

Potter County Bail Bond Board Amarillo, Texas

MINUTES OF A SPECIAL PUBLIC MEETING APRIL 6, 2021

The Potter County Bail Bond Board will meet **TUESDAY APRIL 6, 2021 at 3:30 p.m. in the Commissioners Courtroom on the first floor of the Potter County Courthouse at 500 S. Fillmore.**

Board Members Present: Joshua Dixon, Leann Jennings, Judge Horn, Julie Smith, Sgt, Valeriano, Judge Weaver, Judge Cates, Judge Frausto, Stephnie Menke and Judge Tanner.

County Officials Present: Richard Gore, David Fulton, Kourtney Bass, Tad Fowler, Christy Drake, Jackson Latimer

Public Present: Chase Konnecke, Josh Nelson, Crystal Nelson, Christy Anderson, Billy Maples, Janie Montano and Wanda Hufnagle

MEETING CALLED TO ORDER AT 3:30 BY JULIE SMITH

Standing Business

- 1. Complaints:** Review and discuss a complaint submitted to the bail bond board from Manuel Escarcega concerning Bail Bonds by Judy lic. 0006

Tad Fowler made an opening statement to the board. The board then took testimony from Billy Maples and the board asked questions of Billy Maples. A discussion was had by the board and a motion was made to suspend the license of Bail Bonds By Judy 0006, pending further investigation. The motion was made by Sgt. Valeriano and seconded by Leann Jennings. The vote was unanimous with one abstention by Joshua Dixon.

A digital voice recording of the hearing was made and is in possession of the secretary of the board.

- 2. Public comments and agenda items**

THE MEETING WAS ADJOURNED AT 4:38PM

Next meeting April 21, 2021

This agenda notice is made in accordance with chapter 551, of the Texas Government Code. Supporting documentation for these agenda items is available for public inspection at the office of the Potter County District Clerk, or the Potter County Attorney during regular business hours. Joshua Dixon Secretary: Potter County Bail Bond Board.

Bargain Bail Bonds
206 SW 6th Ave
Amarillo, Texas 79101
806-379-2003

Julie Smith
Chair
Potter County Bail Bond Board

RE: Special Meeting

Mrs. Smith

I would request that Potter County Bail Bond board hold a special meeting to discuss a complaint that was submitted to the board. The complaint was made against Bail Bonds By Judy and has to deal with the return of collateral. I will put together the agenda for a special meeting on April 6, 2021 at 3:30pm.

Joshua Dixon

Joshua Dixon, Secretary
Potter County Bail Bond Board

Judy Maples
Bail Bonds by Judy
PO Box 9042
Amarillo, Texas 79105

March 30, 2021

RE: Complaint

Mrs. Maples, the Potter County Bail Bond Board has received a complaint against your company. A copy of the complaint is attached to this letter. The Potter County Bail Bond Board will meet on April 6, 2021, at 3:30 pm in the commissioner's courtroom to hold a meeting to discuss this complaint.

The complaint states that you failed to return collateral to a client. See the Texas Occupations Code sec. 1704.301

Also, the board will discuss a receipt violation. See Texas Occupations code sec. 1704.305 and the Potter County Bail Bond Board bylaws sec. 7.2.

Please make every effort to attend this meeting to answer any questions that the board may have.

Joshua Dixon

My name is Manuel Escarcega.

The day I got the bond with Bail Bonds by Judy, I paid 10% and no later than 5 minutes after I was out, Bail Bonds by Judy called me back saying I had to pay in full right then and there. After that, I returned to jail and I did not have the opportunity to get back during the time frame they needed me to pay the money in full. The second bond I got was from Chase Bail Bonds. Knowing my bond with Bail Bonds by Judy was cleared, we have been trying to get that money back.

January 1, 2021 was the first attempt at having contact with Billy to obtain that money back. To which Billy responded: "I do not have time, I have a very busy weekend, what I can do for you is accept a mailed letter requesting the collateral money back." Billy also sent us a P.O. Box address to mail out the letter. The same letter was returned to sender on March 21, 2021 because Billy never claimed it. Note: P.O. Box 9042 Amarillo TX 79105.

On March 26, 2021 I traveled to Texas from Arizona and I tried making an appointment with Billy to receive my check and a copy of the unclaimed letter. Upon my arrival, Billy told me he could not see me but that his assistant, Robin, would take care of it. Billy only asked me to drop off another letter for another review to see what his options were to help me.

The next response I received from him was that he's going to keep the money, because I still had some pending courts.

I was not sure if that was the right process to do so, so I decided to wait until March 25, 2021.

