



**ORIGINAL**

**IN THE COURT ON THE JUDICIARY OF THE STATE OF OKLAHOMA**

**TRIAL DIVISION**

STATE OF OKLAHOMA, ex rel. )  
M. JOHN KANE IV, CHIEF JUSTICE )  
OF THE SUPREME COURT OF THE )  
STATE OF OKLAHOMA, )  
) )  
Petitioner, )  
) )  
v. )  
) )  
BRIAN LOVELL, )  
) )  
Respondent. )

**FILED**  
COURT OF THE JUDICIARY  
TRIAL DIVISION

JUN 27 2024

JOHN D. HADDEN  
CLERK

**No. CJTD-2024-1**

Received	
Date	6/27/24
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**PETITION**

The State of Oklahoma, on relation of M. John Kane IV, Chief Justice of the Supreme Court of the State of Oklahoma, alleges the following:

**I. Authority**

1. This Petition is filed pursuant to Oklahoma Constitution, Art. 7-A, §4(a) and Rule 9, 5 O.S.2011, Ch. 1, App. 7. The allegations are based on information forwarded to the Supreme Court by the Council on Judicial Complaints.

**II. Respondent's Judicial Office**

2. The Respondent, Brian Lovell, has served as an Associate District Judge in Garfield County in the Fourth Judicial District of Oklahoma since January 9, 2023, and has served as a Special District Judge in and for Garfield County from February 1, 2011 to January 9, 2023.

3. The Respondent has been exercising judicial power under the provisions of the Oklahoma Constitution and Statutes and been subject to the Code of Judicial Conduct at all times material to the allegations contained in this Petition.

### **III. Violations**

4. The Respondent, Judge Brian Lovell, as a duly elected and acting Associate District Judge, and appointed Special Judge, exercising judicial power under the provisions of the Constitution and Statutes of the State of Oklahoma, engaged in conduct prohibited by Art. 7-A, § 1(b) of the Oklahoma Constitution and 20 O.S.2021, §1404(C).

5. The grounds upon which removal from office is sought in this Petition include the following activities prohibited by Art. 7-A, § 1(b) of the Oklahoma Constitution:

- (1) Gross neglect of duty;
- (2) Corruption in office;
- (3) Commission while in office of any offense involving moral turpitude;
- (4) Gross partiality in office;
- (5) Oppression in office; and
- (6) Other grounds specified by the Legislature.

6. The other grounds specified by the Legislature in 20 O.S.2011, § 1404, and subsection C provide that violation by a judicial officer of the Code of Judicial Conduct may constitute grounds for the removal by the Court on the Judiciary of a judicial officer from office, with or without disqualification to hold a judicial office in the future.

7. The Council on Judicial Complaints found Respondent engaged in conduct in violation of Article 7A, Section 1(b) of the Oklahoma Constitution and in violation of statute 20 O.S.2021, § 1404(C) for violations of the Code of Judicial Conduct, 5 O.S.2011, Ch. 1, App. 4.

8. Respondent's conduct violated the following Canons and Rules of the Code of Judicial Conduct:

a. **CANON 1.** A judge shall uphold and promote the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety.

Rule 1.1 provides that a “judge shall comply with the law, including the Code of Judicial Conduct.”

Rule 1.2 provides that a “judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and avoid impropriety and the appearance of impropriety.”

Rule 1.3 provides that a “judge shall not abuse the prestige of judicial office to advance the personal or economic interests of the judge or others, or allow others to do so.”

b. **CANON 2.** A judge shall perform the duties of judicial office impartially, competently, and diligently.

Rule 2.2 provides, “A judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially.”

Rule 2.3 provides, “(A) A judge shall perform the duties of judicial office, including administrative duties, without bias or prejudice. (B) A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, or engage in harassment, including but not limited to bias, prejudice, or harassment based upon race, sex, gender, religion, national origin, ethnicity, disability, age, sexual orientation, marital status, socioeconomic status, or political affiliation, and shall not permit court staff, court officials, or others subject to the judge's direction and control to do so.”

Rule 2.6 provides, “(A) A judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law. (B) A judge may encourage parties to a proceeding and their lawyers to settle matters in dispute but shall not act in a manner that coerces any party into settlement.

