

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)
MICHAEL J. WHITE)
(NPN 10005980))

Respondent.)

ORDER AND
FINAL AGENCY DECISION

Docket Number: 2306

THIS MATTER was heard on October 21, 2025, in the Hearing Room of the North Carolina Department of Insurance, located at 3200 Beechleaf Court, Raleigh, North Carolina before the undersigned Hearing Officer, as designated by the North Carolina Commissioner of Insurance (“Commissioner”) under N.C. Gen. Stat. § 58-2-55 and other applicable statutes and regulations.

Petitioner, the Bail Bond Regulatory Division of the North Carolina Department of Insurance (“Petitioner” or “BBRD”), was represented by Assistant Attorney General Nicholas B. Sorensen. Respondent, Michael J. White (“Respondent”) appeared via Webex, testified on his own behalf, and represented himself at the hearing.

April Taylor, Insurance Regulatory Analyst with BBRD, appeared and testified on behalf of the Petitioner.

Petitioner’s Exhibits 1-9, 11-12, and 15-20 were admitted into evidence with redactions for personally identifiable information. Respondent offered exhibits into evidence, but the undersigned found the exhibits were irrelevant and immaterial and they were not admitted into evidence.

BASED UPON careful consideration of the documentary and testimonial evidence presented at the hearing, and upon the entire record in the proceeding, the undersigned Hearing Officer hereby makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. BBRD is a division of the North Carolina Department of Insurance (“NCDOI”), which is a state agency responsible for enforcement of the bail bonding

laws of North Carolina and regulating and licensing bail bondsmen, in accordance with Chapter 58 of the North Carolina General Statutes.

2. Respondent previously held a surety bail bondsman license which was issued by the Commissioner on June 4, 1998, and previously held a professional bail bondsman license which was issued by the Commissioner on March 3, 2009.

3. On July 2, 2012, an Order and Final Agency Decision (“2012 OFAD”) was issued by a hearing officer designated by the Commissioner. This Order revoked the surety and professional bail bondsman licenses previously held by Respondent. *See Pet’r’s Ex. 15.*

4. In the 2012 OFAD, the Commissioner cited Respondent’s failure to pay the judgment in 08 CVD 4227, *Carlyle T. Poindexter and Poindexter and Associates, Inc. v. Michael Jerome White, D/B/A/ Carolina Bail Bonds, Carolina Bail Bonding and Associates, Inc.* (“*Poindexter v. White*”), as grounds for revocation pursuant to N.C. Gen. Stat. § 58-71-80(a)(8) for having demonstrated financial irresponsibility in the conduct of the licensee’s affairs. *See Pet’r’s Ex. 15.*

5. Additionally, the Commissioner found in the 2012 OFAD that Respondent had written multiple bonds in 2010 and 2012, which exceeded one-fourth of the value of his securities on deposit with the Commissioner, in violation of N.C. Gen. Stat. § 58-71-175, which demonstrated financial irresponsibility as contemplated by N.C. Gen. Stat. § 58-71-80(a)(8). The Commissioner went on to find that these violations of N.C. Gen. Stat. § 58-71-175 were grounds for revocation pursuant to N.C. Gen. Stat. § 58-71-80(a)(7), which states that the Commissioner may take administrative action against a licensee if they are found to have violated any provision of Article 71 of Chapter 58 of the North Carolina General Statutes (“Article 71”). *See Pet’r’s Ex. 15.*

6. Furthermore, the Commissioner found in the 2012 OFAD that Respondent had submitted late monthly reports on multiple occasions, which violated his obligations as a professional bail bondsman pursuant to N.C. Gen. Stat. § 58-71-165. *See Pet’r’s Ex. 15.* The Commissioner ruled that this violation of a provision of Article 71 was grounds for revocation pursuant to N.C. Gen. Stat. § 58-71-80(a)(7). *Id.*

7. Respondent filed a petition for judicial review appealing the 2012 OFAD. On December 19, 2013, following a hearing on December 10, 2013, an Order was issued by Wake County Superior Court which affirmed the 2012 OFAD. *See Pet’r’s Ex. 16.*

8. On November 15, 2022, Respondent submitted an application to the Commissioner for a surety bail bondsman license. On July 18, 2023, this application

was denied on the grounds that Respondent did not meet the legal qualifications for licensure. See Pet'r's Ex. 2.

