

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)	ORDER AND FINAL
ROBERT NELSON,)	<u>AGENCY DECISION</u>
(NPN #19907139))	
)	Docket No. 2259
Respondent.)	
)	

This matter was heard on January 30, 2025, by the undersigned Hearing Officer, as designated by the Commissioner of Insurance pursuant to N.C. Gen. Stat. § 58-2-55. The administrative hearing was held in the North Carolina Department of Insurance’s Hearing Room, Room # 211, located at 3200 Beechleaf Court, Raleigh, Wake County, North Carolina.

Special Deputy Attorney General M. Denise Stanford represented the North Carolina Department of Insurance (“Department”), Bail Bond Regulatory Division (“Petitioner” or “BBRD”). Respondent, Robert Nelson (“Respondent”) appeared and was represented by counsel, Duane K. Bryant.

Angela Dawn Hudson testified for Petitioner via Webex from the Stanly County Detention Center. Ms. Hudson’s counsel, Andrew T. Scales, was present with her at the Detention Center. Detective N.A. Hartley with the Greensboro Police Department and Steve McBride, Complaint Analyst with BBRD, also testified for Petitioner. Petitioner introduced Exhibits 1-30 into evidence, which were admitted without limitations.

Rebecca Nelson, Respondent’s wife, and Michael Barrington, both licensed surety bail bondsmen, testified for Respondent. Respondent did not introduce any exhibits into evidence.

Respondent has, in the conduct of the Respondent’s affairs under his license to serve as a bail bondsman, demonstrated incompetency or untrustworthiness. The Respondent’s license is subject to revocation for each of five separate and independent acts, as if it had been the only incident or act that occurred:

1. The initial use of excessive force at the Sheetz located on Wendover Avenue in Greensboro when Respondent shot Angela Hudson;

2. The violation of traffic laws on what was described by both parties as a busy stretch of road as Respondent pursued Angela Hudson;
3. The use of excessive force against Angela Hudson when Respondent shot her a second time;
4. The endangerment of or use of force against third parties who were not impeding the apprehension of Angela Hudson; and
5. The failure to provide information to BBRD as required by law, upon request.

Independently, each of these five distinct acts subject the Respondent to license revocation even had it been the only incident or act that occurred.

BASED UPON the careful consideration of the allegations set forth in the Notice of Administrative Hearing (“Notice”) and attached Petition for Administrative Hearing (“Petition”) in this matter, as well as documentary and testimonial evidence introduced at the hearing, the undersigned Hearing Officer hereby makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Notice of Administrative Hearing and Petition for Administrative Hearing were properly served on Respondent by depositing in the United States Postal Service via first-class mail and via certified mail, return receipt requested, at the address Respondent provided to the Commissioner of Insurance (“Commissioner”) pursuant to N.C. Gen. Stat. §§ 58-2-69(b), (d) and (e) and Rule 4 of the North Carolina Rules of Civil Procedure. *See* Pet’r’s Ex. 2. Additionally, Respondent stipulated to service. *See* Trp., p. 11.

2. The Department is a State agency, responsible for the enforcement of insurance laws and regulating and licensing bail bondsmen in accordance with Chapter 58 of the North Carolina General Statutes.

3. Respondent was licensed by the Department as a surety bail bondsman on or about May 14, 2021, and issued NPN No. 19907139. *See* Pet’r Ex. 4.

4. On or about December 23, 2024, Respondent’s bail bond license was summarily suspended, pursuant to N.C. Gen. Stat. §§ 58-71-80(e) and 150B-3(c), upon a finding by the Commissioner that there was good cause to believe that emergency action was required to protect the public health, safety, or welfare. Respondent was ordered to refrain from engaging in any and all activities associated with his bail bonding license until there had been a hearing and determination on the status of his license. *See* Pet’r Ex. 3.

5. At all times relevant to this proceeding, Respondent was a bondsman for Allegiance Bonds and Recovery located in Biscoe, N.C. and his business email address was robbie@allegiancebailbonds.net. *See* Pet’r Ex. 4. *See* Trp., p 158.

6. Prior to becoming a bondsman, Respondent had served approximately 10 years as a former law enforcement officer in multiple law enforcement agencies. *See Trp.*, pp 222 - 223.