Rule 2.9 provides, “(A) A judge shall not initiate, permit, or consider ex parte communications, or consider other communications made to the judge outside the presence of the parties or their lawyers, concerning a pending or impending matter, except as follows: (1) When circumstances require it, ex parte communication for scheduling, administrative, or emergency purposes, which does not address substantive matters, is permitted, provided: (a) the judge reasonably believes that no party will gain a procedural, substantive, or tactical advantage as a result of the ex parte communication; and (b) the judge makes provision promptly to notify all other parties of the substance of the ex parte communication, and gives the parties an opportunity to respond. (2) A judge may obtain the written advice

of a disinterested expert on the law applicable to a proceeding before the judge, if the judge gives advance notice to the parties of the person to be consulted and the subject matter of the advice to be solicited, and affords the parties a reasonable opportunity to object and respond to the notice and to the advice received. (3) A judge may consult with court staff and court officials whose functions are to aid the judge in carrying out the judge's adjudicative responsibilities, or with other judges, provided the judge makes reasonable efforts to avoid receiving factual information that is not part of the record, and does not abrogate the responsibility personally to decide the matter. (4) With the consent of all parties, the judge and court personnel may have ex parte communication with those involved in a specialized court team. Any party may expressly waive the right to receive that information. (5) A judge may, with the consent of the parties, confer separately with the parties and their lawyers in an effort to settle matters pending before the judge. (6) A judge may initiate, permit, or consider any ex parte communication when expressly authorized by law to do so. (B) If a judge inadvertently receives an unauthorized ex parte communication bearing upon the substance of a matter, the judge shall make provision promptly to notify the parties of the substance of the communication and provide the parties with an opportunity to respond. (C) A judge shall not investigate facts in a matter independently, and shall consider only the evidence presented and any facts that may properly be judicially noticed. While a judge shall not independently investigate facts in a case, and shall consider only the evidence presented, a judge may seek information of a general nature that does not bear on a disputed evidentiary fact or influence the judge's opinion of the substantive merits a specific case. (D) A judge shall make reasonable efforts, including providing appropriate supervision, to ensure that this Rule is not violated by court staff, court officials, and others subject to the judge's direction and control."

Rule 2.10 provides, "(A) A judge shall not make any public statement that might reasonably be expected to affect the outcome or impair the fairness of a matter pending or impending in any court, or make any nonpublic statement that might substantially interfere with a fair trial or hearing. (B) A judge shall not, in connection with cases, controversies, or issues that are likely to come before the court, make pledges, promises, or commitments that are inconsistent with the impartial performance of the adjudicative duties of judicial office. (C) A judge shall require court staff, court officials, and others subject to the judge's direction and control to refrain from making statements that the judge would be prohibited from making by paragraphs (A) and (B). (D) Notwithstanding the restrictions in paragraph (A), a judge may make public statements in the course of official duties, may explain court procedures, and may comment on any proceeding in which the judge is a litigant in a personal capacity. (E) Subject to the requirements of paragraph (A), a judge may respond directly or through a third party to allegations in the media or elsewhere concerning the judge's conduct in a matter."

Rule 2.16(A) provides, "A judge shall cooperate and be candid and honest with judicial and lawyer disciplinary agencies. (B) A judge shall not retaliate, directly or indirectly, against a person known or suspected to have assisted or cooperated with an investigation of a judge or a lawyer."

c. **CANON 3.** A judge shall conduct the judge's personal and extrajudicial activities to minimize the risk of conflict with the obligations of judicial office.

Rule 3.1 provides, "A judge may engage in extrajudicial activities, except as prohibited by law or this Code. However, when engaging in extrajudicial activities, a judge shall not: (A) participate in activities that will interfere with the proper performance of the judge's judicial duties; (B) participate in activities that will lead to frequent disqualification of the judge; (C) participate in activities that would appear to a reasonable person to undermine the judge's independence, integrity, or impartiality; (D) engage in conduct that would appear to a reasonable person to be coercive; or (E) make use of court premises, staff, stationery, equipment, or other resources, except for incidental use for activities that concern the law, the legal system, or the administration of justice, or unless such additional use is permitted by law." This Rule is also subject to the exceptions provided for in Rule 4.1A(10) and 4.1C.COMMENT.