9. On August 10, 2024, Respondent submitted a new application for a surety bail bondsman license ("2024 application"). See Pet'r's Exs. 3 and 4. The application was electronically submitted through the National Insurance Producer Registry and was initially reviewed for completeness by Pearson Vue. See Pet'r's Ex. 4.

10. On September 30, 2024, after reviewing the 2024 application, Pearson Vue sent a notice of deficiencies to Respondent requesting additional information and documentation in order to fully evaluate his application. See Pet'r's Ex. 5.

11. On October 29, 2024, Respondent replied to the notice of deficiencies via e-mail with a list of responses to the deficiency questions posed by Pearson Vue and attached additional documents relating to the questions and requests made by Pearson Vue. See Pet'r's Ex. 6. The additional documents uploaded by Respondent included a copy of the civil complaint from *Poindexter v. White*, along with documentation of Respondent's February 11, 2016, release and satisfaction from the judgment entered in that case. See Pet'r's Exs. 7-9.

12. On October 29, 2024, Pearson Vue forwarded the 2024 application and the supporting documentation to the Petitioner for the next step of application review. See Pet'r's Ex. 6.

13. April Taylor ("Ms. Taylor") is an Insurance Regulatory Analyst with BBRD, and her job duties include reviewing and evaluating applications for surety bail bondsman licenses. This includes determining whether an applicant meets the minimum qualifications for licensure pursuant to N.C. Gen. Stat. § 58-71-50(b).

14. Ms. Taylor was tasked with reviewing Respondent's 2024 application, along with his responses to the notice of deficiencies and additional documentation he submitted in support of the application.

15. On February 12, 2025, Respondent's 2024 application was denied on the grounds that he did not meet the qualifications for licensure pursuant to N.C. Gen. Stat. § 58-71-50(b). Petitioner provided notice of this denial in a letter signed by Ms. Taylor, which specifically cited prior violations of Article 71 and a prior disqualification from bail bond business in this state as the grounds for disqualification found under N.C. Gen. Stat. § 58-71-50(b)(6) and (7). See Pet'r's Ex. 17. Additionally, the letter stated that sufficient grounds exist for the denial under N.C. Gen. Stat. § 58-71-80(a)(1) and (14a). *Id.*

16. In support of the grounds for denial cited in the letter dated February 12, 2025, the Petitioner referenced the revocation of Respondent's prior surety and professional bail bondsman licenses in the 2012 OFAD, along with the violations of law noted in that 2012 OFAD. *See* Pet'r's Exs. 15 and 17.

17. A denial review was timely requested by Respondent. On March 31, 2025, the requested denial review was held with Respondent in attendance, as well as Ms. Taylor and Simone Singleton on behalf of the Petitioner. At the denial review, Respondent presented arguments for why his license should have been granted, rather than denied. Respondent was notified by the Petitioner that his denial would stand as the Petitioner believed he did not meet the qualifications for licensure.

18. On April 29, 2025, a denial stands letter, signed by Ms. Taylor, was sent to Respondent. *See* Pet'r's Ex. 18. Respondent timely submitted a written request for an administrative hearing, to which Ms. Taylor acknowledged receipt on May 7, 2025. *See* Pet'r's Exs. 19 and 20.

19. In response to Respondent's appeal, the Petitioner submitted a Petition for Administrative Hearing ("Petition") which led to the issuance of a Notice of Administrative Hearing ("Notice") on July 11, 2025. *See* Pet'r's Ex. 1.

20. The Notice and Petition 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 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 Exs. 1-3. The certified mail was delivered to Respondent on July 17, 2025. *See* Pet'r's Ex. 2.

21. On August 11, 2025, the undersigned issued an Order which continued this matter from the initially noticed hearing date of August 13, 2025, and rescheduled the hearing for October 8, 2025. The undersigned issued this Order upon request from Respondent who wished to procure counsel for this hearing.