Billy called to let me know he was sorry and there had been a misunderstanding on his side.

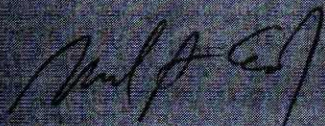
Therefore he would send me my check right away.

Billy asked me to sign a refund agreement before he can release my money to me.

Here I will attach every point of evidence I have regarding this matter.

Manuel Arturo Escarcega

480) 781-9663



State of Arizona

County of Maricopa

The foregoing instrument was acknowledged before

me this 21st day of March, 2021.

by Manuel Arturo Escarcega


NANCY RIVAS - NOTARY PUBLIC
Commission Expiration: July 31, 2022

 NANCY RIVAS
Notary Public - State of Arizona
MARICOPA COUNTY
Commission # 590097
Expires July 31, 2022

RECEIPT

No. 339665

DATE 2-5-20

FROM Manuel Escarcega \$2500⁰⁰
Two thousand five hundred ⁰⁰/₁₀₀ DOLLARS

☐ FOR RENT
☐ FOR Bunch Fee - Held till Court clear.

ACCT.	<input checked="" type="radio"/> CASH	FROM	TO
PAID	<input type="radio"/> CHECK	BY	
DUE	<input type="radio"/> MONEY ORDER		
	<input type="radio"/> CREDIT CARD		

A-1102
7-1101

< +18066787134



Add to contacts

Block number

Tuesday, January 5, 2021



Sorry I missed your call. I need Manual to submit a written refund request and the address information for the check to be mailed to. Once I receive the written request I'll review his account and process the refund for his bond.

Billy

Bail Bonds by Judy
PO Box 9042
Amarillo, TX 79105

7:38 PM

7:45 PM

Dont worry i will make sure he mail it tomorrow mornning.. thank you for respond. Happy New year.

Monday, February 1, 2021

6:09 PM

Hi just wondering if you send the check?

6:10 PM

This Ana Manuel Sisster i send you the Letter you request.. if y can confirm pls..



< +18066787134



Are you sure you sent it to the right one? Because I never received anything a notice or nothing.

7:52 PM

Yes im dont have the enlvelope herr rigth now, but tomorrow mirning i will sebd u the receipt with while address

8:07 PM



Thank you. Sorry about that.

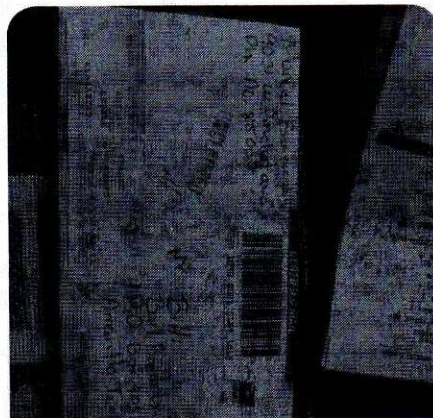
8:23 PM



This is my back up line, so I don't check it as offering. In the future, please use the main cell/check in line: 806-673-1917

8:24 PM

Friday, February 19, 2021



< +18066731917

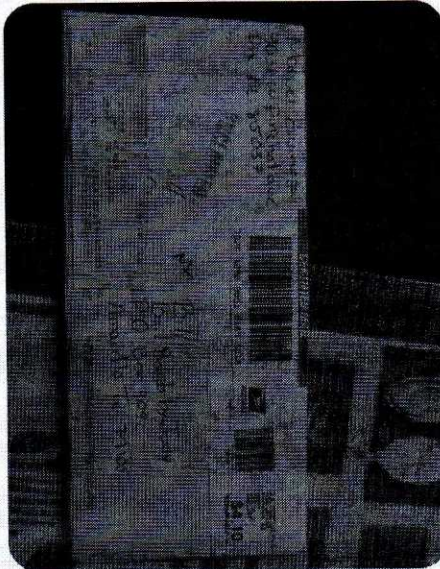


Add to contacts

Block number

Friday, February 19, 2021

Hi Billy here is the envelope, with the P.O you give me..



MMS 7:19 PM



Is this Manuel?

9:16 PM



Yes I received the photo. That is very odd, i never received notice for this letter. Please send it back again, and send me the expected



< +18066731917



Is this Manuel?