7. On or about February 13, 2023, an order for arrest was issued against Ms. Hudson. The charges were of a non-violent nature and included larceny by removal of an inventory control device and felony conspiracy. A bond amount was set at \$30,000. *See Pet'r Ex. 5.*

8. On or about May 29, 2023, Ms. Hudson was bonded out by Rebecca Nelson, Respondent's wife, who also works as a bondsman at Allegiance Bail Bonds and Recovery. At all times relevant to this matter, Rebecca Nelson served as Ms. Hudson's bail agent of record. *See Pet'r Ex. 5.*

9. On or about May 13, 2024, Ms. Hudson failed to appear for her scheduled court date and a bond forfeiture notice was issued on or about May 20, 2024. The bond forfeiture was to go to final judgment on or about October 20, 2024, if Ms. Hudson was not surrendered before that date. *See Pet'r Ex. 5.* *See N.C. Gen. Stat. § 15A-544.6.*

10. The Nelsons searched for Ms. Hudson during the period from May 2024 through October 2024 because if the bond forfeiture went to final judgment, they would have been responsible for paying \$30,000. *See Pet'r Ex. 5.* *See Trp.* pp 109, 161, 209 - 210. *See N.C. Gen. Stat. § 15A-544.3 and N.C. Gen. Stat. § 15A-544.7.*

11. Rebecca Nelson received a text message from Ms. Hudson's nephew stating that Ms. Hudson would be at the Sheetz located at 4319 Wendover Avenue in Greensboro, North Carolina during the afternoon of October 11, 2024. *See Trp.*, pp 210. Respondent and Rebecca Nelson traveled to Sheetz to wait for Ms. Hudson to arrive. Mr. Barrington, Respondent's employer at Allegiance Bonds and Recovery, also drove to Sheetz to wait for Ms. Hudson. *See Trp.*, pp 211, 213. *See Pet'r Ex. 15.* A third bondsman named Mikey Everhard also traveled to the Sheetz with her dog to assist in the apprehension of Ms. Hudson. *See Trp.*, pp 229, 273, 282. *See Pet'r Ex 15.*

12. Ms. Hudson arrived at the Sheetz and stopped the vehicle she was driving, a white Nissan Altima ("Altima"), in the parking lot, as depicted in Petitioner's Exhibit 15. Ms. Hudson was seated in the driver's seat. Robert Baldwin was seated in the front passenger's seat and James Locklear, Ms. Hudson's son, was seated in the rear seat of the Altima. *See Trp.*, pp 23, 78.

13. Once Ms. Hudson arrived at the Sheetz, Respondent pulled his vehicle, a black Dodge Durango ("Durango") in front of the Altima that Ms. Hudson was operating. Simultaneously, Mr. Barrington positioned his vehicle, a black truck ("Barrington's truck") behind the Altima, as depicted in Petitioner's Exhibit 15, to prevent Ms. Hudson from leaving. *See Trp.*, pp 22, 24, 27, 99, 211, 231. Respondent then exited the Durango carrying a Honcho 12-gauge shotgun held at chest level, with the gun aimed at the driver's side door of the Altima, the door behind which Ms. Hudson sat. *See Pet'r Exs. 15 and 23. See Trp.*, pp 99,105-106, 221, 287.

14. Respondent approached the Altima and opened the driver's side door. *See Pet'r Ex. 15. See Trp.* pp. 60-61, 73.

15. With the driver's side door of the Altima open, Ms. Hudson began to drive the Altima to the right of Respondent's Durango in an attempt to flee from Respondent and the shotgun that was pointed at her. As the Altima pulled away, with the door open, Respondent stood at close range to Ms. Hudson, pointed the shotgun at Ms. Hudson and shot her in the back of the head with a rubberized shotgun shell. The Altima then proceeded to drive between the Sheetz gas pumps and the Durango and to exit onto Wendover. When the Altima drove between the gas pumps and the Durango, there were no occupants in the Durango. The incident was captured on surveillance videotape and was testified to by several witnesses. *See Pet'rs Exs. 15 and 26. See Trp.* pp 99, 107-109, 127.

