

State of Missouri

**DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND
PROFESSIONAL REGISTRATION**

IN RE:

RONNIE LEE MANSKER,

Applicant.

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Case No. 170531298C

ORDER REFUSING TO ISSUE
A BAIL BOND AGENT LICENSE

On July 11, 2017, the Consumer Affairs Division ("Division") submitted a Petition to the Director alleging that Ronnie Lee Mansker was disqualified from holding a bail bond agent license and alleging cause for refusing to issue a bail bond agent license to Ronnie Lee Mansker. After reviewing the Petition, the Investigative Report, and the entirety of the file, the Director issues the following findings of fact, conclusions of law, and order:

FINDINGS OF FACT

1. Ronnie Lee Mansker ("Mansker") is a Missouri resident with a residential address of record of 108 Langston, Willard, Missouri 65781 and a mailing address of record of P.O. Box 521, Willard, Missouri 65781.
2. Mansker was previously licensed by the Department of Insurance, Financial Institutions and Professional Registration ("Department") as a bail bond agent on August 7, 2003 (license number 0313877). Mansker did not renew his license and it expired on August 7, 2005.
3. On or about November 1, 2016, the Department received Mansker's completed Missouri Uniform Application for Bail Bond or Surety Recovery License ("Application").
4. Part V, the "Applicant Signature" section of the Application, states, in relevant part:

I hereby certify that, under penalty of perjury, all of the information submitted in this application and attachments is true and complete. I am aware that submitting false information or omitting pertinent or

material information in connection with this application is grounds for license revocation or denial of the license and may subject me to civil or criminal penalties.

5. Mansker signed the Application on October 22, 2016.
6. Part III, the Background Information section of the Application, Question B, asks:

Have you ever been adjudicated, convicted, pled or found guilty of any misdemeanor or felony or currently have pending misdemeanor or felony charges filed against you? Applicants are required to report all criminal cases whether or not a sentence has been imposed, a suspended imposition of sentence has been entered or the applicant has pled nolo contendere (no contest).
7. Question B in the Background Information section of the Application has “Yes” and “No” boxes to check as applicable. The language continues:

If YES, provide a full, written explanation on a separate sheet of paper including name and address of court, basis of charge, outcome, and whether you received an executive pardon. Also, attach certified court documents of the information or Indictment and the Final Adjudication.
8. Mansker answered “Yes” to Question B. Mansker disclosed some traffic tickets. He also disclosed two misdemeanor cases where he pled guilty to the Class A Misdemeanor of Passing Bad Checks, in violation of § 570.120.¹ *State v. Ronnie L. Mansker*, Camden Co. Assoc. Cir. Ct., Case No. 11CM-CR02061 and *State v. Ronnie L. Mansker*, Dallas Co. Cir. Ct., Case No. 14DA-CR00319. In each case, the court imposed a \$25.00 fine. *Id.*
9. Mansker also disclosed that he had been charged with stealing and peace disturbance, both misdemeanors, but that the case was pending. *State v. Ronnie Lee Mansker*, Greene Co. Cir. Ct., Case No. 1531-CR08454. On October 24, 2016, Mansker pled guilty to the Class A Misdemeanor of Stealing by Deceit, in violation of § 570.030, and the Class B Misdemeanor of Peace Disturbance, in violation of § 574.010. *Id.* On December 12, 2016, the court sentenced Mansker to 90 days in the Greene County Jail on each count to run concurrently, with execution of that sentence suspended and two years’ unsupervised probation. *Id.* Mansker was also ordered to pay restitution, which he had already paid by the

¹ All criminal statutory citations are to that version of RSMo in effect at the time of the commission of the crime.

time of sentencing. *Id.* The court also ordered Mansker not to have any contact with victims or witnesses and not to engage in any car towing activity. *Id.*

10. The Division's investigation revealed that Mansker failed to disclose on his Application the fact that he had pled guilty to a felony. On October 4, 2005, Mansker pled guilty to the Class D Felony of Nonsupport in Each of Six Individual Months Within Any Twelve-Month Period, Amount Owed is in Excess of \$5,000, in violation of § 568.040. *State v. Ronnie Lee Mansker*, Laclede Co. Cir. Ct., Case No. 26R030500139-01. Also on October 4, 2005, the court suspended imposition of sentence and placed Mansker on supervised probation for five years. *Id.*
11. It is inferable, and hereby found as fact, that Mansker failed to disclose his plea of guilty to the Class D Felony of Nonsupport in Each of Six Individual Months Within Any Twelve-Month Period, Amount Owed is in Excess of \$5,000, in the hopes that the Director would remain unaware of his felony guilty plea within the past fifteen (15) years and issue a license to him notwithstanding the fact that he is disqualified, by virtue of that plea, from holding a bail bond agent license.

