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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

[Jennifer Haddock v. State](#), 2025 OK CR 24 (November 13, 2025): **Self-Defense:** Haddock was accused in Oklahoma County of shooting her brother to death. She moved for immunity under the Stand Your Ground law, and the Hon. Susan Stallings denied the motion. In this opinion, the Court reversed, finding that although the district court had cited an Edmond municipal ordinance to find Haddock was a trespasser, the State had failed to properly introduce the ordinance into the record. NOTE: There is old precedent for the proposition that a district court cannot take judicial notice of a municipal ordinance. This seems odd to me, but note this legal rule for further use in your cases.

[Antony Dimitri Turner v. State](#), 2025 OK CR 23 (November 13, 2025): **PSI; IAC (Sentencing)**: Turner was convicted by jury in Comanche County (the Hon. Jay Walker, presiding) of Sexual Battery and Lewd Acts. The Court affirmed over claims related to: 1) failure to secure a proper waiver of a pre-sentence report (it was not mandatory in this case and no plain error); and 2) IAC (failure to request a PSR and to present evidence of good character at sentencing).

TENTH CIRCUIT

[United States v. James Anthony Sandoval](#), No. 24-2107 (10th Cir., September 30, 2025) (Published) (Matheson, Bacharach & McHugh): **Sufficiency; Jury Instructions (Definition of Income); Federal Sentencing Guidelines (Loss Calculations)**: In this theft of Government property and False Statements, the panel affirmed over claims related to: 1) sufficiency of the evidence; 2) failure of the trial court to provide a definition of the term income (waived); and 3) as to sentencing, whether a loss calculation include reasonably foreseeable payments to defendant's children and the defendant himself outside the charged period (yes, but harmless).

[United States v. Tom Tso](#), No. 24-2081 (10th Cir., September 30, 2025) (Published) (Tymkovich, Carson & Federico): **Statute of Limitations**: Tso moved to dismiss the indictment because the crime alleged (Sexual Abuse of a Minor) occurred more than 20 years ago. However, in this detailed opinion, the panel held that this was permissible under the statute.

[United States v. Michael Andre Campbell](#), No. 23-6186 (10th Cir., September 30, 2025) (Published) (Matheson, Kelly & Moritz) (W.D. Okla.): **Search and Seizure (Reasonable Suspicion; Frisk); Second Amendment; Federal Sentencing Guidelines (Crime of Violence)**: In this felon-in-possession of firearm case, the panel affirmed over claims related to: 1) denial of motion to suppress where reasonable suspicion had not dissipated at the time of a frisk; 2) the statute is constitutional; and 3) sentence under the ACCA act was error because armed robbery in Oklahoma may be committed with a reckless state of mind and therefore does not constitute a violent felony. NOTE: Judge Kelly dissented on the issue that Oklahoma law allows recklessness or negligence to commit armed robbery.

[United States v. Matthew Alan Stacy](#), No. 25-6029 (10th Cir., September 26, 2025) (Published) (Tymkovich, Phillips & Moritz) (W.D. Okla.): **Marijuana; Funding**:

Attorney Matthew Stacy sought to enjoin his prosecution for violation of the Controlled Substances Act on the basis that federal funds for his prosecution were forbidden by an appropriations rider. The panel disagreed.

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.

VICTORIES

AMANDA LILLEY, OIDS in Garfield County, secured Not Guilty verdicts on six counts for a client accused of Child Sexual Abuse. The complaining witness was a teen daughter that the jury apparently did not fully believe. Great work, Amanda!

ROBERT WILLIAMS & THOMAS REESE, FPD N.D. Okla., secured verdicts of Not Guilty for a client accused of Second Degree Murder and Child Neglect in Indian Country. The Government presented over 30 witnesses to convince the jury that the client was responsible for murdering an infant with blunt force trauma and failing to seek medical treatment. Reasonable doubt was raised because it was just as likely that the mother had caused the injuries. Great work, Robert & Thomas!

