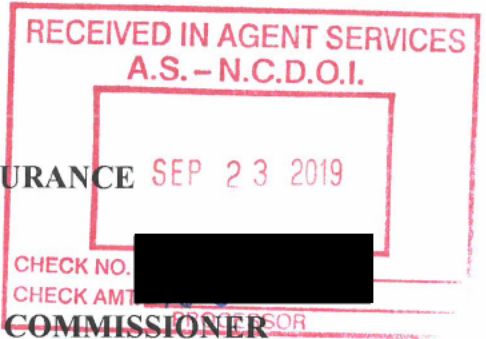


**NORTH CAROLINA DEPARTMENT OF INSURANCE  
RALEIGH, NORTH CAROLINA**



**STATE OF NORTH CAROLINA  
COUNTY OF WAKE**

**BEFORE THE COMMISSIONER  
OF INSURANCE**

**IN THE MATTER OF THE  
LICENSURE OF  
EMPRIS R. MURPHY  
LICENSE NO. 0018263178**

**VOLUNTARY SETTLEMENT  
AGREEMENT**

**NOW COME**, Empris R. Murphy (hereinafter "Ms. Murphy") 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 the insurance laws of this State, and for regulating and licensing bail bondsmen; and

**WHEREAS**, Ms. Murphy holds an active license as a surety bail bondsman issued by the Department; 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 N.C. General Statutes or of any order, rule or regulation of the Commissioner; and

**WHEREAS**, pursuant to 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 10 days after the date of the conviction, which includes an adjudication of guilt, a **plea of guilty**, or a plea of *nolo contendere*; and

**WHEREAS**, the Department received notice from Ms. Murphy that she entered into a plea arrangement in the Superior Court in Sampson County, NC wherein she pled guilty to (F) Maintaining Vehicle for Keeping or Selling a Controlled Substance and (M) Child Abuse (17CRS51886) on May 08, 2018 which included a conditional discharge upon compliance of 18 months of supervised probation, TASC assessment and parenting classes; and

**WHEREAS**, Superior Court Judge Henry L. Stevens, IV signed an Order on February 14, 2019 of **Dismissal For Successful Completion** of the terms of the plea arrangement; and

**WHEREAS**, Ms. Murphy failed to notify the Commissioner in writing of the conviction within 10 days after the date of the conviction, a violation of N.C. Gen. Stat. § 58-2-69 (c); and

**WHEREAS**, Ms. Murphy's violation of N.C. Gen. Stat. § 58-2-69 (c) demonstrates a failure to comply with and/or violation of the provisions of Article 71 of Chapter 58 of the North Carolina General Statutes for which Ms. Murphy's surety bail bondsman's license could be suspended or revoked; and

**WHEREAS**, in lieu of an administrative hearing on the matters stated herein, Ms. Murphy 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. Murphy; and

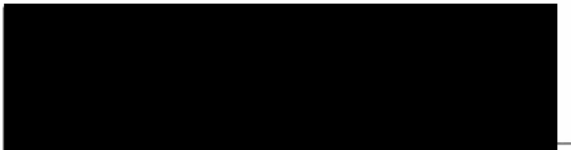
**WHEREAS**, pursuant to N.C. Gen. Stat. § 58-2-70 (g), the Commissioner of Insurance and the Department have the express authority to negotiate a mutually acceptable agreement with any person as to the status of the person's license or certificate or as to any civil penalty or restitution; and

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

1. Immediately upon her signing of this document, Ms. Murphy shall pay a **civil penalty of \$1,600.00** 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. Murphy shall send the civil penalty by certified mail, return receipt requested, to the Department simultaneously with the return of this Agreement, signed by Ms. Murphy. The civil penalty and the signed Agreement must be received by the Department no later than **September 22, 2019**. 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. Murphy shall obey all laws and regulations applicable to all licenses issued to her.
3. Ms. Murphy enters into this Agreement freely and voluntarily and with knowledge of her right to have an administrative hearing on this matter. Ms. Murphy 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. Murphy, or in any other cases or complaints involving Ms. Murphy.
5. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Ms. Murphy understands that N. C. Gen. Stat. § 58-71-80(a)(7) provides that a surety 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. Murphy and the Department.

**N.C. Department of Insurance**



**By: Empris R. Murphy**  
**License No. 0018263178**



**By: Marty Sumner**  
**Deputy Commissioner**

**Date:** September 17, 2019

**Date:** 9/24/19