

NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA

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SEP 7 2018
CHECK NO. [REDACTED]
INSURANCE PROCESSOR [REDACTED]

STATE OF NORTH CAROLINA)
COUNTY OF WAKE)

BEFORE THE COMMISSIONER OF)
INSURANCE)

IN THE MATTER OF THE)
LICENSURE OF)
ALMETTO MAXINE MARTIN)
LICENSE NO. 0008392423)

VOLUNTARY SETTLEMENT
AGREEMENT

NOW COME, Almetto Maxine Martin (hereinafter "Ms. Martin") 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, Ms. Martin holds an active license as a professional bail bondsman issued by the Department; and

WHEREAS, N.C. Gen. Stat. § 58-71-165, requires that each professional bondsman to file with the Commissioner a written report in the form prescribed regarding all bail bonds on which the bondsman is liable as of the first of each month showing (i) each individual bonded, (ii) the date the bond was given, (iii) the principal sum of the bond, (iv) the State or local official to whom given, and (v) the fee charged for the bonding service in each instance, and that such reports be filed on or before the fifteenth day of the month; and

WHEREAS, a review of Ms. Martin's records by the Department revealed that Ms. Martin did not submit a monthly report on four (4) separate occasions, and that on multiple occasions a specific defendant for which Ms. Martin was liable was not listed on monthly reports, all constituting violations of the provisions of N.C. Gen. Stat. § 58-71-165; and

WHEREAS, N.C. Gen. Stat. § 58-71-175 provides that no professional bondsman shall become liable on any bond or multiple bonds for any one individual that totals more than one-fourth of the value of the securities deposited with the Commissioner at that time, until final

termination of liability of such bond or multiple bonds; and

WHEREAS, Ms. Martin on two (2) separate occasions violated the requirements set forth in N.C. Gen. Stat. § 58-71-175 by exceeding the one-fourth limitation and was therefore in violation of such statute; 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, Ms. Martin admits to the violations set out herein; and

WHEREAS, Ms. Martin's violations of N.C. Gen. Stat. § 58-71-165 and 58-71-175 demonstrate 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 Ms. Martin's professional 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, Ms. Martin 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 Ms. Martin; 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 Ms. Martin hereby agree to the following:

1. Immediately upon his signing of this document, Ms. Martin shall pay a **civil penalty of \$10,500.00** to the Department. The form of payment shall be in the form of a certified check, cashier's 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." Ms. Martin shall send the civil penalty by certified mail, return receipt requested, to the Department simultaneously with the return of this Agreement, signed by Ms. Martin. The civil penalty and the signed Agreement must be received by the Department no later than **August 22, 2018**. 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.

2. Ms. Martin shall obey all laws and regulations applicable to all licenses issued to her.

3. Ms. Martin enters into this Agreement freely and voluntarily and with knowledge of her right to have an administrative hearing on this matter. Ms. Martin understands that she may consult with an attorney prior to entering into this Agreement.

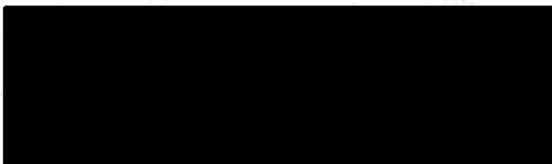
4. This Agreement does not in any way affect the Department's disciplinary power in any future follow-up examinations of Ms. Martin, or in any other cases or complaints involving Ms. Martin.

5. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Ms. Martin 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. 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 Ms. Martin and the Department.

N.C. Department of Insurance



License No. 0008392423



By _____
Deputy Commissioner

Date: _____

Date: 09/07/2018