

**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  
JESSICA B. GARCIA  
LICENSE NO. 18942824**

**VOLUNTARY SETTLEMENT  
AGREEMENT**

**NOW COME** Jessica B. Garcia (hereinafter "Bail Bondsman") and the Bail Bond Regulatory Division of the North Carolina Department of Insurance (hereinafter "BBRD") and hereby voluntarily and knowingly enter into the following Voluntary Settlement Agreement ("Agreement") to resolve outstanding BBRD Case File Number 91:

**WHEREAS**, BBRD regulates and licenses professional bail bondsmen, accommodation bail bondsmen, surety bail bondsmen, and runners in North Carolina; and

**WHEREAS**, Bail Bondsman currently holds a license as a surety bail bondsman first issued by BBRD on October 9, 2018; and

**WHEREAS**, on October 9, 2023, Bail Bondsman received a Prayer for Judgment in Wayne County Case No. 23CR285894 regarding a domestic violence protective order; and

**WHEREAS**, 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**, pursuant to N.C. Gen. Stat. § 58-2-69(c), Bail Bondsman was required to report the Prayer for Judgment Judgment in Wayne County Case No. 23CR285894 to the North Carolina Department of Insurance within ten (10) days of that conviction, and failed to do so; and

**WHEREAS**, N.C. Gen. Stat. § 58-71-80(a)(2) authorizes the Commissioner to "deny, place on probation, suspend, revoke, or refuse to renew any license issued under this Article" for "a conviction of any misdemeanor committed in the course of dealings under the license issued by the Commissioner[;]" and

**WHEREAS**, N.C. Gen. Stat. § 58-71-80(a)(7) authorizes the Commissioner to "deny, place on probation, suspend, revoke, or refuse to renew any license issued under this Article" for "[f]ailure to comply with or violation of the provisions of this Article ...[,]" including violation of N.C. Gen. Stat. § 58-2-69(c); and

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

**WHEREAS**, Bail Bondsman has agreed to settle, compromise, and resolve the matters described in this Agreement, in lieu of proceeding to a formal administrative hearing, on behalf of herself, and BBRD has agreed not to pursue additional civil ramifications, including penalties, sanctions, remedies, or restitution based on these matters against Bail Bondsman; and

**WHEREAS**, this Agreement is civil in nature and does not preclude criminal prosecution that may result from investigations, if any, conducted by the North Carolina Department of Insurance's Criminal Investigation Division for violation of criminal laws; and

**WHEREAS**, BBRD represents that, to its knowledge the Criminal Investigations Division of the North Carolina Department of Insurance is not currently investigating Bail Bondsman for the above-described conduct; and

**WHEREAS**, the parties mutually wish to resolve these matters by consent before BBRD notices a formal administrative hearing concerning these matters, and have reached a mutually agreeable resolution of these matters as set out in this Agreement; and

**NOW, THEREFORE**, in exchange for the consideration and promises and agreements set out herein, Bail Bondsman and BBRD hereby agree to the following:


1. Bail Bondsman shall pay a civil penalty of Three Hundred and Fifty Dollars and No Cents (**\$350.00**) to BBRD. The form of payment shall be by certified check, cashier's check, money order, or check drawn against an attorney trust account. The check or money order shall be made payable to the "North Carolina Department of Insurance." Together with the payment, the original of this Agreement bearing Bail Bondsman's signature shall be mailed by trackable method to:

*North Carolina Department of Insurance  
Piedmont Regional Office  
Attention: Clifford Denny, BBRD  
106 Baker Road  
Archdale, N.C. 27263*

Bail Bondsman shall retain the tracking information for the mailing of the signed Agreement and civil penalty until such time that BBRD has confirmed that it has received them, and Bail Bondsman shall provide this tracking information to BBRD upon request.

2. **The signed Agreement and civil penalty payment must be received by BBRD by May 13, 2024.**

3. Bail Bondsman shall comply with all of the provisions of Chapter 58 of the North Carolina General Statutes and of Title 11 of the North Carolina Administrative Code governing licensed surety bail bondsmen.
4. The parties agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Bail Bondsman understands that N.C.Gen. Stat. § 58-71-80(a)(7) provides that Bail Bondsman's license may be revoked for a subsequent violation of this Order of the Commissioner.
5. Bail Bondsman enters into this Agreement freely and voluntarily and with knowledge of Bail Bondsman's right to have an administrative hearing regarding this matter. Bail Bondsman acknowledges that she consulted with her attorney prior to entering into this Agreement.
6. This Agreement constitutes a complete settlement of all administrative penalties against Bail Bondsman for the acts, policies or practices expressly addressed in this Agreement. Except as to the acts, policies or practices expressly addressed herein, this Agreement does not in any way affect the Department's disciplinary power in any future examination of Bail Bondsman or in any complaint involving Bail Bondsman. Should Bail Bondsman fail to comply with this Agreement or otherwise fail to comply with applicable laws and rules, the Department may take any administrative or legal action that it is authorized to take.
7. This Agreement, when finalized, will be a public record and is not confidential. BBRD may disclose the contents of this Agreement to third parties pursuant to any law or policy providing for such disclosure. Following the execution of this Agreement, the license issued by the Department to Bail Bondsman shall reflect that Regulatory Action has been taken against Bail Bondsman.
8. This Agreement between Bail Bondsman and BBRD shall become effective when signed by Bail Bondsman and by Senior Deputy Commissioner Marty Sumner on behalf of BBRD.

  
JESSICA B. GARCIA

Date: 04/30/2024

BAIL BOND REGULATORY DIVISION OF THE  
NORTH CAROLINA DEPARTMENT OF INSURANCE

By:   
Marty Sumner, Senior Deputy Commissioner

Date: 5/8/24