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**OKLAHOMA CRIMINAL DEFENSE WEEKLY**

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[James L. Hankins,](#)  
Publisher

*(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**

[Ketchum v. State](#), 2026 OK CR 17 (June 11, 2026): **Experts; Sufficiency; IAC:** Ketchum was convicted by jury in Pittsburg County (the Hon. Timothy E. Mills, presiding) of Murder in the First Degree and Destruction of Evidence. The Court affirmed over claims related to: 1) admission of expert testimony regarding “expert cell site analysis” (the Court did not view such testimony as novel scientific evidence); 2) the expert testimony was not more prejudicial than probative; 3) sufficient evidence; and 4) several instances of IAC.

## TENTH CIRCUIT

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[United States v. Garrin Michael Thompson](#), No. 24-5052 (10<sup>th</sup> Cir., May 18, 2026) (Published) (Phillips, Murphy & Eid) (N.D. Okla.): **Transporting Minor; Indians:** Convictions related to sexual abuse of his daughter are affirmed over claims related to: 1) the count of Transportation of a Minor does not require that the “dominant purpose” be to engage in sexual activity (intent is what is required); 2) testimony from family members of the accused was sufficient to prove that the accused was a non-Indian (documentation is not required).

## UNITED STATES SUPREME COURT

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“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).*

[Abouammo v. United States](#), No. 25-5146 (U.S., June 11, 2026): **Venue:** On a charge of knowingly falsifying documents with intent to obstruct a federal investigation, venue lies in the district where the falsification occurred, not where the investigation occurred.

## OTHER CASES OF NOTE

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[United States v. Amanda Marie Tostado](#), No. 23-4423 (4<sup>th</sup> Cir., March 31, 2026): **Judgment and Sentence:** The district court did not recite a condition of supervised release, but rather provided a “helpful example” according to the dissent. The majority of vacated and remanded for resentencing, even though the incongruity between the oral pronouncement of sentence and the written judgment was de minimis. The majority reiterated that the oral pronouncement is the actual sentence over anything contrary in the written judgment. NOTE: Judge Rushing dissented.

[United States v. Guy Collins](#), No. 25-5395 (6<sup>th</sup> Cir., April 1, 2026): **Supervised Release:** The district court denied two motions for early termination of supervised release, but the panel held that it abused its discretion based on its “custom” of denying early termination until the defendant had completed 50% of the sentence.

[United States v. Mariel Watson](#), No. 24-4588 (4<sup>th</sup> Cir., June 8, 2026): **Supervised Release:** The district court sentenced Watson to 41 months in prison followed by 21 months of home detention. The panel vacated on the basis that home detention may be imposed only as an alternative to prison, which meant that the district court could not sentence to a combination of the two that exceeded the 48-month maximum.

## VICTORIES

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**NIK LEE**, OKC, continues his hot streak of PH demurrers, averaging about one every month this year. The most recent one involved an accusation of A&B on Police Officer where client had struck the officer during arrest. Client was accused of DUI/APC, but at PH Nik challenged the underlying arrest as illegal. The court agreed. Excellent work, Nik!

## HEARSAY

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**LAWSUIT:** Two lawsuits in federal court allege that a McDonald’s franchisee in Purcell hired a felon who had been incompetent to stand trial for murdering his foster mother and allowed the man to harass and touch underage female employees.

**LAWSUIT II:** The Oklahoma County Sheriff is suing the Oklahoma County Jail Trust in an attempt to resolve the inmate transportation issue.

**NCAA:** A.G. Drummond has asked the Big 12 Conference to sanction Texas Tech for allowing the quarterback of its football team to gamble on sports.

**DOC:** DOC broke ground on a new Skills Center at the John H. Lilley Correctional Center in Boley, OK.

**DISCOVERY:** Despite praise for discovery reform, OK Policy Org criticizes the Legislature because more could have been done.

**REMODEL**: The kitchen at the Osage County Jail will be remodeled.

**D.A.**: D.A. Kyle Cabelka (Comanche/Cotton Counties) explained to the press what a District Attorney really does.

**H-UNIT**: The Guardian has an article about H-Unit at OSP, with excerpts of letters from inmates Tremane Wood, Edward Sparks, and Joshua Dawkins, and also commentary from ACLU advocate and former Assistant Federal Public Defender Randy Bauman.

**ARRESTED**: A Broken Arrow Police Officer has been arrested and placed on administrative leave over a domestic altercation.

**SUED**: TV reality stars The Chrisleys have sued their former defense attorney on the grounds of IAC, thereby causing them to be imprisoned and separated from each other.

**PAROLE**: Verna Stafford has sought parole. Straight out of law school my first legal project and client was the Tenth Circuit brief for Roger Dale Stafford when I went to work for Stephen Jones. During that, I read the transcript of Verna Stafford and her sentencing, where Judge Owens said that she would worry about her soul because one of the hottest corners of Hell had her name on it.

**VISITS**: More than two-thirds of jails in Oklahoma prohibit in-person inmate visits by family and friends.

## WACKY CRIME

**JAIL**: A man tried to break *into*...the Oklahoma County Jail.

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## **OKLAHOMA CRIMINAL DEFENSE WEEKLY**

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