

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 13225-AG15-0407-095

IN THE MATTER OF: )  
 )  
Alvino F. Jones, )  
Respondent. )  
 )  
9230 Evergreen Avenue )  
Indianapolis, IN 46240 )  
 )  
Type of Action: Enforcement )

**FILED**

APR 10 2015

STATE OF INDIANA  
DEPT. OF INSURANCE

**MOTION FOR EMERGENCY CEASE AND DESIST ORDER**

The Enforcement Division of the Indiana Department of Insurance (“Department”), pursuant to Ind. Code §4-21.5-4, files its petition for an emergency order against Respondent Alvino F. Jones (“Respondent”), and states:

1. Respondent is neither a licensed Indiana bail agent nor recovery agent and is not eligible to be licensed.
2. On July 29, 2014, the Department received a complaint from a licensed Indiana bail agent who stated that Respondent was attempting to solicit business as a recovery agent.
3. On August 8, 2014, the Department received a complaint from a recovery agent applicant and friend who stated that they had been approached by Respondent to assist him with fugitive recoveries.
4. On December 15, 2014, a citizen came to the Department and stated that he was shot in the foot while assisting Respondent with a fugitive recovery in Indianapolis, Indiana on November 15, 2014.

5. An investigation was begun by the Enforcement Division of the Department to determine the validity of the above complaints. Investigator Mike Herndon was assigned. Investigator Herndon was able to determine that Respondent had multiple prior felony convictions that would make him ineligible for a bail and/or recovery agent license.

6. Investigator Herndon relayed the information that he had gathered on Respondent to various local and state law enforcement officers.

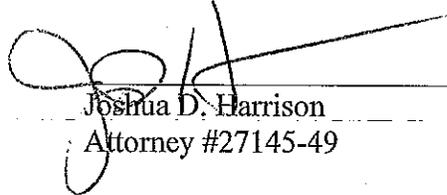
7. On March 6, 2015, Indiana State Police Detective, Roger Logsdon, notified Department investigator Mike Herndon that Respondent had just been arrested while attempting to apprehend a person wanted on a traffic warrant. Respondent was charged with Burglary While Armed with a Deadly Weapon, Unlawful Possession of a Firearm by a Serious Violent Felon, and Impersonation of a Public Servant. When initially confronted by arresting officers, Respondent identified himself as a licensed Indiana recovery agent.

8. Ind. Code § 27-10-3-1 states that a person may not act in the capacity of a bail agent or recovery agent or perform any duties described by those without a license.

9. Under Ind. Code §4-21.5-4-2(a)(1), the Commissioner may, in an emergency, issue orders without notice or an evidentiary proceeding. Upon issuance of an emergency order, Respondent may request a hearing as quickly as practicable under Ind. Code §4-21.5-4-4.

10. An emergency exists in that the Respondent continues to act as a bail and/or recovery agent and places the community at large in danger by such actions due to the allegations of prior use of force and possession of a firearm.

WHEREFORE, the Enforcement Division requests that the Commissioner issue an emergency cease and desist order against Respondent under Ind. Code §4-21.5-4-2, and for all other necessary and proper relief.

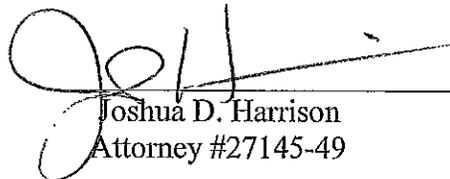
  
Joshua D. Harrison  
Attorney #27145-49

Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 4620

Certificate of Service

I certify that a copy of the foregoing has been serviced upon Respondent by certified United States First Class mail, postage prepaid, this 9<sup>th</sup> day of April, 2015.

Alvino F. Jones  
9230 Evergreen Avenue  
Indianapolis, IN 46240

  
Joshua D. Harrison  
Attorney #27145-49

Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204

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STATE OF INDIANA  
DEPT. OF INSURANCE

**EMERGENCY CEASE AND DESIST ORDER**

The Indiana Commissioner of Insurance, having reviewed the Enforcement Division's Motion for Emergency Cease and Desist Order, and being otherwise duly advised, now finds as follows:

**FINDINGS OF FACT**

1. Indiana Department of Insurance (the "Department") records show that Respondent has never been licensed as an Indiana Bail Agent or Indiana Recovery Agent.

2. On three separate occasions, the Department was contacted by individuals who indicated that Respondent was holding himself out as a bail and/or recovery agent and in some instances had seen him using the threat of deadly force to affect warrant recoveries.

3. An investigation was begun by the Enforcement Division of the Department to determine the validity of the above complaints. Investigator Mike Herndon was assigned. Investigator Herndon was able to determine that Respondent had

multiple prior violent felony convictions that would make him ineligible for a bail and/or recovery agent license.

4. On March 6, 2015, Indiana State Police Detective, Roger Logsdon, notified Investigator Herndon that Respondent had just been arrested while attempting to apprehend a person wanted on a traffic warrant. Respondent was charged with Burglary While Armed with a Deadly Weapon, Unlawful Possession of a Firearm by a Serious Violent Felon, and Impersonation of a Public Servant. When initially confronted by arresting officers, Respondent identified himself as a licensed Indiana recovery agent.

#### **CONCLUSIONS OF LAW**

1. The Commissioner has the authority to regulate bail agents, recovery agents, and surety companies via Ind. Code § 27-10-2-1.
2. Ind. Code § 27-10-3-1 states that a person may not act in the capacity of a bail agent or recovery agent or perform any duties described by those without a license.
3. The Commissioner may issue appropriate orders without notice or an evidentiary proceeding under Ind. Code §4-21.5-4-2(a) when an emergency exists.
4. Given the Respondent's continued actions in acting as a bail and/or recovery agent without a license and the danger that it poses to the community at large, an emergency exists.

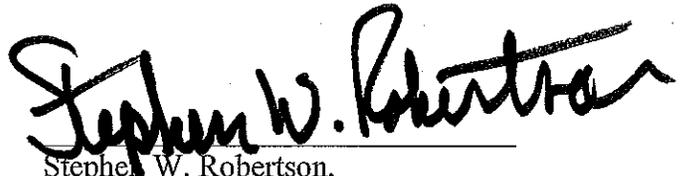
#### **ORDER**

It is therefore, ORDERED, that the Respondent, must CEASE AND DESIST from all activity as a licensed bail agent and recovery agent.

Pursuant to Ind. Code §4-21.5-4-2, this order remains effective for 90 days commencing on the date this order is issued.

Respondent is hereby notified of his right to a hearing concerning this order as quickly as practicable under Ind. Code §4-21.5-4-4.

ALL OF WHICH IS ORDERED this 10<sup>th</sup> day of April, 2015.



Stephen W. Robertson,  
Commissioner  
Indiana Department of Insurance

Distribution to:

Joshua D. Harrison  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204

Alvino F. Jones  
9230 Evergreen Avenue  
Indianapolis, IN 46240