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

STATE OF NORTH CAROLINA

**BEFORE THE COMMISSIONER
OF INSURANCE**

COUNTY OF WAKE

**IN THE MATTER OF
THE LICENSURE OF
DANNY CHARLES THOMPSON**

**CONSENT ORDER AND
FINAL AGENCY DECISION**

Docket Number: 1346

THIS CAUSE came on to be heard before the undersigned Hearing Officer, as designated by the Commissioner of Insurance pursuant to North Carolina General Statute § 58-2-55, on the 11th day of April, 2007, pursuant to a Notice that was duly issued and served.

The North Carolina Department of Insurance (hereinafter "Department"), was represented by Daniel S. Johnson, Special Deputy Attorney General.

Petitioner Danny Charles Thompson was represented by Douglas J. Brocker of the Wake County Bar.

AND THE PARTIES HAVING REPRESENTED TO THE UNDERSIGNED that the parties have reached a mutually agreeable resolution of this matter as set out in this Consent Order;

AND THE PARTIES HAVING REPRESENTED TO THE UNDERSIGNED that Petitioner Thompson ADMITS that, he unintentionally violated N.C. Gen. Stat. §58-71-40(a) and 58-71-80(a)(7), by acting in the capacity of a surety bondsman after his surety bondsman license had expired on June 30, 2005 by writing bail bonds, making motions for remission of bond forfeitures, and by surrendering a defendant;

AND THE PARTIES HAVING REPRESENTED TO THE UNDERSIGNED that Petitioner Thompson agrees to pay a civil monetary penalty in the amount of \$2,400.00 pursuant to N.C. Gen. Stat. §58-2-70 by reason of his unintentional violation of N.C. Gen. Stat. §58-71-40(a), as set out above;

AND THE PARTIES HAVING REPRESENTED TO THE UNDERSIGNED that the Department has agreed to DISMISS the allegations of the Notice that alleged that Petitioner violated N.C. Gen. Stat. §58-71-20 and 58-71-80(a)(14) by aiding and abetting the failure to return a bail bond premium after surrender of a defendant;

IT IS, THEREFORE, BY CONSENT, ORDERED:

1. 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."

2. Petitioner Thompson unintentionally violated N.C. Gen. Stat. §58-71-40(a) and 58-71-80(a)(7) by acting in the capacity of a surety bondsman after his surety bondsman license expired on June 30, 2005 by writing bail bonds, making motions for remission of bond forfeitures, and by surrendering a defendant.

3. Petitioner Thompson shall pay a civil monetary penalty in the amount of \$2,400.00 to the North Carolina Department of Insurance pursuant to N.C. Gen. Stat. §58-2-70 by reason of his violation of N.C. Gen. Stat. §58-71-40(a), as set out above.

4. The above-referenced civil monetary penalty will be paid by cashier's check or official bank check made out to the "North Carolina Department of Insurance." The check shall be delivered to the Department with the Consent Order signed by Petitioner.

5. The allegations of the Notice that asserted a violation of N.C. Gen. Stat. §58-71-20 and 58-71-80(a)(14) based on aiding and abetting the failure to return a bail bond premium are DISMISSED.

6. The Department shall issue a surety bondsman license to Petitioner upon the entry of this Order and upon Petitioner's payment of the civil monetary penalty set forth above.

7. Petitioner, having passed the surety bondsman test in 2006, is not required to re-take the surety bondsman test to obtain the license referred to above.

8. Upon licensure, Petitioner shall not be treated as a first year licensee by the Department and Petitioner is not required to be supervised by a supervising bondsman; upon licensure, Petitioner may himself supervise first year licensees in accordance with law.

9. Petitioner 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 him.

10. This administrative action will be a public record and is not confidential. Any and 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 Consent Order. The Department is free to disclose the contents of this Consent Order to third parties upon request or pursuant to any law or policy providing for such disclosure.

11. By signing this Consent Order, Petitioner expressly waives his right to any further proceedings in this matter, and expressly waives his right to seek judicial review or to otherwise challenge the validity of this Consent Order.

12. Except as to the matters and things necessarily determined within the scope of this administrative proceeding, this Consent Order shall not prevent the Department from taking any other administrative action it is authorized to take against Petitioner.

This 18th day of April, 2007.



William K. Hale
Hearing Officer
N.C. Department of Insurance

WE CONSENT:

NORTH CAROLINA DEPARTMENT OF INSURANCE

By: _____



4-18-07

ANGELA FORD
Senior Deputy Commissioner



Danny Charles Thompson