

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

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JAN 25 2019

**STATE OF NORTH CAROLINA  
COUNTY OF WAKE**

**BEFORE THE COMMISSIONER OF INSURANCE**

CHECK NO. [REDACTED]  
588.00  
PROCESSOR

**IN THE MATTER OF THE LICENSURE  
OF DENARD BRINKLEY**

**VOLUNTARY SETTLEMENT  
AGREEMENT**

**NOW COME**, Denard Brinkley (hereinafter "Applicant") 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**, pursuant to N.C. Gen. Stat. § 58-71-85(b) the Commissioner may deny an initial application for a license for any reason for which a license may be suspended or revoked under N.C. Gen. Stat. § 58-71-80(a); and

**WHEREAS**, N.C. Gen. Stat. § 58-71-80(a)(3) provides that the Commissioner may deny, place on probation, suspend, revoke, or refuse to renew a license for a material misstatement, misrepresentation or fraud in obtaining the license; and

**WHEREAS**, Applicant applied for a surety bail bond license on July 11, 2018; and

**WHEREAS**, Applicant answered "No" to the third question on the application: "Have you ever been convicted, or are you currently charged with, committing a crime, whether or not adjudication was withheld?"; and

**WHEREAS**, on or about June 8, 1992 Applicant pled guilty to one count of misdemeanor Receiving Stolen Property and one count of misdemeanor Theft By Deception in Township of East Brunswick Municipal Court (file W 281209); and


**WHEREAS**, Applicant was required to disclose these above referenced criminal convictions in response to the third question on his application to be a surety bail bond licensee, and he failed to do so in violation of N.C. Gen. Stat. § 58-71-80(a)(3); and


**WHEREAS**, the violation of N.C. Gen. Stat. § 58-71-80(a)(3) is grounds for denying Applicant's application for licensure; and

**WHEREAS**, the Department denied Applicant's application on August 16, 2018; and

7. 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.
8. This Settlement Agreement shall become effective when signed by Applicant and the Department.

**N.C. Department of Insurance**

  
**By: Denard Brinkley**  
**Applicant**

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

**Date:**

1/10/19

**Date:**

1/28/2019