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January 10, 2024

TO: Office of the Risk Management Administrator  
Office of Management and Enterprise Services  
PO Box 53364  
Oklahoma City, OK 73152  
SRM.Claims@omes.ok.gov  
Fax: 405-522-4442

RE: **NOTICE OF GOVERNMENTAL TORT CLAIM AGAINST THE STATE  
OF OKLAHOMA, THE CITY OF EDMOND, CITY OF OKLAHOMA  
CITY AND OKLAHOMA COUNTY FOR THE WRONGFUL  
CONVICTION AND INCARCERATION OF GLYNN SIMMONS**

To Whom It May Concern:

PLEASE TAKE NOTICE that Glynn Simmons, (hereinafter "Claimant"), by and through his undersigned attorney, hereby submits his claims for relief against the State of Oklahoma. Pursuant to the Governmental Tort Claims Act, 51 O.S. 2010 §§ 151, *et. seq.*, the Claimant hereby puts said governmental entity on notice of their tort claim regarding the following incident:

**Name, address and telephone number of the claimants:** Glynn Simmons, [REDACTED]  
[REDACTED] Oklahoma City OK [REDACTED], Ph: [REDACTED]

**Dates of Incidents:** Glynn Simmons was wrongfully convicted of murder at a jury trial in June of 1975. Mr. Simmons was exonerated and found actually innocent of the crime on December 19, 2023. The case is Oklahoma County Case No. CF-1975-551.

**Time of incident:** N/A – As this is a claim that began in early February 1975 when Mr. Simmons was arrested and concluded on December 19, 2023 when Mr. Simmons was found actually innocent, there is no particular time the wrongful conduct occurred as it was many instances over the course of nearly five (5) decades. If any governmental entity would like further information on this criteria, please contact below signed counsel.

**Place and circumstances of the claim:** This claim arises from a the wrongful conviction and incarceration of Glynn Simmons for a robbery/murder that occurred on December 30<sup>th</sup>, 1974 at a liquor store in Edmond Oklahoma. Glynn Simmons was not in the State of Oklahoma on that date, he was in Harvey Louisiana where he was born and raised. Glynn moved to Oklahoma a week or two after the murder/robbery in January of 1975. Glynn ended up being charged and convicted of that murder, despite not being in

Council Oak Center  
[REDACTED] Tulsa OK, [REDACTED]  
Ph, Text & Fax [REDACTED]  
E-mail [REDACTED]  
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the State when the murder occurred. The sole piece of evidence against Simmons was the identification of a customer that walked into the liquor store in the middle of the hold up, saw the perpetrators for a few seconds and was then shot in the back of the head. That person survived and ended up testifying in court that she picked Simmons and his co-defendant out of a line up. Simmons was convicted at the trial the witness testified at in 1975. About 20 years later Simmons hired a private investigator who requested the murders file from the City of Edmond. When the file was received by the private investigator and Simmons, it contained a police lineup report that was not turned over to Simmons at the time of the jury trial. That lineup report showed definitely that the eyewitness that testified she identified Simmons in a lineup never did identify Simmons, she identified two other people. This line up report that was not disclosed to Simmons at his jury trial, the lineup that was conducted and the totality of the case and trial against Simmons violated his rights.

***Identity of the state agency or agencies involved:*** State of Oklahoma, Oklahoma County, City of Edmond, City of Oklahoma City and Oklahoma County.

***Amount of compensation or other relief demanded:*** Maximum compensation allowed under the Oklahoma Governmental Tort Claims Act of \$175,000.

***Name, address and telephone number of any agent authorized to settle the claim:*** Joseph Norwood, counsel for Claimant, [REDACTED] Tulsa OK [REDACTED] Ph: [REDACTED]

***Any and all other information required to meet the reporting requirements of the Medicare Secondary Payer Mandatory Reporting Provisions in Section 111 of the Medicare, Medicaid and SCHIP Extension Act of 2007 (MMSEA) through the Centers for Medicare & Medicaid Services (CMS):*** Claimants' Social Security number, date of birth and any other information the State of Oklahoma needs for this are not disclosed herein for privacy and security protection purposes, but will be disclosed immediately upon request from an agent for the respective governmental agencies for purposes of this claim.

***Evidentiary support for claim:*** Accompanying this Notice is documentary support for Simmons claim, specifically: Second Amended Application For Post-Conviction Relief, Amended Order Dismissing Simmons Case With Prejudice And Finding Simmons Actually Innocent, Order Vacating Simmons Conviction, The Trial And Preliminary Hearing Transcript From Simmons Trial Litigation In 1975, And A Transcript Of The Evidentiary Hearing Held For Simmons Application For Post-Conviction Relief. Please contact my office any time for additional information.

Sincerely,

*Joseph Norwood*

Joseph Norwood

Counsel for Claimant Glynn Simmons