16. Respondent was not in front of the Altima as it moved forward nor at any other point relevant to these proceedings. *See Pet'r Ex. 15. See Trp.* p 233.

17. Respondent was not in danger of physical harm from Ms. Hudson at any point relevant to these proceedings.

18. While Ms. Hudson acknowledged her past criminal history, no evidence or testimony was introduced to show Ms. Hudson was or had ever been charged with violent crimes. The charges pending against Ms. Hudson and for which she was out on bond and had failed to appear for were of a non-violent nature. *See Pet'r Ex. 5. See Trp.* pp 259-260).

19. The passengers of the Altima, Robert Baldwin and James Locklear, were not impeding the apprehension of Ms. Hudson at the time of the first shooting. *See Trp.*, p. 261.

20. After shooting Ms. Hudson in the back of the head, Respondent returned to the driver's seat of the Durango. Rebecca Nelson, who had been standing near the front doors of the Sheetz, approached and entered the passenger side of the Durango.

See Trp., pp 236, 245.

21. After being shot the first time, in the back of the head, as she pulled away from Respondent at the Sheetz, Ms. Hudson exited the Sheetz parking lot in the Altima and traveled East on Wendover. See Trp. pp 28, 62-63, 67, 73,78 – 82,88. Barrington followed Ms. Hudson in his truck, followed by Respondent and Rebecca Nelson in the Durango. See Trp., p 236.

22. As Respondent followed and pursued Ms. Hudson down Wendover in his Durango, he violated multiple traffic laws. The traffic laws violated by Respondent include violation of the speed limit and use of a turning lane as a lane of travel.

23. The various witnesses disagree over the speed at which the Altima, Durango, and Barrington's truck traveled down Wendover. Ms. Hudson reports traveling at speeds in excess of sixty miles per hour in a forty-five mile per hour speed limit zone with the Durango pursuing her and attempting to run into her vehicle as she drove down Wendover. Rebecca Nelson and Barrington state that the vehicles in which they traveled never exceeded the posted speed limit. However, Ms. Nelson testified the Durango and Barrington's truck were able to catch up with Ms. Hudson, while passing cars between their vehicles and the Altima, even after the Durango and Barrington's truck were stopped at lights that Ms. Hudson was able to pass through before they caught up to the Altima. See Trp., p 236 – 246.

24. Given the witnesses' undisputed statements that the Durango and Barrington's truck were able to catch up to the Altima in heavy traffic, after being stopped at stop lights that the Altima passed through, the undersigned finds as fact that the Durango exceeded the applicable speed limit on Wendover as Respondent pursued Ms. Hudson in the Altima. See Trp., p 236 - 246

25. In order to catch up to Ms. Hudson as he pursued her down Wendover, Respondent used a turning lane as a lane of travel and to pass other vehicles, in violation of Chapter 20 of the North Carolina General Statutes.¹ See Trp., pp 237-243.

26. When Respondent caught up with Ms. Hudson during the pursuit, Ms. Hudson rolled down her window to tell Respondent that she was going to the hospital. With the window down, Respondent extended the gun across the passenger's seat and as Ms. Hudson drove the Altima with her window down, shot Ms. Hudson again. Respondent shot her in the right arm, which was extended with her right hand resting on the one o'clock position on the steering wheel. This caused serious injury to her right arm and caused her to lose control of the vehicle. A passenger in Ms. Hudson's vehicle grabbed the steering wheel to regain control of

¹ https://connect.ncdot.gov/resources/safety/Tepp/TEPPL%20All%20Documents%20Library/I12_Memo.pdf

the moving vehicle. *See* Trp. pp 29, 73, 82-83, 245-246. *See* Pet'r Exs. 7-10 and 14.

27. The passengers in the Altima were not impeding the apprehension of Ms. Hudson at the time of the second shooting. *See* Trp., p. 261.

28. The second shooting of Ms. Hudson by the Respondent was without cause, justification, or privilege.

29. After being shot a second time, Ms. Hudson stopped the Altima at the intersection of W. Wendover Avenue and Tri-City Boulevard. *See* Pet'r Exs. 16-19. *See* Trp. pp 93 – 94, 110, 246, 281.