CONCLUSIONS OF LAW

12. Section 374.715.1, RSMo Supp. 2013, provides as follows:

Applications for examination and licensure as a bail bond agent or general bail bond agent shall be in writing and on forms prescribed and furnished by the department, and shall contain such information as the department requires. Each application shall be accompanied by proof satisfactory to the department that the applicant is a citizen of the United States, is at least twenty-one years of age, has a high school diploma or general education development certificate (GED), is of good moral character, and meets the qualifications for surety on bail bonds as provided by supreme court rule. Each application shall be accompanied by the examination and application fee set by the department. Individuals currently employed as bail bond agents and general bail bond agents shall not be required to meet the education requirements needed for licensure pursuant to this section.

13. Section 374.750, RSMo 2000, provides as follows:

The department may refuse to issue or renew any license required pursuant to sections 374.700 to 374.775 for any one or any combination of causes stated in section 374.755. The department

shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his right to file a complaint with the administrative hearing commission as provided by chapter 621.

14. Section 374.755.1, RSMo Supp. 2013, provides, in part, as follows:

The department may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621 against any holder of any license required by sections 374.695 to 374.775 or any person who has failed to renew or has surrendered his or her license for any one or any combination of the following causes:

* * *

(2) Final adjudication or a plea of guilty or nolo contendere within the past fifteen years in a criminal prosecution under any state or federal law for a felony or a crime involving moral turpitude whether or not a sentence is imposed, prior to issuance of license date;

(3) Use of fraud, deception, misrepresentation or bribery in securing any license or in obtaining permission to take any examination required pursuant to sections 374.695 to 374.775;

* * *

(6) Violation of any provision of or any obligation imposed by the laws of this state, department of insurance, financial institutions and professional registration rules and regulations, or aiding or abetting other persons to violate such laws, orders, rules or regulations, or subpoenas[.]

15. Missouri Supreme Court Rule 33.17 provides, in part, as follows:

A person shall not be accepted as a surety on any bail bond unless the person:

* * *

(c) Has not, within the past 15 years, been found guilty of or pleaded guilty or nolo contendere to:

(1) Any felony of this state, any other state, or the United States; or

(2) Any other crime of this state, any other state, or the United States involving moral turpitude, whether or not a sentence was imposed[.]

16. "A plea of guilty voluntarily and understandingly made...admits all of the facts charged[.]" *Robinson v. State*, 491 S.W.2d 314, 315 (Mo. banc 1973).
17. By pleading guilty to the Class D Felony of Nonsupport in Each of Six Individual Months Within Any Twelve-Month Period, Amount Owed is in Excess of \$5,000, in violation of § 568.040, within the past fifteen (15) years (Mansker pled guilty in 2005), Mansker is disqualified for bail bond agent licensure because he fails to meet the qualifications for sureties as set forth in Missouri Supreme Court Rule 33.17(c)(1) and § 374.715.1, RSMo Supp. 2013. *State v. Ronnie Lee Mansker*, Laclede Co. Cir. Ct., Case No. 26R030500139-01. The Director has no discretion when a person does not meet the minimum qualifications of a bail bond agent, and therefore must refuse to issue Mansker a bail bond agent license.
18. By pleading guilty to the Class A Misdemeanor of Stealing by Deceit, a crime of moral turpitude, in violation of § 570.030, within the past fifteen (15) years (Mansker pled guilty in October 2016), Mansker is disqualified for bail bond agent licensure because he fails to meet the qualifications for sureties as set forth in Missouri Supreme Court Rule 33.17(c)(2) and § 374.715.1, RSMo Supp. 2013. *State v. Ronnie Lee Mansker*, Greene Co. Cir. Ct., Case No. 1531-CR08454. The Director has no discretion when a person does not meet the minimum qualifications of a bail bond agent, and therefore must refuse to issue Mansker a bail bond agent license.
19. The Director may refuse to issue a bail bond agent license to Mansker under § 374.755.1(2), RSMo Supp. 2013, because Mansker pled guilty within the past fifteen (15) years in a criminal prosecution under any state law for a felony, specifically, Mansker pled guilty in 2005 to Nonsupport in Each of Six Individual Months Within Any Twelve-Month Period, Amount Owed is in Excess of \$5,000. *State v. Ronnie Lee Mansker*, Laclede Co. Cir. Ct., Case No. 26R030500139-01.
20. The Director may refuse to issue a bail bond agent license to Mansker under § 374.755.1(2), RSMo Supp. 2013, because Mansker pled guilty within the past fifteen (15) years in a criminal prosecution under any state law for a crime involving moral turpitude, specifically Stealing by Deceit. Mansker pled guilty to this crime in October 2016. *State v. Ronnie L. Mansker*, Greene Co. Cir. Ct., Case