#### IV. Procedural Background

9. The Procedural History and Summary in the Report from the Council on Judicial Complaints references allegations of criminal activity against the Respondent in Travis County, Texas and Bison, Oklahoma.

10. The Council on Judicial Complaint's states that its investigation of the alleged criminal matters remains open, but that a final disposition as to impropriety of the actions giving rise to the criminal charges and the investigation of said matters is stayed pending resolution of the respective criminal proceedings.

11. Given the Council's stay of the continuing investigation regarding alleged criminal activity, and to avoid jeopardizing the integrity of the criminal proceedings or of this proceeding, this Petition is not based on any of the alleged criminal activities.

12. The Respondent's conduct giving rise to the charges in this Petition, based on the report from the Council on Judicial Complaints, includes engaging in ex parte communications with attorneys appearing before him, making disparaging remarks about attorneys appearing before him, publicly evidencing a bias for a particular attorney, and setting the amount of bond on criminal charges based on bias for the defendant's attorney or the defendant. The Respondent's conduct also includes exchanging sexually graphic messages and images with court staff during courthouse hours and engaging in sexual intercourse with court staff inside the courthouse during courthouse hours. The Respondent's conduct additionally includes sealing a court file with no justification, attempting to persuade an attorney to give false testimony to the Council on Judicial Complaints, and failure to cooperate and be candid and honest with the judicial disciplinary agency. Respondent has demonstrated a lack of respect for the judicial office with which he is entrusted, and an ongoing pattern of misconduct and dishonesty.

13. The pattern of conduct demonstrates Respondent's gross neglect of duty, gross partiality, corruption in office, commission of offenses involving moral turpitude while in office, and oppression in office, all in violation of Art. 7-A, § 1(b) of the Oklahoma Constitution. The conduct further demonstrates Respondent's lack of temperament to serve as a judge, undermining public confidence in the independence, integrity, impartiality and competence of the judiciary in violation of Art. 7-A, § 1(b) of the Oklahoma Constitution and Canons 1 and 2, along with the implementing Rules of the Code of Judicial Conduct.

14. The Respondent's actions are more fully set forth in the following specific allegations based on the Report from the Council on Judicial Complaints.

**V. Manifestations of Bias, Ex Parte Communications, Oppression, Corruption**

Violations of Art. 7-A, § 1(b) of the Oklahoma Constitution, Canons 1 and 2, and Rules 1.1, 1.2, 2.2, 2.6 and 2.9 of the Code of Judicial Conduct

**A. *State of Oklahoma v. Byron Russell Orin Brinson, CF-2022-32 (Garfield Co.)***

15. On four separate occasions, December 21, 2016, July 28, 2018, August 4, 2019, and January 28, 2022, attorney David Henneke exchanged text messages with the Respondent asking that a bond be set for his clients who were subject to warrantless arrest but were unable to post a bond before the initial arraignment days later because the crimes for which they were arrested were not listed on the county bond schedule.

16. In one instance, the Respondent could not grant an Own Recognizance (O.R.) Bond because the defendant was being held on a municipal charge, not a state charge.

17. In two instances, the Respondent granted an O.R. Bond.

18. In the fourth instance, on January 28, 2022, the text messages included substantive information about the arrest.

19. Neither attorneys for the State nor law enforcement were included in any of the text messages or otherwise notified of the communications and given an opportunity to respond.

20. On Friday, January 28, 2022, David Henneke sent two text messages to the Respondent requesting that a bond be set for his client before 5 p.m. that day, detailing

his client's assets and offering a gratuitous comment that his client was pulled over for having a taillight out, but he thought it was a "set up deal."

21. The Respondent responded by stating he set a \$2,500 bond because he knows the defendant to typically show up to court.

22. Following this exchange, the Respondent was the assigned judge in *State of Oklahoma v. Byron Russell Orin Brinson*, CF-2022-32, and presided over three status conferences before the defendant waived a preliminary hearing and the case was set for District Court Arraignment before a District Judge.

***B. Chad Crowl v. Holly Ashby, FP-2017-16 (Garfield Co.)***

23. On August 17, 2022, the Respondent presided over a bench trial in *Chad Crowl v. Holly Ashby*, FP-2017-16 (Garfield Co.). Attorney Paul Streck represented plaintiff, attorney Eric Edwards represented respondent, and attorney David Henneke appeared as the guardian ad litem.

