds at jail.

17 9. Respondent provided the Department with records including Affordable's daily  
18 registry from April 1, 2007 through January 22, 2008, payroll records, and daily bond  
19 receipts from April 2, 2007 through December 31, 2007. These records reveal that  
20 Respondent employed Bradsberry after his felony conviction and revocation: Bradsberry  
21 received gross wages of \$22,527.50 during the period of April 2, 2007 to December 31,  
22 2007. The bond receipts show that after Bradsberry's revocation, he continued to perform  
23 bail transactions: Bradsberry signed several forms for the "receipt for return of collateral"  
24 documenting his acceptance of the return of collateral after bail bond transactions.

25 10. On or about February 26, 2008, Department investigators conducted several  
26 examinations under oath relating to the 2007 complaint.



1 licensed within the meaning of A.A.C. R20-6-601(C)(3) and A.R.S. § 20-298(A), as applied  
2 to bail bond agents under A.R.S. § 20-340.06.

3 17. Respondent's conduct, as described above, constitutes a bail bond agent  
4 employing or assisting in the employment of any person convicted in any jurisdiction of theft  
5 or of any felony or of any crime involving carrying or the possession of a deadly weapon or  
6 dangerous instrument, in violation of A.R.S. § 20-340.03(A)(9).

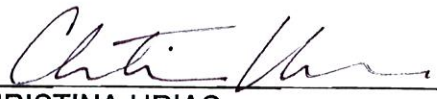
7 18. Grounds exist for the Director to revoke, or refuse to renew Respondent's  
8 insurance license, impose a civil penalty and/or order restitution pursuant A.R.S. §§ 20-  
9 295(A), (B), and (F), as applied to bail bond agents under A.R.S. § 20-340.06.

10 **ORDER**

11 **IT IS HEREBY ORDERED THAT:**

- 12 1. Respondent's license is revoked effective immediately upon entry of this  
13 Order.
- 14 2. Respondent shall pay a civil penalty in the amount of \$2500.00 due upon  
15 entry of this Order.
- 16 3. The hearing scheduled for October 8, 2009, at 9:00 a.m. before  
17 Administrative Law Judge Thomas Shedden is vacated.

18 DATED AND EFFECTIVE this 7<sup>th</sup> day of October, 2009.

19  
20   
21 **CHRISTINA URIAS**  
22 Director of Insurance

23 **CONSENT TO ORDER**

- 24 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law  
25 and Order.

26 . . . .

1           2.     Respondent admits the jurisdiction of the Director of Insurance, State of  
2 Arizona, and admits the foregoing Findings of Fact and consent to the entry of the  
3 foregoing Conclusions of Law and Order.

4           3.     Respondent is aware of his right to notice and a hearing at which he may be  
5 represented by counsel, present evidence and examine witnesses. Respondent  
6 irrevocably waives his right to such notice and a hearing and to any court appeals relating  
7 to this Consent Order.

8           4.     Respondent states that no promise of any kind or nature whatsoever, except  
9 as expressly contained in this Consent Order, were made to him to induce him to enter into  
10 this Consent Order and that he has entered into this Consent Order voluntarily.

11          5.     Respondent acknowledges that the acceptance of this Consent Order by the  
12 Director is solely to settle this matter against him and does not preclude any other agency,  
13 officer, or subdivision of this state including the Department, from instituting civil or criminal  
14 proceedings as may be appropriate now or in the future.

15          6.     Respondent acknowledges that this Consent Order is an administrative action  
16 that the Department will report to the National Association of Insurance Commissioners  
17 (NAIC). Respondent further acknowledges that he must report this administrative action to  
18 any and all states in which he holds an insurance license and must disclose this  
19 administrative action on any license application.

20          7.     Respondent acknowledges that failure to comply with the terms of this  
21 Consent Order, including but not limited to the timely payment of restitution, may result in  
22 further action by the Department, including criminal action, or referral of this matter by the  
23 Department to another federal or state agency.

24  
25  
26

10-7-2009  
Date

  
Richard Ernest Dickerson, License No. 53476

1 COPIES of the foregoing mailed/delivered  
2 this 7th day of October, 2009, to:

3 Thomas Shedden, Administrative Law Judge  
4 Office of Administrative Hearings  
5 1400 West Washington, Suite 101  
6 Phoenix, Arizona 85007

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