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Category



OKLAHOMA CRIMINAL DEFENSE WEEKLY

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[James L. Hankins,](#)
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(with special thanks to Mark Hoover, OIDS, for contributing regularly)

“I have lived my life, and I have fought my battles, not against the weak and the poor—anybody can do that—but against power, against injustice, against oppression, and I have asked no odds from them, and I never shall.”----Clarence S. Darrow, *Attorney for the Damned* 491, 497 (Arthur Weinberg ed. 1957).

OKLAHOMA

No new cases of note.

TENTH CIRCUIT

[United States v. Kyle Aguilar](#), No. 24-2146 (10th Cir., March 6, 2026) (Published) (Holmes, C.J., Ebel & Carson): **Double Jeopardy; Sufficiency:** Convictions for Sexual Assault in Indian Country are affirmed over claims related to: 1) multiplicity/Double Jeopardy (18 U.S.C. 1153 allows separate counts); and 2) sufficiency of the evidence.

[United States v. Julian Sandoval-Flores](#), No. 23-4019 (10th Cir., March 6, 2026) (Published) (Hartz, McHugh & Eid): **Federal Sentencing Guidelines (Crime of Violence)**: Successive 2255 petition is denied on the basis that the Petitioner failed to show by a preponderance of the evidence that the district court relied on the unconstitutional residual clause.

[United States v. Bruce Beckner](#), No. 24-2109 (10th Cir., February 17, 2026) (Published) (Hartz, McHugh & Eid): **Evidence (403/404); Federal Sentencing Guidelines (Leader/Organizer; Sophisticated Means)**: Convictions and sentences for Bank and Wire Fraud are affirmed over claims related to: 1) prejudicial evidence under 403/404 of a sham marriage; 2) leader/organizer sentence enhancement; 3) sophisticated means sentence enhancement.

UNITED STATES SUPREME COURT

“Only Supreme Court justices and schoolchildren are expected to and do take the entire summer off.” –*Chief Justice John Roberts (statement made while he served as a lawyer in the Reagan Administration)*.

No new cases.

OTHER CASES OF NOTE

[United States v. Arturo Mendoza](#), No. 24-20550 (5th Cir., March 18, 2026): **Supervised Release**: Three conditions of supervised release of location-monitoring, financial disclosure, and credit approval are all vacated.

[United States v. Ronald Damone Jenkins, Jr.](#), No. 24-4221 (4th Cir., March 10, 2026): **VICAR; Sufficiency (VICAR)**: Conviction for violent crime in aid of racketeering activity based on attempted murder and related firearms conviction is reversed based upon insufficient evidence.

[United States v. Bo Bryant Hostettler](#), No. 24-3403 (6th Cir., March 20, 2026): **Second Amendment**: Although the district court granted a motion to dismiss

indictment in a firearm case as applied to the accused, the panel vacated the judgment and remanded, noting that circuit precedent had changed regarding the legal standard governing challenges to firearms regulations.

VICTORIES

JASON EDGE, Tulsa, created a clever and resourceful legal argument that led to a dismissal of a DWI charge. Client was in a single vehicle accident, and the tow truck driver called the police. Breath test results showed DWI levels. However, 22 O.S. 196 allows warrantless arrest for DUI accident that the officer did not witness, but not a DWI accident not witnessed by the officer. Thus, the arrest was illegal, motion granted. Nice work, Jason!

HEARSAY

RUNNING: Alva attorney Drew Cunningham has announced his candidacy for Associate District Judge in Woods County, a position created by the retirement of Hon. Mickey J. Hadwiger.

RUNNING: Comanche County Special Judge Christine Galbraith has announced that she will run for the District Judge position created by the retirement of Hon. Emmitt Tayloe.

SIGNAL: Some bars in Tulsa are using the Signal app to communicate with police and with other bars to notify them of patrons who were kicked out, underage trying to enter, etc.

AI: A prosecutor in Georgia was apparently caught using AI in a proposed order to a judge, who then apparently copied that order which contained a string of non-existent case citations. She was questioned about it after an oral argument in an awkward exchange.

SUPPORT: The Rogers County Sheriff's Office has launched a support group to address mental healthy issues for deputies and their families.

NEW CHIEF: The City of Frederick has a new Chief of Police.

ARRESTED: A correctional officer at Jim E. Hamilton Correctional Center has been arrested for bring in contraband.

ARRESTED: A correctional officer at Lexington Correctional Center has been arrested for sexual assault against an inmate.

ARRESTED: A Tulsa police officer has been arrested for DUI after crashing his car.

ARRESTED: A Lawton police officer has been arrested for Domestic Abuse.

INMATE GAMES: Here is the official statement of DOC concerning the inaugural Inmate Games (or, as Mark suggested, the Offender Olympics or the Convict Competitions).

DOC: DOC will post to social media all arrests and incidents in, or near, DOC facilities, in the interests of transparency.

TRACKING: When a police officer suspended for misconduct moves between agencies in Oklahoma, the public cannot track them.

TOBACCO: Some tobacco products are now allowed at DOC facilities, sparking concerns about inmate health.

CAMERAS: A local cybersecurity professional as expressed concern that there is oversight of access to the 90+ streetlight-mounted cameras in and around OKC.

THREAT: A man from Carmichael, CA, has been charged in federal court with threatening an Oklahoma County family court judge.

SHARING: A former inmate has shared her story of redemption with students of Tulsa McLain High School.

DEATH PENALTY: Tulsa County ADA Erik Grayless explained a Bill of Particulars to local media.

TULSA COUNTY JAIL: The Frontier has five takeaways from its investigation into the Tulsa County Jail.

INDIAN COUNTRY: A case from Tulsa illustrates what happens when a Native American gets caught between two judicial systems.

NEW CHIEF: Andy Wimberley has been appointed Chief of Police for the City of Catoosa.

NEW CHIEF: Kevin Webster has been hired as the new Chief of Police for the City of Bristow.

JAIL: The City of Stillwater will begin sending its arrestees to the Payne County Jail beginning July 1, 2026.

JAIL: The Oklahoma County Budget Board has recommended dissolving the Oklahoma County Jail Trust.

SUCCESS: The ReMerge program has been a success.

WACKY CRIME

LAWTON: Multiple persons were shot at a Lawton bar named...Red Dirt Reloaded.

THE BATMAN: A Muskogee man who calls himself “Batman” has unfortunately threatened to execute publicly President Trump and other politicians...resulting in a guilty plea in federal court to making threats.

TULSA: Police in Tulsa pursued a man driving a stolen vehicle, the man stopped the vehicle, got out and ran...into a dog house.

OKC: An OKC police officer “surfed” on the hood of a bystander’s vehicle to catch a teen suspect.

OSU: The Walton County, FLA, Sheriff’s Office made a Facebook post poking fun at OSU students being evicted from a short-term rental property for disruptive behavior during Spring Break.

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SUBSCRIPTIONS AND SUBMISSIONS: No subscriptions are necessary. I will post the issues weekly to my web site: www.ocdw.com. Submissions of articles, war stories, letters, victory stories, comments or questions can be sent to Mr. Hankins via e-mail (jameshankins@ocdw.com) or you can contact him by phone at 405.753.4150, by fax at 405.445.4956, or by regular mail at James L. Hankins, MON ABRI BUSINESS CENTER, 2524 N. Broadway, Edmond, OK 73034.

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