

STATE OF ARIZONA

STATE OF ARIZONA
FILED

DEPARTMENT OF INSURANCE

JUL 5 2011

DEPT OF INSURANCE
BY MS

In the Matter of)

) Docket No. 11A-073-INS

MCCONNAUGHEY, TRACY LEE)

ORDER SUMMARILY SUSPENDING)

(Arizona License # 947523))

BAIL BOND AGENT LICENSE)

(National Producer # 14428725))

AND NOTICE OF OPPORTUNITY)

FOR HEARING)

Respondent.)

The Arizona Department of Insurance (the "Department") alleges that **Tracy Lee McConnaughey** 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

1. Tracy Lee McConnaughey ("Respondent") is licensed as a resident bail bond agent, Arizona license number 947523 which expires on April 30, 2013.

2. Respondent's addresses of record are: 3012 N. 16th St., Phoenix, Arizona 85016 (business and mailing); and 6333 E. Cave Creek Rd., Cave Creek, Arizona 85331 (residence).

3. On May 6, 2010, the insurer holding Respondent's surety bond notified the Department that Respondent's bail agent bond was to be cancelled, effective on July 10, 2010 or 30 days from the receipt of the notice, whichever is later.

1 4. On May 7, 2010, the Department notified Respondent that the surety holding
2 Respondent's bond was cancelling the bond effective June 6, 2010.

3 5. To date, Respondent has failed to replace the cancelled surety bond.

4 6. Therefore, as of July 10, 2010, Respondent has not maintained a bond in favor
5 of this State executed by a surety insurer authorized to do business in this State.

6 7. The public health, safety and welfare imperatively require emergency action.

7 **CONCLUSIONS OF LAW**

8 1. The Director has jurisdiction.

9 2. Respondent's conduct constitutes a violation of the requirement that each bail
10 bond agent maintain in force while license a bond in favor of this State executed by a surety
11 insurer authorized to do business in this State, within the meaning of A.R.S. § 20-340.02.

12 3. Grounds exist to order a summary suspension within the meaning of A.R.S. §
13 41-1092.11(B).

14 **ORDER**

15 IT IS HEREBY ORDERED THAT:

16 1. Respondent's bail bond agent license, Arizona license number 947523, is
17 summarily suspended effective immediately.

18 DATED AND EFFECTIVE this 30th day of June, 2011.

19 
20 _____
21 CHRISTINA URIAS
22 Director of Insurance
23

1 **NOTICE OF OPPORTUNITY FOR HEARING**

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

6 **Arizona Department of Insurance**
7 **2910 North 44th Street, Suite 210**
Phoenix, Arizona 85018-7269

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

10
11
12 COPY of the foregoing mailed
this 5th day of July, 2011, to:

13 Tracy Lee McConnaughey
14 6333 E. Cave Creek Rd.
15 Cave Creek, Arizona 85331
Respondent

16 Tracy Lee McConnaughey
17 3012 N. 16th Street
Phoenix, Arizona 85016
Respondent

18 Mary Butterfield, Assistant Director
19 Mary E. Kosinski, Exec. Asst. – Regulatory Affairs
20 Steven Fromholtz, Licensing Director
21 Catherine M. O’Neil, Assistant Director
22 Dan Ray, Investigations
23 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

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