

BEFORE THE DIVISION OF INSURANCE
DEPARTMENT OF LABOR AND REGULATION
STATE OF SOUTH DAKOTA

IN THE MATTER OF
JAMES FRYBARGER

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)

CONSENT ORDER

In resolution of the above matter and in lieu of a formal hearing, the undersigned parties do hereby agree to the following:

JAMES FRYBARGER, whose address of record is 3927 Sunset Drive, Rapid City, SD 57702, is an individual who was licensed as a bail bondsperson in the State of South Dakota from May 3, 2017 to May 1, 2024, after which his license lapsed;

JAMES FRYBARGER is aware that the South Dakota Division of Insurance (Division) has conducted an investigation regarding her insurance-related activities;

The Division alleges the following with regard to JAMES FRYBARGER:

- 1) During his period of active licensure, JAMES FRYBARGER failed to remit payment regarding various outstanding defaulted bonds owed in the 4th Circuit, Meade County, South Dakota, when required;
- 2) JAMES FRYBARGER was the subject of judicial orders in Meade County for failing to handle appearance bond forfeitures and for failing to appear before the Court;
- 3) JAMES FRYBARGER failed to timely respond to the Division's inquiries concerning the foregoing, in violation of SDCL 58-22-22 and 58-33-66;
- 4) Pursuant to SDCL 58-22-21(2), (6), (7), & (8), 58-22-54, 58-33-66, the Director of the Division may revoke JAMES FRYBARGER's bail bondsperson's license for any one of the above-cited reasons.

JAMES FRYBARGER is aware of and understands the nature of the charges and has been informed that he has the right to counsel, hearing, and appeal and that by agreeing to and signing this Consent Order, waives these rights;

In return for JAMES FRYBARGER agreeing to the provisions of this Consent Order, the Division agrees not to proceed to administrative hearing and agrees that this Consent Order will constitute the final disposition of this licensure matter pursuant to SDCL 1-26-20;

JAMES FRYBARGER agrees, in lieu of contesting this matter formally, to the revocation of his bail bondsperson's license pursuant to SDCL 58-22-21;

JAMES FRYBARGER further agrees that this Consent Order may be considered in any future licensing procedures with the South Dakota Division of Insurance and for the purpose of determining the appropriate sanction in any future actions with the Division for any violations of the laws or regulations of the State of South Dakota or for failing to abide by any order of the Director;

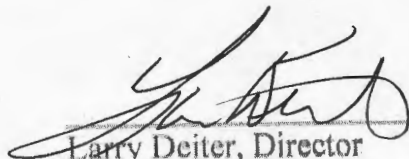
By the execution of this Consent Order, JAMES FRYBARGER waives his right to contest the allegations contained in this Consent Order in any future licensing proceedings;

Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that the bail bondperson license of JAMES FRYBARGER is hereby revoked; and it is further

ORDERED that the use of this Consent Order for competitive purposes by an insurance agent or third-party administrator holding a license in the State of South Dakota, or by any company holding a Certificate of Authority, or by anyone on their behalf, may be deemed unfair competition and be grounds for suspension or revocation of said license or authority; and it is further

ORDERED that the provisions of this Consent Order shall be effective from the date the Director signs this Order.

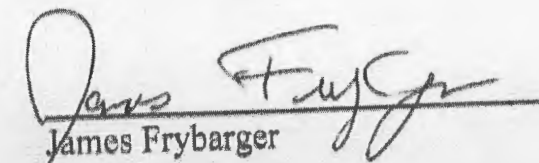
Dated at Pierre, South Dakota this 12th day of September, 2024.



Larry Deiter, Director
South Dakota Division of Insurance

I have read and understand the terms of this Consent Order and the waiver of my due process rights and voluntarily enter into this Consent Order.

Dated this 12th day of Sept, 2024.



James Frybarger