

**NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA**

STATE OF NORTH CAROLINA

**BEFORE THE COMMISSIONER
OF INSURANCE**

COUNTY OF WAKE

**IN THE MATTER OF
LICENSURE OF
DERRICK D. HARRINGTON**

CONSENT ORDER

Docket Number 1181

THIS CAUSE was heard on August 19, 2004, by the undersigned Hearing Officer, as designated by the Commissioner of Insurance pursuant to N.C.G.S. § 58-2-55. The Agent Services Division (“Division”) of the North Carolina Department of Insurance (“Department”) was represented by LaShawn L. Strange, Assistant Attorney General. Derrick Harrington (“Harrington”) was represented by Jessie Jeffers.

WHEREAS, the Department is charged with the authority and responsibility for enforcing the insurance laws of the State of North Carolina, including the laws applicable to the licensing of surety bondsmen; and

WHEREAS, Harrington has been licensed as a surety bondsman by the Department since February 22, 1996; and

WHEREAS, the Department received a consumer complaint from Donald Green alleging that Harrington failed to return his collateral of \$800 upon the disposition of Green’s criminal matter on February 10, 2003; and

WHEREAS, Harrington admits to having violated N.C.G.S. §58-71-95(5) by failing to return collateral to Donald Green within seventy-two hours after the final termination of liability on the bond, which is grounds for suspension or revocation of Harrington’s surety bondsman license

under N.C.G.S. § 58-71-80(4), (7), and (8); and

WHEREAS, pursuant to N.C.G.S. § 58-2-70(g) the Commissioner of Insurance has the authority to negotiate “a mutually acceptable agreement with any person as to the status of the person’s license . . . or as to any civil penalty or restitution”; and

WHEREAS, the Division and Harrington desire to enter into this Consent Order for the purpose of resolving all the allegations raised in the Notice of Administrative Hearing.

IT IS, THEREFORE, ORDERED as follows:

1. Contemporaneously with the execution of this document, Harrington shall pay a civil penalty in the amount of one thousand dollars (\$1000) to the Department. The payment of this civil penalty shall be in the form of an official bank check made payable to the “North Carolina Department of Insurance.” This 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.
2. Contemporaneously with the execution of this document, Harrington shall pay restitution in the amount of eight hundred dollars (\$800) to Donald Green, for the amount of collateral owed to Greene by Harrington. The payment of restitution shall be in the form of an official bank check made payable to the “North Carolina Department of Insurance.”
3. Harrington shall obey all laws and regulatory requirements for transacting business as a surety bondsman in this State.
4. The Commissioner of Insurance retains jurisdiction over the parties to this Consent Order.

This the 23rd day of September, 2004.

[Redacted]

8/23/05

Peter A. Kolbe, Hearing Officer
North Carolina Department of Insurance

CONSENTED TO BY:

[Redacted]

8-19-05

Angela K. Ford
Senior Deputy Commissioner

[Redacted]

Derrick Harrington

[Redacted]

Jessie Jeffers
Attorney for Derrick Harrington

CERTIFICATE OF SERVICE

I hereby certify that on this day I have served a copy of the attached Consent Order by mailing a copy of the same by first class U.S. mail addressed as follows:

Derrick D. Harrington
5520 Wedgegate Drive
Raleigh, NC 27616

Jessie A. Jeffers, Esq.
Capital Club Building
16 W. Martin Street, Ste. 804
Raleigh, NC 27601

This the 24th day of August, 2005.



LaShawn L. Strange
Assistant Attorney General
North Carolina Department of Justice
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