

**STATE OF MISSISSIPPI  
OFFICE OF THE COMMISSIONER OF INSURANCE**

**IN RE:  
MICHAEL STEWART  
MISSISSIPPI PRIVILEGE LICENSE NUMBER 10035006**

**ORDER**

**THIS CAUSE** came on for hearing before the Commissioner of Insurance of the State Mississippi, specially appointed hearing officer, Robert L. Perkins, sitting in a special session in the offices of the Commissioner of Insurance of the State of Mississippi, 10<sup>th</sup> Floor, Woolfolk State Office Building, 501 North West Street, Jackson, Hinds County, Mississippi, on Tuesday, July 10, 2007 at 10:30 a.m. for the purpose of revoking the privilege license of the Respondent to engage on the business of bail bonds in the State of Mississippi, and to hear any evidence from the Respondent regarding such matter. The Commissioner having heard and considered all of the testimony and evidence produced by the parties involved, makes the following Findings of Fact and Conclusions of Law, to-wit:

**NOTICE AND HEARING**

I.

That on or about June 25, 2007, the Mississippi Commissioner of Insurance, or his appointee, pursuant to Mississippi Code Annotated, Section 83-39-17 (Supp. 2006), gave the required notice to the Respondent of the Commissioner's intention to hold a hearing for the purpose of revoking the privilege license, number 10035006, of the Respondent.

II.

That said Notice of Hearing and Statement of Charges was sent to the Respondent by certified mail, return receipt request, in accordance with Mississippi Code Annotated, Section

83-39-17 (Supp. 2006), at the address Respondent provided to the Licensing Division of the Mississippi Department of Insurance.

III.

That Respondent received this notice as is evidenced by his signature dated June 27, 2007, on the return receipt form for the certified notice.

IV.

That pursuant to said Notice, a hearing was scheduled before the Commissioner of Insurance of the State of Mississippi, or his specially appointed hearing officer, for 10:30 a.m. on Tuesday, July 10, 2007.

V.

That Respondent after being duly and properly noticed of said hearing in accordance with the statutory requirements failed to appear at said hearing at its scheduled time in order to testify and submit evidence, after his name being publicly called aloud three times prior to the commencement of this hearing.

**FINDINGS OF FACTS**

**AFTER CONSIDERING** all of the evidence presented, the Commissioner of Insurance makes the following Findings of Facts:

I.

The Respondent on his Mississippi License Renewal Notice for Bail Enforcement Agent signed and dated May 11, 2006, answered “No” to the following question: “1. Have you ever been charged with a crime (including DUI/DWI) other than a minor traffic violation?” Further, the Respondent on his Mississippi License Renewal Notice for Bail Soliciting Agent, signed and

dated May 11, 2006, answered “No” to the following question: “1. Have you ever been charged with a crime (including DUI/DWI) other than a minor traffic violation?”

## II.

The Respondent certified the above-described answers as true and correct. The Respondent further certified in his license renewals that all information on file with the Mississippi Insurance Department was true and correct and that the Respondent was in compliance with all applicable state law.

## III.

In May 2006, the Mississippi Department of Insurance received documentation concerning the Respondent’s conviction of aggravated assault, a felony, in 1994, that his probation had been revoked, and that the Respondent was sentenced to serve five (5) years in the custody of the Mississippi Department of Corrections on May 23, 1994. A full itemization of these facts is included in Exhibit S-1, the original Notice of Hearing and Statement of Charges issued by the Mississippi Department of Insurance, and in Exhibit S-4, the Order of the Circuit Court of Harrison County, Mississippi, First Judicial District, dated May 23, 1994, which exhibits are attached hereto and incorporated herein by reference.

## IV.

Based on the evidence provided, the Respondent’s Professional Bail Enforcement Agent License and the Respondent’s Bail Soliciting Agent License should be revoked. Furthermore, the Respondent should be assessed an administrative fine in the amount of One Thousand Dollars (\$1,000.00).

## CONCLUSIONS OF LAW

IN LIGHT OF THE AFOREMENTIONED Findings of Facts, the Commissioner of Insurance's specially designated appointee finds that the Respondent, Michael Stewart, has committed the following violations:

1. The Respondent violated the provisions of Mississippi Code Annotated, Section 83-39- 15 (1) (a) (Supp. 2006), by having cause for which the issuance of the license would have been refused had it then existed and been known to the Department of Insurance.
2. The Respondent is in violation of Mississippi Code Annotated, Section 83-39-15 (1) (c) (Supp. 2006), by Respondent's material misstatement, misrepresentation or fraud in obtaining the license.
3. The Respondent is in violation of Mississippi Code Annotated, Section 83-39-15 (1) (D) (Supp. 2006) by Respondent's willful failure to comply with, or willful violation of, any provision of this chapter or of any proper order, rule or regulation of the Department or any court of this state.
4. The Respondent is in violation of Mississippi Code Annotated, Section 83-39-15 (1) (e) (Supp. 2006) by Respondent's conviction of a felony or crime involving moral turpitude.


## ORDER

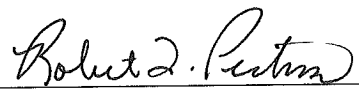
**IT IS, THEREFORE, ORDERED** that the charges previously filed herein against the Respondent, Michael Stewart, shall be and the same are hereby sustained.

**IT IS, FURTHER, ORDERED** that the Respondents License number 10035006, to engage as a Professional Bail Enforcement Agent and a Bail Soliciting Agent in the State of Mississippi, shall be and hereby is revoked.

**IT IS, FURTHER, ORDERED** that Respondent is hereby fined One Thousand Dollars (\$1,000.00), as allowed by Section 3 of Regulation 95-101, payable immediately to the Mississippi Department of Insurance.

**SO ORDERED**, this the 13<sup>TH</sup> day of September 2007.

  
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GEORGE DALE  
COMMISSIONER OF INSURANCE

  
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ROBERT L. PERKINS  
SPECIALLY DESIGNATED APPOINTEE  
OF THE COMMISSIONER OF INSURANCE