

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

STATE OF NORTH CAROLINA)	BEFORE THE COMMISSIONER OF
COUNTY OF WAKE)	INSURANCE
)	
)	
IN THE MATTER OF THE LICENSURE)	VOLUNTARY SETTLEMENT
OF CHRISTIE V. GLADNEY)	AGREEMENT

NOW COME Christie V. Gladney (hereinafter "Gladney") 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, Gladney holds active licenses as a professional bondsman and as a surety bondsman issued by the Department; and

WHEREAS, N.C. Gen. Stat. § 58-71-145 requires each professional bail bondsman acting as a surety on bail bonds in this State to maintain a deposit of securities with and satisfactory to the Commissioner of Insurance (hereinafter "the Commissioner") of a fair market value of at least one-eighth the amount of all bonds or undertakings written in this State on which he is absolutely or conditionally liable as of the first day of the current month; and

WHEREAS, N.C. Gen. Stat. § 58-71-145 further requires that the amount of this deposit be reconciled with the bondsman's liabilities as of the first day of the month on or before the fifteenth day of said month and that the value of said deposit shall in no event be less than fifteen thousand dollars (\$15,000); and

WHEREAS, N.C. Gen. Stat. § 58-71-175 states that no professional bondsman shall become liable on any bond or multiple of bonds for any one individual that totals more than one-fourth of the value of the securities deposited with the Commissioner at that time, until final termination of liability on such bond or multiple of bonds; and

WHEREAS, an investigation by the Department revealed that Gladney's November, 2006 monthly report shows that Gladney was liable on bonds written in excess of one-fourth of the her security deposits with the Commissioner for the following individuals: Tramelle Buchanan, Christopher Carter, Demerqus Clark, Charles Davis, Trey Enoch, Alvin King, Melissa Lamb, Christopher Leath, Clive O'Conner, Loco Patterson, John Sherrill, Demaris Simpson, Larry Watson and Kevin Willoughby; and

WHEREAS, an investigation by the Department revealed that Gladney's December, 2006 monthly report shows that Gladney was liable on bonds written in excess of one-fourth of the her security deposits with the Commissioner for the following individuals: Tramelie Buchanan, Christopher Carter, Demerqus Clark, Charles Davis, Trey Enoch, Alvin King, Melissa Lamb, Christopher Leath, Clive O'Conner, Loco Patterson, John Sherrill, Demaris Simpson and Larry Watson; and

WHEREAS, an investigation by the Department revealed that Gladney's December, 2006 monthly report shows that Gladney's total outstanding liability was in excess of eight times her security deposits with the Commissioner at that time; and

WHEREAS, an investigation by the Department revealed that Gladney's January, 2007 monthly report shows that Gladney was liable on bonds written in excess of one-fourth of the her security deposits with the Commissioner for the following individuals: Tramelie Buchanan, Christopher Carter, Demerqus Clark, Charles Davis, Trey Enoch, Alvin King, Melissa Lamb, Christopher Leath, Clive O'Conner, Loco Patterson, John Sherrill, Demaris Simpson and Larry Watson; and

WHEREAS, an investigation by the Department revealed that Gladney's January, 2007 monthly report shows that Gladney's total outstanding liability was in excess of eight times her security deposits with the Commissioner at that time; and

WHEREAS, an investigation by the Department revealed that Gladney's February, 2007 monthly report shows that Gladney was liable on bonds written in excess of one-fourth of the her security deposits with the Commissioner for the following individuals: Tramelie Buchanan, Christopher Carter, Demerqus Clark, Charles Davis, Trey Enoch, Alvin King, Melissa Lamb, Christopher Leath, Clive O'Conner, Loco Patterson, John Sherrill, Demaris Simpson and Larry Watson; and

WHEREAS, an investigation by the Department revealed that Gladney's February, 2007 monthly report shows that Gladney's total outstanding liability was in excess of eight times her security deposits with the Commissioner at that time; and

