STATE OF MISSOURI

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

P.O. Box 690, Jefferson City, Mo. 65102-0690

IN RE: MARCUS SMITH
PO Box 387
Charleston, MO 63834

Our File Number 08A001008

VOLUNTARY FORFEITURE

It is hereby agreed by Marcus Smith and the Consumer Affairs Division of the Department of Insurance, Financial Institutions and Professional Registration, as follows:

WHEREAS, Linda Bohrer, or her successor, is the duly appointed Acting Director of the Department of Insurance, Financial Institutions, and Professional Registration, State of Missouri (hereinafter, Director) whose duties, pursuant to Chapter 374, RSMo, include the supervision and regulation of the business of bail bonds;

WHEREAS, the Consumer Affairs Division of the Department of Insurance, Financial Institutions and Professional Registration is charged with investigating bail bond applications, bail bond agents and general bail bond agents in the bail bond business pursuant to Section 374.085, RSMo 2000 and Section 374.764 RSMo (Cum. Supp. 2007) and is authorized by the Director to recommend enforcement action under the laws relating to insurance;

WHEREAS, Marcus Smith is an applicant for a bail bond renewal license;

WHEREAS, information has been received by the Consumer Affairs Division

concerning Marcus Smith's violation: Section 374.755.1 (3) RSMo (Cum. Supp. 2007) - Use of fraud, deception, misrepresentation or bribery in securing any license by the failure to disclose a 1994 and 2000 misdemeanor court action and a 2002 probation violation, subjecting him to enforcement action by the Director;

WHEREAS, Marcus Smith has been informed of the nature of his violation, of his right to counsel and of his right to contest any attempt by the Department of Insurance, Financial Institutions, and Professional Registration to refuse to issue his bail bond license, or to recover whatever penalties or other monetary relief as may be provided for by statute, and states that he understands his rights to contest any such actions;

NOW, THEREFORE, in complete settlement of the investigation in File Number 08A001008, in lieu of the institution by the Department of Insurance, Financial Institutions, and Professional Registration of any action to deny the application of a bail bond license of Marcus Smith or to impose any other penalties provided for by statute for the above-described violations, after being afforded the opportunity to consult legal counsel, Marcus Smith, does hereby voluntarily and knowingly surrender and forfeit the sum of $ 300.00, such sum to be paid into the Missouri State School Fund pursuant to Sections 374.046 and 374.280, RSMo.

Marcus Smith shall submit this sum to the Department of Insurance, Financial Institutions and Professional Registration, by cashier's check or money order made payable to the Missouri State School Fund no later than January 30, 2009.

DATED: 01/13/09

Marcus Smith
Bail Bond Applicant

DATED: 1/21/09

Mary Kempker
Consumer Affairs Division Director

DATED: 1-23-09

Director, Department of Insurance, Financial Institutions and Professional Registration

Please submit this form along with payment to:

Missouri Department of Insurance
Attention: Les Hogue
P O Box 4001
Jefferson City, MO 65102-0690
(573) 526-3410

RECEIVED
JAN 15 2009
DEPT OF INSURANCE
FINANCIAL INSTITUTIONS &
PROFESSIONAL REGISTRATION