24. The Respondent's court minute details David Henneke's decision to not cross two of the witnesses as a "BRILLIANT NO CROSS BY GAL," and "ANOTHER BRILLIANT NO CROSS BY GAL." When David Henneke does cross examine a witness it is described in the court minute as "VERY EXTENSIVE." Although the court minute otherwise details cross examination by other attorneys, it states no such adjectives, positive or negative. It simply states, "CROSS BY MOM."

25. Later that evening following the hearing, the Respondent and attorney David Henneke exchanged text messages disparaging attorney Eric Edwards and indicating it would be acceptable for David Henneke to submit a future guardian ad litem report unfavorable to Eric Edwards' client at the next opportunity out of spite.



26. The parties re-appeared on October 31, 2022, for a third day of trial. When David Henneke posed questions of a witness, the Respondent stated in his court minute there were "EXCELLENT QUESTIONS BY GAL," but offers no such adjectives for any other examinations.

27. On September 22, 2022, secretary/bailiff Cynthia "Cindy" Tubbs sent an email to several judges asking if they could cover a docket for Judge Lafferty in Blaine Co. on seven (7) separate dates.

28. The Respondent responded to the e-mail by evincing a bias towards Eric Edwards.

29. Eric Edwards appeared in front of the Respondent numerous times following these comments evidencing a bias against him.

**C. *State of Oklahoma v. Michael Wayne Srader*, CF-2022-391 (Garfield Co.)**

30. On October 6, 2022, an Affidavit of Probable Cause and Arrest Warrant were presented to the Respondent in *State of Oklahoma v. Michael Wayne Srader*. Michael Wayne Srader was a client of David Henneke with other charges pending before the Respondent. One of the other pending charges was for malicious injury to property.

31. The Respondent sent a text message to David Henneke stating that defendant Srader's bond was lower than the State's request because Henneke was in the case. Respondent also referred to defendant Srader in a disparaging way.

32. Following this exchange, the Respondent was the assigned judge in two cases filed by the state against Michael Srader: *State of Oklahoma v. Michael Wayne Srader*, CF-2022-391 and CF-2022-347 (Garfield Co.). Respondent presided over four

status conferences in these matters without disclosing to the parties he had disparaged defendant Srader or that he had set the defendant's bond based on who his attorney was.

***D. Kathlene Siebert v. Allen Williams, PO-2023-107 (Garfield Co.)***

33. On June 5, 2023, Kathlene Siebert sought a protective order against her nephew, Travis Williams, due to a verbal altercation and threats that occurred at the Ladusau-Evans Funeral Home and Crematory. The conduct occurred following the passing of Allen Williams, who was the Petitioner Kathlene Siebert's brother and the Defendant Travis Williams' father.

34. The Respondent entered an Emergency Order of Protection in favor of Kathlene Siebert that same day, June 5, 2023, ordering Travis Williams to leave and remain away from Siebert's home address.

35. Attorney David Henneke did not represent either party in PO-2023-107.

36. David Henneke represented the Ladusau-Evans Funeral Home and its Director, Joe Highberger, and would soon represent the defendant, Travis Williams, but not the in the protective order case.

37. Henneke would instead represent Travis Williams in the probate case of Allen Williams, Travis Williams' deceased father.

38. David Henneke never entered an Entry of Appearance on behalf of Travis Williams in PO-2023-107.

39. Despite never entering an appearance in the protective order case, on June 6, 2023, David Henneke communicated with the Respondent about the Emergency Order of Protection on behalf of both of his clients, the defendant/son and the funeral home/director, asking him to amend the Order in several respects beneficial to them.

40. On June 6, 2023, at 10:48 a.m., David Henneke sent via text message a picture of the face of the emergency protective order to the Respondent to show him the case number. The Respondent replied that he would draft an order for Henneke to review.

41. Upon receipt of the order, David Henneke approved the order.

42. On June 6, 2023, the Respondent entered an *Order Clarifying Emergency Protective Order and Ordering Preservation of Property*.