WHEREAS, an investigation by the Department revealed that Gladney's March, 2007 monthly report shows that Gladney was liable on bonds written in excess of one-fourth of the her security deposits with the Commissioner for the following individuals: Demerqus Clark, Charles Davis, Alvin King, Christopher Leath and Clive O'Conner; and

WHEREAS, an investigation by the Department revealed that Gladney's March, 2007 monthly report shows that Gladney's total outstanding liability was in excess of eight times her security deposits with the Commissioner at that time; and

WHEREAS, an investigation by the Department revealed that Gladney's April, 2007 monthly report shows that Gladney was liable on bonds written in excess of one-fourth of the her

security deposits with the Commissioner for the following individuals: Charles Davis and Christopher Leath; and

WHEREAS, N.C. Gen. Stat. § 58-71-165 requires that each professional bail bondsman and surety bondsman shall file with the Commissioner a written report in the form prescribed by the Commissioner regarding all outstanding bail bonds as of the first day of each month showing (i) each individual bonded, (ii) the date the bond was given, (iii) the principal sum of the bond, (iv) the state or local official to whom given, and (v) the fee charged for the bonding service in each instance; and

WHEREAS, N.C. Gen. Stat. § 58-71-165 further requires that the written report shall be filed with the Commissioner on or before the fifteenth day of each month; and

WHEREAS, in violation of N.C. Gen. Stat. § 58-71-165, Gladney failed to timely file with the Commissioner the required monthly reports for the months of December, 2006 and January, 2007; and

WHEREAS, Gladney admits to the violations set out herein; and

WHEREAS, Gladney's violations of N.C. Gen. Stat. §§ 58-71-145, 58-71-165 and 58-71-175 demonstrate a failure to comply with and/or a violation of the provisions of Article 71 of Chapter 58 of the North Carolina General Statutes for which Gladney's bail bondsman license could be revoked pursuant to N.C. Gen. Stat. § 58-71-80(a)(7); and

WHEREAS, Gladney's violations of N.C. Gen. Stat. §§ 58-71-145, 58-71-165 and 58-71-175 demonstrate financial irresponsibility and incompetency in violation of N.C. Gen. Stat. § 58-71-80(a)(8), for which Gladney's bail bondsman license could be revoked; and

WHEREAS, in lieu of an administrative hearing on the matters stated herein, Gladney has agreed to settle, compromise, and resolve the matters referenced in this Agreement, and the Department has agreed not to pursue additional penalties, sanctions, remedies, or restitution based on these matters against Gladney; 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 or certificate or as to any civil penalty or restitution; and

NOW, THEREFORE, in consideration of the promises and agreements set out herein, the Department and Gladney hereby agree to the following:

1. Immediately upon his signing of this document, Gladney shall pay a **civil penalty of \$1,500.00** to the Department. The form of payment shall be in a certified check, cashiers check or money order. The check or money order for the payment of this civil penalty shall be

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payable to the "North Carolina Department of Insurance." Gladney shall send the civil penalty by certified mail, return receipt requested, to the Department simultaneously with the return of this Agreement, signed by Gladney. The civil penalty and the signed Agreement must be received by the Department no later than **January 2, 2008**. 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 the public schools.

2. Gladney shall obey all laws and regulations applicable to all licenses issued to her.

3. Gladney enters into this Agreement freely and voluntarily and with knowledge of his right to have an administrative hearing on this matter. Gladney understands that he may consult with an attorney prior to entering into this Agreement.


4. This Agreement does not in any way affect the Department's disciplinary power in any future follow-up examinations of Gladney, or in any other cases or complaints involving Gladney.


5. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Gladney 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.

6. This Voluntary Settlement Agreement, when finalized, 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 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.

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

This the 13th day of December, 2007.

By: 
Christie V. Gladney

North Carolina Department of Insurance
By:  2508
Angela Foyd
Senior Deputy Commissioner