

M. GALE LEMMON #4363
Assistant Attorney General
MARK L. SHURTLEFF #4666
Attorney General
Attorneys for Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, UT 84114
Telephone (801) 538-3872

BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

ALL AMERICAN BAIL BONDS

Attn: Chris DeMartini

PO BOX 682

Provo UT 84603

License No. 98138

ORDER TO SHOW CAUSE

SUSPENSION OF LICENSE

Docket No. 2010-023 PC

Enf. Case No. 2635

ORDER TO SHOW CAUSE

The commissioner has received notice under Utah Code Annotated § 31A-35-504(2)(b) of the Respondent's failure to pay a Judgment of Bail Bond Forfeiture within 15 days (18 days if the notice was mailed) after service of notice on the Respondent of the entry of the following judgments:

Third District Court vs. Jonathon Santos Hepolito, case #091904161 (a copy of the Judgment and Notice are attached hereto as **Exhibit A**).

Under Utah Code Annotated § 31A-35-504(3), the commissioner is required to suspend the license of the Respondent within 5 days of the receipt of the above notice. If a suspension is imposed, said suspension will continue until lifted under Utah Code Annotated § 31A-35-405(5).

Based upon the forgoing and good cause otherwise appearing:

IT IS HEREBY ORDERED:


1. Respondent shall appear before the commissioner or his designated representative on Monday, the 22nd day of February, 2010, at the hour of 9:00 a.m. to show cause, if any there be, why Respondent's license as a bail bond surety company in the State of Utah should not be immediately suspended pursuant to Utah Code Annotated §§ 31A-35-504(3) and 63G-4-502.

2. The hearing shall be limited to the following issues:

- a. has a judgment of bail bond forfeiture been issued against the Respondent;
- b. was a notice of entry of the judgment served on the Respondent at least 15 days prior to the notice to the commissioner of the failure to pay the judgment;
- c. was a motion to set aside the judgment of bail bond forfeiture or an application for an extraordinary writ filed within 15 days of the notice of entry of bail bond forfeiture; and
- d. has the judgment of bail bond forfeiture been paid?

DATED this 18th day of February, 2010.

NEAL GOOCH
ACTING INSURANCE COMMISSIONER


MARK E. KLEINFELD, Esq.

Administrative Law Judge
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, UT 84114
Telephone (801) 538-3800

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this proceeding should call the Utah Insurance Department at (801) 538-3800 at least three working days prior to the proceeding.



District Attorney

111 East Broadway • Ste 400 • Salt Lake City, UT 84111
Telephone 801.363-7900 • Fax 801.531-4176 www.districtattorney@slco.org

LOHRA L. MILLER
DISTRICT ATTORNEY

February 17, 2010

Justice Division

Paul Parker
Division Administrator

Katie Bernards-Goodman
Asst. Division Administrator

Robert Stott
Asst. Division Administrator

Tara Buehner
Market Conduct Examiner
Utah State Insurance Commissioner's Office
Utah State Office Building Room 3114
Salt Lake City, Utah 84114

RE: All American Bail Bonds
Court Case No.: 091904161
Defendant: Jonathon Santos Hepolito

Dear Ms. Buehner:

In accordance with Section 31A-35-504, Utah Code Annotated, as amended, or its successor section, you are hereby given notice that more than 18 days have expired since the attached Notice of Entry of Judgment of Forfeiture was mailed to the surety in the case shown in the above caption. To this date, this office has received no proof of or notice of payment of the said judgment.

You are hereby requested to proceed within 5 days of receipt of this notice to suspend the license of the said Surety company.

Thank you for your time and attention.

Sincerely,


DAVID S. WALSH
Deputy District Attorney

pc: All American Bail Bonds
C/O Elijah Milne
P.O. Box 1248
Provo, UT 84603



**THIRD DISTRICT COURT, STATE OF UTAH
SALT LAKE COUNTY, SALT LAKE DEPARTMENT**

450 South State Street
Salt Lake City, UT 84111
(801)238-7300

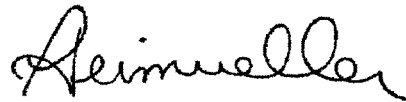
STATE OF UTAH,)	NOTICE TO PROSECUTOR
Plaintiff)	OF SURETY'S FAILURE
vs.)	TO PAY JUDGMENT OF
)	FORFEITURE ON THE BOND
JONATHON SANTOS HEPOLITO,)	
Defendant)	Case No. 091904161
)	
ALL AMERICAN BAIL BONDS.)	
Surety)	
)	

This matter having come on for hearing on JUNE 10, 2009 and the bonding company having been given notice of defendant's failure to appear as required and the bond having been ordered forfeited and a Judgment of Forfeiture entered DECEMBER 18, 2009;

IT IS REQUIRED that the surety shall pay a judgment no later than 15 days following service of notice in accordance with Section 31A-35-504 et. seq. Utah Code Annotated 1953, as amended. If the judgment remains unpaid for more than 15 days, the prosecutor shall notify the Commissioner of Insurance of the surety's failure to pay the judgment. The commissioner shall suspend the license of the company pursuant to subsections (3) through (7) of the aforementioned statute.

The clerk shall provide a copy of the judgment to the prosecutor with this notice. Payments on all judgments shall be reported to the prosecutor immediately by the court clerk.

Dated this 17th day of February, 2010.