HEARSAY

RIP: Judge Luke Duel, Logan County, passed over the weekend after an illness. By all accounts, he was a good man and fair judge and former prosecutor.

REMINDER: OSCN has announced a free “text reminder” that notifies interested parties of upcoming district court events 48 hours in advance.

SWORN: A new Special Judge, the Hon. Austin Browning, as been sworn in Durant.

RUNNING: Tulsa County District Attorney Steve Kunzweiler has announced that he will run for a fourth term.

DNA: The OSBI has a portable device that can process DNA evidence in 90 minutes.

CONSULATE: Mexico has a mobile consulate that visits Tulsa about ten times per year.

JUVENILES: Two 12-year-olds and a 13-year-old went on a crime spree in Tulsa.

COCKFIGHTING: The Oklahoma Sheriff’s Association has called cockfighting a safety crisis and wants legislative action.

REST: The Colbert, OK, Chief of Police has emphasized the mental health of first-responders by requiring his officers to go through the “Warrior’s Rest” program.

APPOINTED: Gov. Stitt has appointed Russ Cochran as Special Prosecutor to prosecute Native Americans who hunt without a valid Oklahoma hunting license, which is in conflict with the announcement of Attorney General Drummond that he will not prosecute such cases.

CLEMENCY: Although State Representative J.J. Humphrey has applauded the decision of Gov. Stitt to grant clemency to Tremane Wood, he says the conviction was based on “judicial corruption.”

DOC: DOC exhibited professionalism in the unexplained medical event following the non-execution of Tremane Wood.

AWARD: Attorney General Drummond has named Grady County Deputy Kenton Blumenthal as the Oklahoma Officer of the Year for 2025.

CRASH: There was a crash on the Kay County courthouse grounds in Newkirk.

MENTAL HEALTH: The Department of Mental Health is purchasing the vacant SSM Health Hospital on SW 59th St. in OKC to replace Griffin Memorial in

Norman. Also, the Department has been slapped with a [**fine**](#) of more than \$900,000.00 for non-compliance with its consent decree.

[**CHARGE**](#): Beginning December 12, 2025, the Tulsa Fire Department will charge at-fault driver's insurance for the cost of cleaning up auto accidents.

[**SCAMS**](#): An investigative reporter has authored a book on scam drug rehab facilities, beginning with one located in Oklahoma.

[**ROUNDUP**](#): NonDoc has a weekly "Legal Roundup" of interesting legal news across the state.

[**DEATH PENALTY**](#): Oklahoma Voice noted that states are moving in different directions with death penalty policies. Also, [**HERE**](#) is a relatively short academic article on the death penalty from the University of Wisconsin's "Undergraduate Journal of Economics."

[**DELUSION**](#): Death Row inmate Ricky Malone thinks that the Trooper he killed is still alive.

[**MAP**](#): The Oklahoma Appleseed has an interactive map illustrating juvenile justice procedure in the state.

[**VISITATION**](#): DOC has launched a dedicated Visitation Unit which will modernize the process.

[**FIRED**](#): A 7-11 convenience store clerk in Tulsa has been fired for shooting a man trying to kill her.

[**CRASHES**](#): Oklahoma leads the nation in deadly ATV crashes.

[**EXECUTION**](#): Attorney General Drummond has sought a February 12, 2026, execution date for Kendrick Simpson.

WACKY CRIME

[**THE KING**](#): A judge in Joplin, MO, who wore an Elvis wig and played the music of The King while on the bench...has agreed to step down.

[**THIEF**](#): A thief broke into a store and stole \$16,000.00 worth of ...fishing reels.

[**COWETA**](#): A recently-disbarred Tulsa attorney has attempted a citizen's arrest at a school board meeting in Coweta.

BROKEN ARROW: A juvenile entered a convenience store in Broken Arrow to steal...two cases of Twisted Tea.

BIKE: A \$6,000.00 bicycle built for the River Bike Patrol Unit of the Tulsa Police Department was stolen, but recovered quickly.

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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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