

NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA

STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE
COMMISSIONER OF INSURANCE

IN THE MATTER OF:

THE LICENSURE OF
JESSE HOWELL, JR

(NPN # 17849182)

Respondent.

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CONSENT ORDER

Docket Number: 2016

WHEREAS, the North Carolina Department of Insurance [hereinafter, “the Department”] is charged with the authority and responsibility for the enforcement of the insurance laws of the State of North Carolina and for regulating and licensing bail bondsmen; and

WHEREAS, Respondent Jesse Howell, Jr (“Respondent”) holds a bail bond runner license and a surety bail bondsman license; and

WHEREAS, this administrative proceeding was instituted against the Respondent by service of a Notice of Hearing on November 20, 2020, setting a hearing in this matter for December 17, 2020; and

WHEREAS, the Department and the Respondent have reached a mutually-agreed resolution of the claims raised by the Department against Respondent as set forth in the Petition dated November 19, 2020, which was served on Respondent; and

WHEREAS THE DEPARTMENT AND THE RESPONDENT STIPULATE AND AGREE TO THE FOLLOWING FINDINGS OF FACT AND CONCLUSIONS OF LAW:

FINDINGS OF FACT

1. The November 20, 2020 Notice of Hearing and attached Petition were duly served upon the Respondent.

2. Respondent holds a bail bond runner license and surety bail bondsman

license first issued by the Department on or about February 5, 2016.

3. On or about November 9, 2017, Respondent and other licensed bail bond runners presented, carrying firearms, to a residence to locate a bonded criminal defendant. They were advised that the criminal defendant did not live at the home and was not in the home. They forced entry into the home and this resulted in a physical altercation between another licensed bail bondsman and the homeowner.

4. Respondent and the other licensed bail bondsmen present with him at the time did not first consult with the surety bondsman listed on the bond. If they had done so, they would have learned that the bonded criminal defendant had changed residences.

CONCLUSIONS OF LAW

1. Notice in this matter was timely and properly effected.

2. This matter is properly before the Commissioner of Insurance, and he has jurisdiction over the parties and the subject matter pursuant to Articles 2 and 71 of Chapter 58 of the General Statutes of North Carolina.

3. Respondent violated N.C. Gen. Stat. § 58-71-80(a)(5) and § 58-71-80(a)(8) by demonstrating incompetency and untrustworthiness which may subject his license to possible revocation or suspension.

4. N.C. Gen. Stat. § 58-2-70 authorizes the Commissioner to order the payment of a monetary penalty upon a finding of a violation of Chapter 58 of the North Carolina General Statutes.

IT IS THEREFORE, BY CONSENT, ORDERED as follows:

1. Respondent will pay an administrative penalty to the Department within 15 days of the entry of this order of five hundred dollars (\$500.00) for his violations of N.C. Gen. Stat. § 58-71-80(a)(5) and (8).

2. Respondent enters into this Agreement, on behalf of himself, freely and voluntarily and with the knowledge of his right to have an administrative hearing on this matter. Respondent understands he may consult with an attorney prior to signing this Consent Order.

3. The parties to this Agreement agree that this Consent Order is an Order of the Commissioner. Respondent understands that N.C.G.S. § 58-71-80(a)(7) provides

that a bondsman's license may be revoked for violating an Order of the Commissioner.

4. This Consent Order, when finalized, will be a public record and will not be held confidential by the Department. Following the execution of this Consent Order, any and all licenses issued by the Department to Respondent shall reflect that Regulatory Action has been taken against him. The Department is free to disclose the contents of this Consent Order with third parties upon request or pursuant to any law or policy providing for such disclosure. The Department routinely provides copies of Consent Orders to all companies that have appointed the licensee.

5. The parties have read and understand this Consent Order and agree to abide by the terms and conditions stated herein.

6. Be aware that if a state or federal regulator other than the N. C. Department of Insurance has issued an occupational or professional license to you, that regulator may require you to report this Consent Order, which is an administrative action, to it. The N.C. Department of Insurance cannot give you legal advice as to the specific reporting requirements of other state or federal regulators.

7. This Final Consent Order shall become effective when signed by the parties.

IN WITNESS WHEREOF, the parties have duly executed this Consent Order as of the dates indicated below.

This the 10th day of February, ~~2020~~²⁰²¹



Sherri Hubbard
Hearing Officer
North Carolina Department of Insurance

CONSENTED TO BY:

[Redacted Signature]

By: Jesse Howell, Jr
NPN 17849182

DATE

02/05/2021

NORTH CAROLINA DEPARTMENT
OF INSURANCE

[Redacted Signature]

By: John Cable
Deputy Commissioner

DATE

02/10/2021