Deputy Court Clerk

LOHRA L. MILLER
District Attorney for Salt Lake County
DAVID S. WALSH, 3370
Deputy District Attorney
111 East Broadway, Suite 400
Salt Lake City, Utah 84111
Telephone: (801) 363-7900

IN THE THIRD DISTRICT COURT, SALT LAKE DEPARTMENT
IN AND FOR THE COUNTY OF SALT LAKE, STATE OF UTAH

THE STATE OF UTAH,

Plaintiff,

v.

JONATHON SANTOS HEPOLITO,

Defendant,

And

All American Bail Bonds,

Surety.

MOTION FOR JUDGMENT OF
FORFEITURE

Case No. 091904161

Judge: MICHELE CHRISTIANSEN


COMES NOW the State of Utah, by and through its attorney, DAVID S. WALSH, Deputy District Attorney for Salt Lake County, and hereby moves the Court for a Judgment on the bond in the above-entitled matter. This motion is based on the grounds that on June 10, 2009, in the above-entitled Court, said defendant, without just cause, failed to appear for his scheduled court proceedings before the Honorable MICHELE CHRISTIANSEN. The surety was sent a notice for the defendant's Failure to Appear on June 10, 2009. Six months have now elapsed and the Surety has failed to produce the defendant.

MOTION FOR JUDGMENT OF FORFEITURE
Case No. 091904161
Page 2

Accordingly, the State requests that the court enter the Judgment against the surety for the full amount of the bond.

DATED this 17th day of December, 2009.

LOHRA L. MILLER
District Attorney for Salt Lake County



DAVID S. WALSH
Deputy District Attorney

CERTIFICATE OF MAILING

I hereby certify that on this 17th day of December, 2009, a true and correct copy of the foregoing MOTION FOR JUDGMENT OF FORFEITURE was mailed, postage prepaid to All American Bail Bonds at the address stated below.

Cindy Westover

All American Bail Bonds
1389 West 1940 North
Provo, UT 84604

Due 04/19/10

LOHRA L. MILLER
District Attorney for Salt Lake County
DAVID S. WALSH, 3370
Deputy District Attorney
111 East Broadway, Suite 400
Salt Lake City, Utah 84111
Telephone: (801) 363-7900

IN THE THIRD DISTRICT COURT, SALT LAKE DEPARTMENT
IN AND FOR THE COUNTY OF SALT LAKE, STATE OF UTAH

THE STATE OF UTAH,
Plaintiff,

v.

JONATHON SANTOS HEPOLITO,
Defendant,

And

All American Bail Bonds,
Surety.

JUDGMENT OF FORFEITURE

Case No. 091904161

Judge: MICHELE CHRISTIANSEN

It appearing that the defendant, JONATHON SANTOS HEPOLITO, having been charged in an Information filed in the above-entitled Court, was required to appear for his regularly scheduled court proceeding on June 10, 2009, and failed to do so; that an Undertaking of Bail fixing liability of the above-named Surety in the principal sum of \$\$10,000.00 upon the failure of the defendant to appear as required has been delivered to the Clerk of this Court, and that the Court has heretofore ordered said Undertaking of Bail forfeited; and that, after proper motion of plaintiff, the failure of the defendant to appear as required has not been sufficiently explained or excused,

FILED DISTRICT COURT
Third Judicial District

DEC 18 2009
SALT LAKE COUNTY
Heimiller
Deputy Clerk

JUDGMENT OF FORFEITURE
Case No. 091904161
Page 2

IT IS HEREBY ORDERED that the State of Utah is granted Judgment against the defendant and defendant's surety, All American Bail Bonds, jointly and severally, in the principal sum of \$\$10,000.00.

DATED this 18 day of December, 2009.

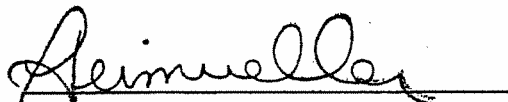
BY THE COURT:


MICHELE CHRISTIANSEN
District Court Judge



CERTIFICATE OF MAILING

I hereby certify that on this 30th day of December, 2009, a true and correct copy of the foregoing JUDGMENT OF FORFEITURE was mailed, postage prepaid, to All American Bail Bonds at the address stated below.



All American Bail Bonds
1389 West 1940 North
Provo, UT 84604

CERTIFICATE OF MAILING

I do hereby certify that on this date faxed to 801-487-1801 and mailed, by regular mail, postage prepaid a true and correct copy of the attached:

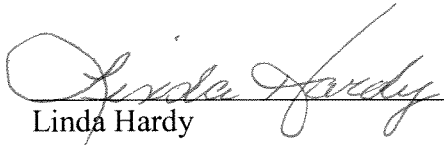
ORDER TO SHOW CAUSE

SUSPENSION OF LICENSE

To the following:

All American Bail Bonds
Attn: Chris DeMartini
P.O Box 682
Provo, UT 84603

DATED this 18Th day of February 2010.



Linda Hardy
Utah Department of Insurance
State Office Building, Room 3110
Salt Lake City, UT 84114-6901

TRANSACTION REPORT

P. 01

FEB-18-2010 THU 09:44 AM

FOR: STATE OF UT-INS DEPT 8015383829

DATE	START	RECEIVER	TX TIME	PAGES	TYPE	NOTE	M#	DP
FEB-18	09:41 AM	98014871801	2' 18"	10	SEND	OK	538	
TOTAL :						2M 18S	PAGES:	10



State of Utah

GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

NEAL T. GOOCH
Acting Insurance Commissioner

Insurance Department

STATE OF UTAH
INSURANCE DEPARTMENT

STATE OFFICE BUILDING, ROOM 3110
SALT LAKE CITY, UTAH
FAX 801/538-3829

Transmittal Sheet

DATE: January 18, 2010

TO: Chris DeMartini