43. The Order clarified that the Defendant Travis Williams could attend the funeral but the funeral home director had the sole authority to conduct the funeral service and determine who could attend. Additionally, the Order stated that "It has further been brought to this Court's attention that certain personal property of the decedent, Allen Williams, has been or is anticipated to be removed from decedent's residence." And "[t]his Court hereby enters a Temporary Order restraining and prohibiting any person from removing, concealing, disposing of, or otherwise secreting any personal property of the decedent, Allen Williams, which property is now under the exclusive jurisdiction of the Garfield County Probate Court."

44. Neither the Petitioner nor the Defendant in PO-2023-107 resided at Allen Williams' residence, which the judge was now issuing orders about in the protective order case, nor was that residence or personal property germane to the alleged victim's *safety* in the protective order case.

45. Originally, on June 5, 2023, the EPO was entered against the defendant David Henneke's client in another case, but once David Henneke contacted the Respondent, the terms of the Emergency Protective Order were favorable to his clients

in unrelated matters: the funeral home director could determine who could attend the funeral and the son in an unrelated probate case can keep family members from secreting items at his father's home which was not at issue in the protective order case.

46. The Respondent also sought David Henneke's ex parte personal approval of the Order Clarifying Emergency Protective Order in a case in which Henneke did not represent any parties.

47. Simultaneously, on June 6, 2023, David Henneke filed a Petition for Letters of Administration and Determination of Heirs on behalf of his client, Travis Williams, the defendant in *Kathlene Siebert v. Travis Williams*, PO-2023-107 (Garfield Co.).

48. Based on the language of the *Order Clarifying Emergency Protective Order*, it appears David Henneke not only had an ex parte conversation with the Respondent about PO-2023-107, trying to get him to change the terms of the EPO to be more beneficial to his clients, but also about *In the Matter of the Estate of Allen U. Williams*, PB-2023-80, in which he represented Travis Williams.

49. The Petitioner in PO-2023-107 was not given notice and an opportunity to respond to the ex parte information being presented to the Respondent which gave rise to the Order Clarifying Emergency Protective Order.

50. The Respondent had no authority to enter an Order in PO-2023-107 relative to the decedent's property.

51. The Respondent had no authority to enter an Order in PO-2023-107 granting the funeral home or its director, a person not a party to the protective order, any rights beyond what it already maintains as a private business.

52. Because of David Henneke's ex parte communications with the Respondent, a defendant in a protective order was granted rights enforceable against "any person" to protect property in a probate case.

53. Furthermore, the Order was made to ensure that the defendant, David Henneke's client in an unrelated case, could attend the funeral to his own satisfaction without interference from the protective order petitioner.

***E. Charles Burnett v. Jennie Burnett, FD-2015-96 (Garfield Co.)***

54. On August 2, 2023, attorney David Henneke appeared before the Respondent in *Charles Burnett v. Jennie Burnett*, FD-2015-96 (Garfield Co.) as the attorney for the father/petitioner.

55. David Henneke thereafter sent the Respondent a text message calling the witness and her counsel liars.

56. The Respondent agreed that the opposing party and her attorney were both liars.

***F. State of Oklahoma v. Robert R. Faulk, CF-2019-200 (Garfield Co.)***

57. On Sunday, May 12, 2019, at approximately 2:20 a.m., Attorney Robert Faulk was arrested by the Enid Police Department for Domestic Assault and Battery by Strangulation.

58. Oklahoma Law requires that a person arrested for domestic violence may not be released from custody without making a *personal appearance* before the court which shall consider very specific factors before setting a bond.

59. Between 2:20 a.m. and 8:00 a.m. on that same day, Sunday, May 12, 2019, it appears the Respondent was contacted by someone seeking to have the defendant

released on bond. The Respondent verbally granted an own O.R. bond to the Defendant Faulk and he was released at approximately 8:00 a.m.

60. The Respondent did not consult with the District Attorney's Office or law enforcement before granting the Defendant an O.R. Bond.

61. The Defendant's untimely release caused the elected District Attorney to file a Motion to Revoke Own Recognizance Bond through which the State also alleged the Respondent engaged in an ex parte communication, violated the victim's constitutional rights, and ignored the state law requirements relative to bonds for persons accused of domestic violence.