22. On October 7, 2025, the undersigned issued a new Order which continued the hearing scheduled for October 8, 2025. Respondent requested this continuance on the grounds that he had been written out of work by his treating physician. The undersigned offered remote testimony accommodations for Respondent in order to attend the rescheduled hearing on October 21, 2025.

23. On October 20, 2025, the undersigned issued an Order which denied Respondent's request to dismiss the administrative hearing pursuant to Rule 41(a) of the North Carolina Rules of Civil Procedure and denied his alternative request to continue the hearing ("October 20th Order"). This Order was issued following a review of the merits and the undersigned finding the Respondent's reasoning for a

continuance to be insufficient. In this October 20th Order, the undersigned ordered the parties to exchange the exhibits and witnesses they wished to present at hearing by 8:30 a.m. on October 21, 2025. The Petitioner provided its exhibits and witness to Respondent prior to this deadline. Respondent failed to provide his exhibits and witnesses to the Petitioner prior to the expiration of this deadline.

24. On October 21, 2025, Ms. Taylor testified in person at the hearing on behalf of the Petitioner. In her role as an insurance regulatory analyst, Ms. Taylor regularly evaluates surety bail bondsman license applications to determine if the applicant is statutorily qualified for the license. Petitioner premised the denial of Respondent's application for a surety bail bondsman license on the grounds that he had previously been disqualified from the business of bail bonds and that he had previously been found to have violated sections of Article 71.

25. In support of its position, the Petitioner pointed to the 2012 OFAD where Respondent's previously held surety and professional bail bondsman licenses had been revoked by the Commissioner pursuant to N.C. Gen. Stat. § 58-71-80(a)(7) for having violated N.C. Gen. Stat. §§ 58-71-165 and 58-71-175 and pursuant to N.C. Gen. Stat. § 58-71-80(a)(8) for having demonstrated financial irresponsibility in the conduct of his affairs by having an unpaid judgment, at the time of the 2012 OFAD, in the case of *Poindexter v. White*, and for having written multiple bonds which exceeded one-fourth of the securities Respondent had deposited with the Commissioner. See Pet'r's Ex. 15.

26. The findings in the 2012 OFAD outweighed the supplementary documentation which Respondent had provided with his application, including the satisfaction of the judgment in *Poindexter v. White*, which did not occur until 2016.

27. On cross-examination, Ms. Taylor stated that an applicant must meet all of the enumerated qualifications listed in N.C. Gen. Stat. § 58-71-50(b) in order to obtain the sought-after license.

28. Respondent testified on his own behalf at the hearing. Respondent presented evidence which he alleged disputed the findings of *Poindexter v. White* and of the 2012 OFAD, which were not admitted as these matters had already been adjudicated, and on the grounds that these documents had not been submitted to the Petitioner in the manner dictated by the October 20th Order of the undersigned.

29. Respondent testified that he was a man of good character, that his prior violations of Article 71 had been typos or formatting issues, and that he had committed no moral turpitude.

30. Character and moral turpitude were not presented or cited as grounds for denial by the Petitioner.

31. The legal violations cited in the 2012 OFAD were for financial irresponsibility for failing to pay the judgment entered against him in *Poindexter v. White*, for late filing of monthly reports, and for having issued bonds in excess of statutory limits which is not consistent with 'typos' or 'minor formatting' errors. See Pet'r's Ex. 15.

CONCLUSIONS OF LAW

1. This matter is properly before the Commissioner. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Chapter 58 of the North Carolina General Statutes.

2. Respondent was properly served with the Notice of Administrative Hearing and Petition for Administrative Hearing pursuant to N.C. Gen. Stat. §§ 58-2-69(d) and (e) and Rule 4 of the North Carolina Rules of Civil Procedure.

3. Pursuant to N.C. Gen. Stat. § 58-71-50(b), an applicant *must* meet nine enumerated qualifications in order to obtain licensure as a bail bondsman or runner.