30. After the Altima stopped, Respondent exited his vehicle and walked to the driver's side of Ms. Hudson's vehicle. Ms. Hudson's driver side door was opened and she exited the vehicle. She was then forced to lay on the ground and handcuffed after she was on the ground. Respondent did not render aid to Ms. Hudson at the scene. *See* Trp. pp 82 – 83, 224, 248, 278.

31. As a result of the shootings, Ms. Hudson suffered a serious injury to her head and arm, and lost enough blood to cause the seat of the Altima and the ground on which she was placed after exiting her vehicle after the second shooting to be bloodied. *See* Pet'r Exs. 7, 11, 12, 18, and 19.

32. A Guilford County Deputy Sheriff and the Guilford County Emergency Management Services arrived at the scene and rendered aid to Ms. Hudson. The Deputy attempted to place a tourniquet on Ms. Hudson. EMS staff directed the removal of her handcuffs so that aid could be rendered. *See* Trp. pp 30, 84 - 86, 249 – 251, 278, 281.

33. Following the second shooting and treatment by EMS, Ms. Hudson was transported to Moses Cone Hospital via ambulance for immediate treatment of her injuries. Rebecca Nelson rode in the back of the ambulance with Ms. Hudson to the hospital. *See* Pet'r Exs. 7-13. *See* Trp. pp 86, 224, 253, 255.

34. Respondent was interviewed and photographed by law enforcement at Moses Cone Hospital. *See* Trp. pp 102 - 112. *See* Pet'r Exs. 20 – 22.

35. Non-lethal rubberized shotgun shells, such as the ones used by Respondent against Ms. Hudson, may cause serious permanent injury or death when targeted at the head and neck. *See* Pet'r Ex. 30.

36. While Ms. Hudson received treatment for her injuries at Moses Cone Hospital, Respondent was directed to leave the hospital or face potential trespassing

if he remained on the premises. In response, Respondent and Rebecca Nelson both left the hospital that evening. *See* Trp. p 258.

37. Ms. Hudson was not in the custody of law enforcement, and neither Respondent nor Rebecca Nelson remained on site during her hospital stay for treatment of her gunshot wounds. She did not flee the hospital and was discharged home.

38. On or about October 13, 2024, following her discharge for treatment of the gunshot wounds, Respondent and Michael Barrington took Ms. Hudson into custody, without incident, and surrendered her to the Stanly County Sherriff's Office where she remained in custody through the date of the administrative hearing. *See* Trp., pp 162-163, 224-225, 259.

39. As a result of the shootings of Ms. Hudson, Respondent was charged by the Greensboro Police Department with assault with a deadly weapon inflicting serious injury, in violation of N.C. Gen. Stat. § 14-32, and discharging a weapon into an occupied vehicle while moving, in violation of N.C. Gen. Stat. § 14-34.1. Respondent was served by the charging agency on or about November 8, 2024. *See* Pet'r Ex. 27. *See* Trp., p. 118.

40. On or about December 9, 2024, BBRD contacted Respondent at his email address on record with the Department and requested a detailed statement of the incident that occurred on October 11, 2024 involving Ms. Hudson. In this email, BBRD also requested a copy of all forms related to the matter, including bond applications, receipts, collateral agreements, memorandum of agreements, indemnity agreements, appearance bond for pretrial releases, conditions of release and release orders and any documents or text messages associated with the bail bonding activity. *See* Pet'r Ex. 29.

41. The two separate shootings of Ms. Hudson by Respondent were to stop Ms. Hudson from fleeing so that she could be taken into custody. Had Ms. Hudson evaded apprehension until October 20, 2024 (approximately nine days from the date she was shot twice by Respondent as he attempted to apprehend her), the surety agent would have been required to pay her full bond of \$30,000 to the court. *See* Pet'r Ex. 5. *See* Trp. pp. 109, 161, 209 - 210. *See* N.C. Gen. Stat. § 15A-544.3 and N.C. Gen. Stat. § 15A-544.7.

42. Respondent failed to produce the documentation to BBRD as requested. *See* Trp., p. 267

CONCLUSIONS OF LAW

1. This matter is properly before the Commissioner, and the Commissioner has jurisdiction over the parties and the subject matter pursuant to Chapter 58 of the

North Carolina General Statutes.

