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NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA

STATE OF NORTH CAROLINA)
COUNTY OF WAKE)

BEFORE THE COMMISSIONER OF)
INSURANCE)

CHECKED BY: _____ PROCESSOR *sc*

IN THE MATTER OF THE LICENSURE)
OF VINCENT M. BRISCOE)
LICENSE NO. 0010012559)

VOLUNTARY SETTLEMENT)
AGREEMENT)

NOW COME, Vincent M. Briscoe (hereinafter "Mr. Briscoe") and the North Carolina Department of Insurance (hereinafter "Department"), and hereby voluntarily and knowingly enter into the following Voluntary Settlement Agreement (hereinafter "this Agreement"):

WHEREAS, the Department has the authority and responsibility for enforcement of insurance laws of this State, and for regulating and licensing bail bondsmen; and

WHEREAS, Mr. Briscoe holds an active license as a surety bail bondsman issued by the Department; and

WHEREAS, N.C. Gen. Stat. § 58-2-69(c) provides that if a licensee is convicted in any court of competent jurisdiction for any crime or offense other than a motor vehicle infraction, the licensee shall notify the Commissioner in writing of the conviction within ten (10) days after the date of the conviction. "Conviction" includes an adjudication of guilt, plea of guilty, or a plea of nolo contendere; and

WHEREAS, pursuant to N.C. Gen. Stat. § 58-71-80(a)(7), the Commissioner may deny, suspend, revoke, or refuse to renew any license under Article 71 of Chapter 58 of the North Carolina General Statutes for failure to comply with or violation of the provisions of Article 71 of Chapter 58 of the North Carolina General Statutes or of any order, rule or regulation of the Commissioner; and

WHEREAS, a Department investigation revealed that Mr. Briscoe was convicted in Yadkin County Court of False Imprisonment on June 6, 2011 and did not report such conviction to the Department within ten (10) days of the entering of such conviction as required by N.C. Gen. Stat. § 58-2-69(c); and

WHEREAS, Mr. Briscoe admits to this violation as set out herein; and

WHEREAS, Mr. Briscoe's violation of N.C. Gen. Stat. § 58-2-69 demonstrates a failure to comply with and/or a violation of the provisions of Article 71 of Chapter 58 of the North Carolina General Statutes for which Mr. Briscoe's bail bondsman license could be revoked,

suspended or not renewed pursuant to N.C. Gen Stat. § 58-71-80(a)(7); and

WHEREAS, in lieu of an administrative hearing on the matters stated herein, Mr. Briscoe has agreed to settle, compromise, and resolve the matters referenced in this Agreement, and the Department has agreed not to pursue additional penalties, sanctions, remedies, or restitution based on these matters against Mr. Briscoe; and

WHEREAS, pursuant to N.C. Gen. Stat. § 58-2-70(g), the Commissioner of Insurance and the Department have the express authority to negotiate a mutually acceptable agreement with any person as to the status of the person's license or certificate or as to any civil penalty or restitution; and

NOW, THEREFORE, in consideration of the promises and agreements set out herein, the Department and Mr. Briscoe hereby agree to the following:

1. Immediately upon his signing of this document, Mr. Briscoe shall pay a **civil penalty of \$250.00** to the Department. The form of payment shall be in a certified check, cashiers check or money order. The check or money order for the payment of this civil penalty shall be payable to the "North Carolina Department of Insurance." Mr. Briscoe shall send the civil penalty by certified mail, return receipt requested, to the Department simultaneously with the return of this Agreement, signed by Mr. Briscoe. The civil penalty and the signed Agreement must be received by the Department no later than ~~October~~ ^{NOVEMBER} **17, 2011**. The civil penalty shall be subject to disbursement in accordance with the provisions of Article IX, Section 7 of the North Carolina Constitution for the benefit of the public schools. *by NOVEMBER 17, 2011.*

2. Mr. Briscoe shall obey all laws and regulations applicable to all licenses issued to him.

3. Mr. Briscoe enters into this Agreement freely and voluntarily and with knowledge of his right to have an administrative hearing on this matter. Mr. Briscoe understands that he may consult with an attorney prior to entering into this Agreement.

4. This Agreement does not in any way affect the Department's disciplinary power in any future follow-up examinations of Mr. Briscoe, or in any other cases or complaints involving Mr. Briscoe.


5. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Mr. Briscoe understands that N. C. Gen. Stat. § 58-71-80(a)(7) provides that a bail bondsman's license may be revoked for violating an Order of the Commissioner.

6. This Voluntary Settlement Agreement, when finalized, will be a public record and is not confidential. Any and all licenses issued by the Department to the licensee shall reflect


that Regulatory Action has been taken against the licensee following the execution of this Agreement. The Department is free to disclose the contents of this Agreement to third parties upon request or pursuant to any law or policy providing for such disclosure. The Department routinely provides copies of voluntary settlement agreements to all companies that have appointed the licensee.

7. This Settlement Agreement shall become effective when signed by Mr. Briscoe and the Department.

This the 3rd day of NOVEMBER, 2011.

By: 
Vincent M. Briscoe
License No. 0010012559

North Carolina Department of Insurance

By:  11-15-11
Angela Ford
Senior Deputy Commissioner