4. These mandatory qualifications include the requirement that an applicant have no current or prior violations of any provision of Article 71. See N.C. Gen. Stat. § 58-71-50(b)(6).

5. In the 2012 OFAD, Respondent was found to have violated N.C. Gen. Stat. §§ 58-71-165 and 58-71-175. The undersigned finds that the violations of N.C. Gen. Stat. §§ 58-71-165 and 58-71-175 were prior violations of provisions of Article 71, and therefore, Respondent does not qualify for licensure as a surety bail bondsman pursuant to N.C. Gen. Stat. § 58-71-50(b)(6).

6. Additionally, the mandatory qualifications of N.C. Gen. Stat. § 58-71-50(b) require an applicant to have not been disqualified under the laws of this state to engage in bail bond business. See N.C. Gen. Stat. § 58-71-50(b)(7).

7. In the 2012 OFAD, Respondent's bail bondsman licenses were revoked pursuant to N.C. Gen. Stat. § 58-71-80(a)(7) and (8). The undersigned finds that the revocation of Respondent's previously held surety and professional bail bondsman licenses were legal disqualifications from engaging in bail bond business, and therefore, Respondent does not qualify for licensure as a surety bail bondsman pursuant to N.C. Gen. Stat. § 58-71-50(b)(7).

8. Respondent's failure to meet the qualification of N.C. Gen. Stat. § 58-71-50(b)(6), by itself, is sufficient to support Respondent's disqualification for licensure as a surety bail bondsman.

9. Respondent's failure to meet the qualification of N.C. Gen. Stat. § 58-71-50(b)(7), by itself, is sufficient to support Respondent's disqualification for licensure as a surety bail bondsman.

10. Pursuant to N.C. Gen. Stat. § 58-71-85(b), the Commissioner may deny an application for license for any reason for which a license may be suspended or revoked or not renewed under G.S. 58-71-80(a).

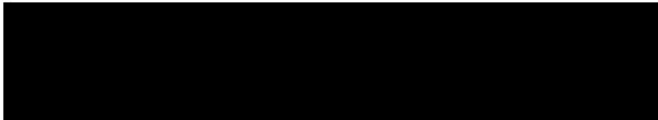
11. N.C. Gen. Stat. § 58-71-80(a)(14a) allows the Commissioner to deny, place on probation, suspend, or revoke the license of a licensee who has had a professional license revoked in this State or any other jurisdiction for reasons substantially similar to those in N.C. Gen. Stat. § 58-71-80(a). Per the 2012 OFAD, Respondent's bail bondsman license was revoked pursuant to N.C. Gen. Stat. § 58-71-80(a)(7) and (8) for Respondent's failure to timely file monthly reports in violation of N.C. Gen. Stat. § 58-71-165 and for Respondent having written multiple bonds which exceeded one-fourth of the securities Respondent had deposited with the Commissioner in violation of N.C. Gen. Stat. § 58-71-175. The undersigned finds this is also sufficient reason to support denial of Respondent's application for licensure as a surety bail bondsman.

BASED UPON the foregoing Findings of Fact and Conclusions of Law, the undersigned Hearing Officer enters the following:

ORDER

It is ORDERED that the Bail Bond Regulatory Division's denial of Respondent's 2024 application for a North Carolina surety bail bondsman license is UPHeld and that the application is DENIED.

This 9th day of February, 2026.


Shannon Wharry
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 1.0413 and N.C.G.S. § 1A-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 and requires service of the Petition on all parties. 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; and via first class U.S. Mail to the Respondent at the address the licensee provided to the Commissioner pursuant to N.C. Gen. Stat. § 58-2-69(b), (d) and (e); via courtesy e-mail to Respondent; and via State Courier to Attorney for Petitioner, addressed as follows:

MICHAEL J. WHITE
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Raleigh, NC 27610
Carolinasurety@gmail.com
(Respondent)

Certified Mail Tracking Number: 9589 0710 5270 1723 5217 94

Nicholas B. Sorensen
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(Attorney for Petitioner)

This the 9th day of February, 2026.


Raneema I. Moore
Clerk of Court for Administrative Hearings
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