No. 1531-CR08454.

21. Each time Mansker pled guilty within the past fifteen (15) years in a criminal prosecution under any state law for a felony or crime of moral turpitude constitutes a separate and sufficient cause for the Director to refuse to issue Mansker a bail bond agent license under § 374.755.1(2), RSMo Supp. 2013.
22. The Director may refuse to issue a bail bond agent license to Mansker under § 374.755.1(3), RSMo Supp. 2013, because of Mansker's use of fraud, deception, misrepresentation or bribery in securing any license, in that Mansker failed to disclose on his Application the fact that on October 4, 2005, he pled guilty to the Class D Felony of Nonsupport in Each of Six Individual Months Within Any Twelve-Month Period, Amount Owed is in Excess of \$5,000, in violation of § 568.040. *State v. Ronnie Lee Mansker*, Laclede Co. Cir. Ct., Case No. 26R030500139-01.
23. The Director may refuse to issue a bail bond agent license to Mansker under § 374.755.1(6), RSMo Supp. 2013, because Mansker violated a law of this state, specifically § 568.040, felony Nonsupport. *State v. Ronnie Lee Mansker*, Laclede Co. Cir. Ct., Case No. 26R030500139-01.
24. The Director may refuse to issue a bail bond agent license to Mansker under § 374.755.1(6), RSMo Supp. 2013, because Mansker violated a law of this state, specifically § 570.030, misdemeanor Stealing by Deceit. *State v. Ronnie Lee Mansker*, Greene Co. Cir. Ct., Case No. 1531-CR08454.
25. The Director may refuse to issue a bail bond agent license to Mansker under § 374.755.1(6), RSMo Supp. 2013, because Mansker violated a law of this state, specifically, § 574.010, misdemeanor Peace Disturbance. *State v. Ronnie Lee Mansker*, Greene Co. Cir. Ct., Case No. 1531-CR08454.
26. The Director may refuse to issue a bail bond agent license to Mansker under § 374.755.1(6), RSMo Supp. 2013, because Mansker violated a law of this state twice, specifically, § 570.120, misdemeanor Passing Bad Checks. *State v. Ronnie L. Mansker*, Camden Co. Assoc. Cir. Ct., Case No. 11CM-CR02061 and *State v. Ronnie L. Mansker*, Dallas Co. Cir. Ct, Case No. 14DA-CR00319.
27. Each of Mansker's violations of a law of this state constitutes a separate and sufficient cause for the Director to refuse to issue Mansker a bail bond agent license under § 374.755.1(6), RSMo Supp. 2013.
28. Under Missouri Supreme Court Rule 33.17(c) and § 374.715.1, RSMo Supp.

2013, Mansker is disqualified for a bail bond agent license and, therefore, the Director has no discretion and must refuse to issue a bail bond agent license to Mansker.

