

found in the five very specific requirements for commission of the crime of Forcible Sodomy, 22 O.S. § 888(B). As set forth in *Leftwich v. State*, 2015 OK CR 5, ¶15, 350 P.3d 149, 155, we will not, in order to justify prosecution of a person for an offense, enlarge a statute beyond the fair meaning of its language.

DECISION

The order of the District Court of Tulsa County granting the motion to dismiss is **AFFIRMED**. Pursuant to Rule 3.15, *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2016), the **MANDATE** is **ORDERED** issued upon the filing of this decision.

**AN APPEAL FROM THE DISTRICT COURT OF TULSA COUNTY
THE HONORABLE PATRICK PICKERILL,
ASSOCIATE DISTRICT JUDGE**

APPEARANCES AT TRIAL

BENJAMIN FU
KENNETH ELMORE
ASSISTANT DISTRICT ATTORNEYS
TULSA COUNTY DISTRICT
ATTORNEY'S OFFICE
500 S. DENVER AVE.
TULSA, OKLAHOMA 7103
COUNSEL FOR THE STATE

SHANNON M. MCMURRAY
ATTORNEY AT LAW
1811 S. BALTIMORE AVE.
TULSA, OKLAHOMA 74119
COUNSEL FOR DEFENDANT

APPEARANCES ON APPEAL

BENJAMIN FU
ASSISTANT DISTRICT ATTORNEY
TULSA COUNTY DISTRICT
ATTORNEY'S OFFICE
500 S. DENVER AVE.
TULSA, OKLAHOMA 7103
COUNSEL FOR THE STATE

SHANNON M. MCMURRAY
ATTORNEY AT LAW
1811 S. BALTIMORE AVE.
TULSA, OKLAHOMA 74119
COUNSEL FOR APPELLEE

OPINION BY: HUDSON, J.

SMITH, P.J.: CONCUR
LUMPKIN, V.P.J.: CONCUR
JOHNSON, J.: CONCUR
LEWIS, J.: CONCUR

RA