2. The Notice of Administrative Hearing was properly served on Respondent pursuant to N.C. Gen. Stat. § 150B-38(c). *See* Pet'rs Exs. 1 and 2. *See* Trp., p. 11.

3. A bail bondsman may use reasonable force to apprehend his principal. The force used must be proportional to the threat posed. *See State v. Mathis*, 349 N.C. 503, 511, 514 (1998); *See* Trp. pp. 191-192.

4. While a bondsman may be “privileged to use such force against a third person who was knowingly and intentionally impeding the arrest of the principal as they could have lawfully used against the escaping principal himself”, the third parties in the Altima, Robert Baldwin and James Locklear, were not impeding the arrest of Ms. Hudson and Respondent lacked privilege to use force against them. The Respondent’s shooting into the vehicle occupied by Robert Baldwin and James Locklear constituted unprivileged and unallowed force against a third party under controlling law. *See State v. Mathis*, 349 N.C. 503, 511 (1998). *See* Trp. p. 261.

5. A bail bondsman, in pursuing a principal by vehicle, must abide by the motor vehicle laws and cannot engage in conduct that endangers the lives or property of third parties. *See State v. McGee*, 234 N.C. App. 285, 289, 758 S.E.2d 661, 664 (2014). Respondent’s violation of the speed limit on Wendover Avenue and his use of a turning lane as a lane of travel and to pass other vehicles as he pursued Ms. Hudson were in violation of motor vehicle traffic laws and endangered the lives and property of Ms. Hudson, Robert Baldwin, and James Locklear, as well as other drivers on Wendover. Each of these violations, exceeding the speed limit, use of a turn lane as a lane of travel, and use of a turning lane to pass other vehicles, are sufficient for revocation of his license independently of one another.

6. Respondent, without justification, used excessive force when attempting to apprehend Ms. Hudson when he shot her with a gun containing rubberized bullets on or about October 11, 2024 at the Sheetz.

7. Respondent, without justification, used excessive force when attempting to apprehend Ms. Hudson by shooting her a second time with a shotgun containing rubberized bullets on or about October 11, 2024, as she drove the Altima, causing her to lose control of the vehicle.

8. Both times Respondent shot into an occupied vehicle he endangered the lives and property of Ms. Hudson, Robert Baldwin, and James Locklear. This endangerment was done without cause, justification, or privilege.

9. Respondent engaged in conduct that endangered the lives or property of third parties, including members of the public driving down Wendover, when attempting to apprehend Ms. Hudson on or about October 11, 2024.

10. N.C. Gen. Stat. § 58-71-170 allows the Commissioner free access to all records of a bail bondsman that relate to the bondsman's business and to the records kept by any of the licensee's agents and also allows examination under N.C. Gen. Stat. § 58-2-195.

11. N.C. Gen. Stat. § 58-2-195 requires information from records that are required to be maintained by law to be furnished to the Commissioner upon demand.

12. Respondent violated N.C. Gen. Stat. §§ 58-71-170 and 58-2-195 when he failed to provide BBRD with the requested documentation as required under his license issued by the Department.

13. N.C. Gen. Stat. § 58-71-80(a)(5) authorizes the Commissioner to take disciplinary action against a license holder for demonstrating untrustworthiness in the conduct of business in this State.

14. Respondent's actions in apprehending Ms. Hudson on or about October 11, 2024, demonstrate untrustworthiness in the conduct of business in this State and subject his license to disciplinary action under N.C. Gen. Stat. § 58-71-80(a)(5).

15. N.C. Gen. Stat. § 58-71-80(a)(7) authorizes the Commissioner to take disciplinary action against a license holder for failure to comply with or for violating the provisions of Article 71.

16. Respondent's actions in failing to produce to BBRD the documents as requested in violation of N.C. Gen. Stat. §§ 58-71-170 and 58-2-195 subject his license to disciplinary action under N.C. Gen. Stat. § 58-71-80(a)(7).

17. N.C. Gen. Stat. § 58-71-80(a)(8) authorizes the Commissioner to take disciplinary action against a license holder when in the judgment of the Commissioner, the licensee has in the conduct of the licensee's affairs under the license, demonstrated incompetency or untrustworthiness.