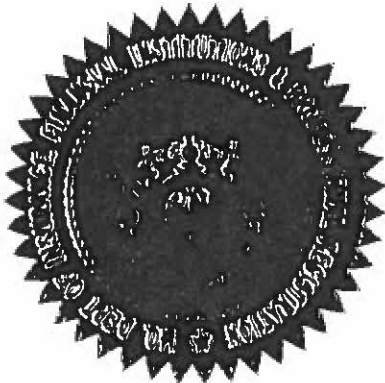
29. Moreover, the above described instances constitute cause for the Director to refuse to issue a bail bond agent license to Mansker. Issuing a bail bond agent license to Mansker would not be in the interest of the public.
30. The Director has considered Mansker's history and all of the circumstances surrounding Mansker's Application. Issuing a bail bond agent license to Mansker would not be in the interest of the public. The Director refuses to issue a bail bond agent license to Mansker because he is disqualified from holding a bail bond agent license. Further, the Director exercises her discretion to refuse to issue Mansker a bail bond agent license.
31. This Order is in the public interest.

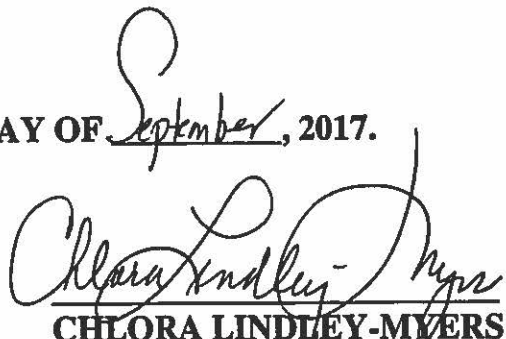
ORDER

IT IS THEREFORE ORDERED that the bail bond agent license Application of **Ronnie Lee Mansker** is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 21st **DAY OF** September, 2017.




CHLORA LINDLEY-MYERS
DIRECTOR

NOTICE

TO: Applicant and any unnamed persons aggrieved by this Order:

You may request a hearing in this matter. You may do so by filing a complaint with the Administrative Hearing Commission of Missouri, P.O. Box 1557, Jefferson City, Missouri, within 30 days after the mailing of this notice pursuant to Section 621.120, RSMo. Pursuant to 1 CSR 15-3.290, unless you send your complaint by registered or certified mail, it will not be considered filed until the Administrative Hearing Commission receives it.

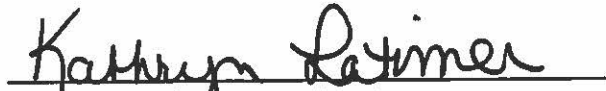
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CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of September, 2017, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by United Parcel Service, with signature required, at the following address:

Ronnie Lee Mansker
108 Langston
Willard, Missouri 65781

Tracking No. 1Z0R15W84291122014

A handwritten signature in black ink, reading "Kathryn Latimer", is written over a horizontal line.

Kathryn Latimer, Paralegal
Missouri Department of Insurance, Financial
Institutions and Professional Registration
301 West High Street, Room 530
Jefferson City, Missouri 65101
Telephone: 573.751.2619
Facsimile: 573.526.5492
Email: kathryn.latimer@insurance.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of September, 2017, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by USPS, certified mail, at the following address:

Ronnie Lee Mansker
108 Langston
Willard, Missouri 65781

Certified No. 7016 3010 0000 4563 0987

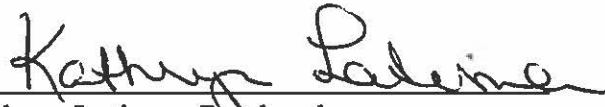
A handwritten signature in black ink, reading "Kathryn Latimer", is written over a horizontal line.

Kathryn Latimer, Paralegal
Missouri Department of Insurance, Financial
Institutions and Professional Registration
301 West High Street, Room 530
Jefferson City, Missouri 65101
Telephone: 573.751.2619
Facsimile: 573.526.5492
Email: kathryn.latimer@insurance.mo.gov

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of October, 2017, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by USPS, first class mail, at the following address:

Ronnie Lee Mansker
108 Langston
Willard, Missouri 65781

A handwritten signature in black ink, reading "Kathryn Latimer", written over a horizontal line.

Kathryn Latimer, Paralegal
Missouri Department of Insurance, Financial
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