9:16 PM



Yes I received the photo. That is very odd, i never received notice for this letter. Please send it back again, and send me the expected arrival date once you know it, that way I can have my office assistant watch out for it. I hope you enjoy your evening. Billy

9:20 PM

Thursday, February 25, 2021

Hi sorry we was so bussy we are in Amarillo.. can i see u at office.. i have the Letterman with me.. or if u can leave the check there i can stop tomorrow and pick up

6:49 PM

Friday, February 26, 2021



Hello, if you can drop off the letter I will review the cases and process a payment if everything has cleared. ÇÇÇÇÇÇÇÇBilly - BBBJ

Hello, if you can drop off the letter I will review the cases and process a payment if everything has cleared. ÇÇÇÇÇÇÇÇBilly - BBBJ

< +18066731917



11:39 AM

Saturday, February 27, 2021



Hey Ana, did you talk with Manuel about those city charges.?

3:27 PM

Thursday, March 25, 2021



Billy: BBBJ

12:41 PM

9031 w Pinchot ave phx az
85037.
Thank u we will wait for the
check. If u can just send me a pic
of the cashier check pls before
you mail it out
Thank you again

12:44 PM



Ok, will do...I'm sorry for the
misunderstanding. ÇBilly - BBBJ

12:45 PM



Can I have your email address?
I'm going to send you/Manuel a
return of Collateral agreement. I
just need for him to sign off on
the agreement and email it back
to me. Billy

12:50 PM

12:52 PM

Analescarcega40@gmail.com

**B****Bail Bonds by Judy** Mar 25

Hello Ana, Attached is the Acknowledgment for the collateral refund of \$2,500. Will you

6

B**Bail Bonds by Jud...** 11:56 AM

to me ▾



Manuel & Ana, I just sent the cashier check of \$2,500.00 by certified mail on March 26, 2021, tracking number: 70191120000121151343

This resolves our collateral agreement. I'm truly sorry for the misunderstanding and if you have further questions or concerns, please call me.

U.S. Postal Service™	
CERTIFIED MAIL® RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at www.usps.com	
Phoenix, AZ 85007	
Certified Mail Fee	\$3.60
Extra Services & Fees (check box, add fee to postage)	\$2.85
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fee	\$7.00
Sent To	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

0209 07

STATION Phoenix, AZ 85007

03/26/2021

7019 1120 0001 2115 1343

Bail Bonds By Judy

To: Manuel A Escarsega, or Ana Escarsega (Sister of Manuel)

This letter is to inform you that the collateral of \$2,500.00 will be returned/refunded to you for the following reasons:

Our agreement has been concluded for the Potter County Bond: PCB-325-2020, Cause Number CCCR-20-288-2, a \$2,000.00 Bond.

City of Amarillo Bond: ACA-106-2020, a \$500.00 Bond is still pending and Manuel A Escarsega will still have to appear in court for this charge. I am returning the collateral for this bond, as well. Please make sure you pay attention to your mail and appear when the court requests it.

I will mail a cashier check to the listed address below:

Manuel A Escarsega 9031 W. Pinchot Ave. Phoenix, AZ 85037

Please sign and date:



Manuel A Escarsega

3/26/2021

Date



3/25/2021

Date

Billy Maples - Bail Bonds by Judy



PO Box 9042
Amarillo, TX 79105
806.376.3542
Fax 806.374.6641
BIB-1312@gmail.com

Potter County Bail Bond Board bylaws

7.2 Receipt for collateral.

A license holder shall have a receipt signed by the surety and the principal or principal's agent, stating the following;

- a. The name of the person for whom the bond is posted;
- b. The county and case number(s) the collateral covers;
- c. Whether the collateral is being held for appearance and/or payment of fee;
- d. When the collateral will be returned;
- e. A list (description) of the collateral; and
- f. How request may be made for return of the collateral.

Texas Occupations Code

Sec. 1704.102. ENFORCEMENT AUTHORITY. (a) A board shall:

- (1) enforce this chapter in the county;
- (2) conduct hearings and investigations and make determinations relating to license suspension and revocation;
- (3) suspend or revoke a license for a violation of this chapter or a rule adopted by the board under this chapter; and
- (4) require a record and transcription of each board proceeding.

(b) A board may:

- (1) compel the appearance before the board of an applicant or license holder; and
- (2) during a hearing conducted by the board, administer oaths, examine witnesses, and compel the production of pertinent records and testimony by a license holder or applicant.