18. Respondent's actions in apprehending Ms. Hudson on October 11, 2024, demonstrate incompetency and untrustworthiness in the conduct of his affairs under the license and subject his license to disciplinary action under N.C. Gen. Stat. § 58-71-80(a)(8).

19. N.C. Gen. Stat. § 58-71-80(a)(14b) authorizes the Commissioner to take disciplinary action against a license holder for violating any law governing bail

bonding or insurance in this State.

20. Respondent's actions in apprehending Ms. Hudson on October 11, 2024, and in failing to produce to BBRD the documents as requested violate the law governing bail bonding in this State.

21. Independently, each of these five actions, taken in attempt to apprehend Ms. Hudson, subject the Respondent to license revocation even had it been the only incident that occurred:

- a. Respondent used excessive force at the Sheetz located on Wendover Avenue in Greensboro when Respondent shot Angela Hudson the first time;
- b. Respondent violated traffic laws on what was described by both parties as a busy stretch of road as he pursued Angela Hudson;
- c. Respondent used excessive force against Angela Hudson when he shot her a second time at the end of his pursuit;
- d. Respondent endangered or used force multiple times against third parties who were not impeding the apprehension of Angela Hudson; and
- e. Respondent failed to provide information to BBRD as required, upon request.

Based on the foregoing Findings of Fact and Conclusions of Law, the Hearing Officer enters the following:

ORDER

It is ordered that Respondent's license issued by the North Carolina Department of Insurance is hereby REVOKED and Respondent is deemed disqualified under the bail bond laws of this State, effective as of the date of the signing of this order.

This the 17 day of April, 2025.


Amy Funderburk
Hearing Officer
N.C. Department of Insurance

APPEAL RIGHTS

This is a Final Agency Decision issued under the authority of N.C. Gen. Stat. § 150B, Article 3A.

Under the provisions of N.C. Gen. Stat. § 150B-45, any party wishing to appeal a final decision of the North Carolina Department of Insurance must file a Petition for Judicial Review in the Superior Court of the county where the person aggrieved by the administrative decision resides, or in the case of a person residing outside the State, the county where the contested case which resulted in the final decision was filed. The appealing party must file the petition within 30 days after being served with a written copy of the Order and Final Agency Decision. In conformity with 11 NCAC 01.0413 and N.C. Gen. Stat. § 1 A-1, Rule 5, this Order and Final Agency Decision was served on the parties on the date it was placed in the mail as indicated by the date on the Certificate of Service attached to this Order and Final Agency Decision. N.C. Gen. Stat. § 150B-46 describes the contents of the Petition, including explicitly stating what exceptions are taken to the decision or procedure and what relief the petitioner seeks, and requires service of the Petition by personal service or by certified mail upon all who were parties of record to the administrative proceedings. The mailing address to be used for service on the Department of Insurance is: Amy Funderburk, General Counsel, 1201 Mail Service Center, Raleigh, NC 27699-1201.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing **ORDER AND FINAL AGENCY DECISION** by mailing a copy of the same via certified U.S. Mail, return receipt requested; via first class U.S. mail to the licensee, at the address provided to the Commissioner pursuant to N.C. Gen. Stat. § 58-2-69(b); via first class mail and electronic mail to Respondent's attorney of record; and via State Courier to Attorney for Petitioner and electronic mail, addressed as follows:

Robert Nelson
148 Lynthacum Lane
Troy, NC 27371
(Respondent)

Certified Mail Tracking Number: 9589 0710 5270 0742 5911 84

Duane K. Bryant
Law Offices of Duane K. Bryant
1207 Brentwood Street
High Point, NC 27260
duanekbryantlaw@gmail.com
(Attorney for Respondent)

M. Denise Stanford
Special Deputy Attorney General
N.C. Department of Justice
Insurance Section
9001 Mail Service Center
Raleigh, NC 27699-9001
dstanford@ncdoj.gov
(Attorney for Petitioner)

This the 17th day of April, 2025.



Raheema I. Moore
Clerk of Court for Administrative Hearings
Paralegal III
N.C. Department of Insurance
1201 Mail Service Center
Raleigh, NC 27699-1201