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NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA

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STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE COMMISSIONER
OF INSURANCE

IN THE MATTER OF THE LICENSURE OF
ALVAN A. OVERTON
(License Number 0010011207)

VOLUNTARY SETTLEMENT
AGREEMENT

NOW COME Alvan A. Overton (hereinafter "Mr. Overton") and the North Carolina Department of Insurance (hereinafter "Department"), and hereby voluntarily and knowingly enter into the following Voluntary Settlement Agreement (hereinafter "Agreement"); and

WHEREAS, the Department has the authority and responsibility for regulating and licensing professional bail bondsmen, surety bail bondsmen, and bail bond runners; and

WHEREAS, Mr. Overton holds a license as a surety bail bondsman which was first issued by the Department on August 8, 2003; and

WHEREAS, N.C. Gen. Stat. §58-71-75(a) requires a bail bondsman to renew his bail bondsman's license on or before July 1 of each year upon payment of the applicable annual renewal fee; and

WHEREAS, Mr. Overton violated N.C. Gen. Stat. §58-71-75(a) by failing to renew his bail bondsman's license on or before July 1, 2013. Mr. Overton's bail bondsman's license lapsed as a result of his failure to renew his license; and

WHEREAS, Mr. Overton's violation of N. C. Gen. Stat. §58-71-75(a) subjects his bail bondsman's license to possible revocation or suspension under N. C. Gen. Stat. §58-71-80(a)(7); and

WHEREAS, Mr. Overton has indicated that he wishes to renew his bail bondsman license; 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 issued by the Department, or as to any civil penalty or restitution; and

WHEREAS, the parties to this Agreement mutually wish to resolve this matter by consent before the Department initiates an administrative hearing concerning this matter; and

WHEREAS, the parties to this Agreement have reached a mutually agreeable resolution

of this matter as set out in this Agreement;

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

1. Immediately upon signing this agreement, Mr. Overton shall pay a civil penalty of seven hundred fifty dollars (\$750.00) to the Department. The form of payment shall be 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." Mr. Overton shall remit the civil penalty by certified mail, return receipt requested, to the Department along with the original of this Agreement bearing the signature of Mr. Overton. The civil penalty and the signed Agreement must be received by the Department no later than October 15, 2013. 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 public schools.
2. Mr. Overton shall comply with all provisions of Chapter 58 of the North Carolina General Statutes and Title 11 of the North Carolina Administrative Code that are applicable to bail bondsmen.
3. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Mr. Overton 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.
4. Mr. Overton enters into this Agreement freely and voluntarily and with knowledge of his right to have an administrative hearing regarding this matter. Mr. Overton understands that he may consult with an attorney prior to entering into this Agreement.
5. This Agreement does not in any way affect the Department's disciplinary power in any future examinations of Mr. Overton, or in any other complaints involving Mr. Overton. In the event that Mr. Overton fails to comply with this Agreement or otherwise fails to comply with the laws and rules applicable to Mr. Overton, the Department may take any administrative or legal action it is authorized to take.
6. This Agreement, when finalized, will be a public record and is not confidential. 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. Following the execution of this Agreement, any and all licenses issued by the Department to Mr. Overton shall reflect that Regulatory Action has been taken against Mr. Overton.
7. This Agreement shall become effective when signed by Mr. Overton and the Department.

[Redacted]

Alvan A. Overton

Date: 10/8/2013

NORTH CAROLINA DEPARTMENT OF INSURANCE

[Redacted]

By:

Angela K. Ford
Senior Deputy Commissioner

Date: October 21, 2013




STATE OF NORTH CAROLINA

COUNTY OF PASQUOTANK

I, Cordelia G. Spence, a Notary Public, do hereby certify that Alvan A. Overton personally appeared before me this day and acknowledged the due execution of the Voluntary Settlement Agreement.

Witness my hand and official seal, this the 8th day of October, 2013.

(Official seal)


Notary Public

My Commission Expires: 1-7-2015