Sec. 1704.252. DISCRETIONARY LICENSE SUSPENSION OR REVOCATION: GROUNDS. After notice and

hearing, a board may revoke or suspend a license if the license holder:

(1) violates this chapter or a rule adopted by the board under this chapter;

(2) fraudulently obtains a license under this chapter;

(3) makes a false statement or misrepresentation:

(A) in an application for an original or renewal license; or

(B) during a hearing conducted by the board;

(4) refuses to answer a question submitted by the board during a hearing relating to the license holder's license, conduct, or qualifications;

(5) is finally convicted under the laws of this state, another state, or the United States of an offense that:

(A) is a misdemeanor involving moral turpitude or a felony; and

(B) is committed after August 27, 1973;

(6) is found by a court to be bankrupt or is insolvent;

(7) is found by a court to be mentally incompetent;

(8) fails to pay a judgment in accordance with Section 1704.204;

(9) pays commissions or fees to or divides commissions or fees with, or offers to pay commissions or fees to or divide commissions or fees with, a person or business entity not licensed under this chapter;

(10) solicits bonding business in a building in which prisoners are processed or confined;

(11) recommends to a client the employment of a particular attorney or law firm in a criminal case;

(12) falsifies or fails to maintain a record required under this chapter;

(13) fails to promptly permit the board, or a representative or an agent of the board, of the county in which the license holder is licensed to inspect a record required under this chapter;

(14) acts as a bail bond surety under a suspended or expired license;

(15) fails two or more times to maintain the amount of security required by Section 1704.160; or

(16) misrepresents to an official or an employee of the official the amount for which the license holder may execute a bail bond for purposes of obtaining the release of a person on bond.

Sec. 1704.301. RETURN OF SECURITY. A bail bond surety may not hold security for the payment of a bail bond fee or to assure the principal's appearance in court for more than 30 days after the date on which the owner of the security:

(1) requests return of the security in writing; and

(2) submits to the bail bond surety written evidence of the conclusion of:

(A) the payment agreement; or

(B) all of the criminal cases for which the security was given.

Sec. 1704.305. BAIL BOND RECEIPT AND INSPECTION; OFFENSE. (a) A bail bond surety or an agent of a bail bond surety may not receive money or other consideration or thing of value from a person for whom the bail bond surety executes a bond unless the bail bond surety or agent issues a receipt to the person as provided by Subsection (b).

(b) The receipt must state:

(1) the name of the person who pays the money or transfers the consideration or thing of value;

(2) the amount of money paid or the estimated amount of value transferred;

(3) if the person transfers consideration or a thing of value, a brief description of the consideration or thing of value;

(4) the style and number of the case and the court in which the bond is executed; and

(5) the name of the person receiving the money, consideration, or thing of value.

(c) A bail bond surety or an agent of a bail bond surety shall retain a duplicate copy of a receipt issued under Subsection (a). The copy of the receipt shall be made available for inspection by:

(1) a representative of the board in any county in which the bail bond surety is licensed; and

(2) an appointed representative of a court in which the bail bond surety agrees to execute bail bonds.

(e) A person commits an offense if the person violates this section. An offense under this section is a Class B misdemeanor.

IN THE MATTER OF	*	BEFORE THE POTTER COUNTY
	*	
BAIL BONDS BY JUDY	*	BAIL BOND BOARD
	*	
LICENSE NUMBER 0006	*	IN AND FOR POTTER COUNTY, TEXAS

ORDER OF SUSPENSION

On April 6, 2021 at 3:30 p.m., the Potter County Bail Bond Board convened a public meeting to consider and act upon a sworn complaint filed by Manual A. Escarsega against Bail Bonds by Judy, License Number, 0006, on March 26, 2021. The following board members and officers were in attendance:

Julie Smith, Potter County Clerk, Board Chair
Hon. Nancy Tanner, Potter County Judge
Hon. Titiana Frausto, Judge 181st District Court
Hon. Walton Weaver, Judge, County Court at Law 1
Hon. Debbie Horn, Justice of the Peace, Precinct One
Hon. Jennifer Cates, Associate Judge, City of Amarillo Municipal Court
Stephnie Menke, Potter County District Clerk
Joshua Dixon, Secretary
Leann Jennings, Potter County Treasurer, Treasurer
Sergeant Oscar Valeriano, Potter County Sheriff's Office

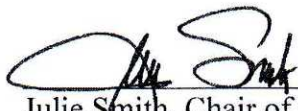
Upon reviewing the complaint and receiving testimony from Billy Maples d/b/a Bail Bonds by Judy, the Potter County Bail Bond Board voted unanimously, with one abstention by board member Josh Dixon, in the presence of Billy Maples d/b/a Bail Bonds by Judy, to suspend license number 0006,

IT IS THEREFORE ORDERED, that License Number 0006, Bail Bonds by Judy, be and is hereby suspended indefinitely pending further investigation, effective April 6, 2021 at 5:00 p.m. CDT.

Signed this 8th day of April, 2021.

POTTER COUNTY BAIL BOND BOARD

By:


Julie Smith, Chair of the Potter County Bail
Bond Board