#### **VI. Moral Turpitude, Integrity, Improper Use of Court Premises**

Violations of Art. 7-1, § 1(b) of the Oklahoma Constitution, Canons 1 and 3, Code of Judicial Conduct Rules 1.2 and 3.1

#### ***Sexual Activities with Court Staff Inside Courthouse During Courthouse Hours***

62. When Judge Lovell was sworn in as a Special District Judge in and for Garfield County in February 2011, he did not disclose to the District Judges hiring him, including Judge Woodward, that he was currently engaged in a sexual relationship with Natalie Marshall, Judge Woodward's secretary/bailiff (Bailiff 1). Natalie Marshall is also known as Natalie Matthews Rose and Natalie Rose.

63. From February 2011 to October 2011, the sexual relationship between Judge Lovell and Bailiff 1 continued, including liaisons at the Garfield County Courthouse during courthouse hours.

64. In October 2011, Bailiff 1 determined to end the relationship with Judge Lovell. She advised Judge Woodward of her sexual relationship with Judge Lovell and voluntarily resigned her position.

65. Bailiff 1 had been employed by the State of Oklahoma, working at the Garfield County Courthouse for fourteen years.

66. The five District Judges of the Judicial District, Judges Linder, Hladik, Woodward, Zigler, and Haught, voted on whether to retain Judge Lovell's employment in light of his sexual relationship with Bailiff 1.

67. Ultimately, his employment was retained, but based on conversations some number of the five judges had with him following the revelation of his sexual relationship with the secretary/bailiff and the fact that she had to resign her position, Judge Lovell knew or should have known a sexual relationship with a courthouse employee was inappropriate.

68. Cynthia "Cindy" Tubbs (Bailiff 2) was hired to serve as Judge Woodward's secretary/bailiff following Bailiff 1's resignation in 2011.

69. In approximately July or August 2023, Judge Lovell and Bailiff 2 engaged in a sex act with one another in the courthouse during courthouse hours while Judge Woodward was not in the courthouse.

70. On Tuesday, August 15, 2023, Judge Lovell and Bailiff 2 exchanged sexually graphic text messages and images with each other during courthouse hours, while Judge Woodward was in Blaine County presiding over a jury trial.

71. On Wednesday, August 30, 2023, Judge Lovell and Bailiff 2 exchanged inappropriate text messages during courthouse hours.

72. On Friday, September 8, 2023, during courthouse hours, Bailiff 2 and Judge Lovell exchanged text messages about inappropriate photographs of her located on her phone. Judge Lovell stated he was about to take a plea from a defendant but would come to her office to view the pictures when he was done.

73. On Saturday, September 9, 2023, Judge Lovell went to the Garfield County Courthouse and had sex with Bailiff 2 in her office as referenced in their text message exchanges.

74. The Respondent and Bailiff 2 discussed deleting the messages they sent to one another. Judge Lovell deleted the messages from view on his phone, but the permanent data from the messages was recoverable by the OSBI.

75. In his written response to the Council relative to his sexual relationship with Bailiff 2, Judge Lovell stated that his and the "putative bailiff's relationship was limited to flirtatious texting. There was no sexual conduct outside of text messages at the Courthouse or at any other place, including but not limited to the parking lot or common areas."

76. Bailiff 2 testified that she and Judge Lovell engaged in sex acts. Moreover, the text messages between Judge Lovell and Bailiff 2 reference their physical encounters.

77. Judge Lovell's statement was untruthful and submitted with the intent to mislead the Council on Judicial Complaints.

**VII. Gross Partiality in Office, Oppression, Offenses Involving Moral Turpitude, Corruption, Improperly Sealed Case, Ex Parte Communications, Bias, Denial of Right to be Heard, Lack of Honesty with Judicial Disciplinary Agency**



Violations of Art. 7-A, § 1(b) of the Oklahoma Constitution, Canons 1 and 2, and Rules 1.1, 1.2, 1.3, 2.2, 2.3, 2.6, 2.9, 2.10 and 2.16 of the Code of Judicial Conduct.

***State of Oklahoma v. Shalae Reann Newman, CM-2022-249 (Garfield Co.)***

78. On May 24, 2022, in Garfield County, the State of Oklahoma by and through District Attorney Mike Fields filed one count of misdemeanor Domestic Abuse – Assault and Battery in violation of 21 O.S. § 644(C) against Shalae Reann Newman.

79. The Probable Cause Affidavit and Arrest Warrant accompanying the criminal misdemeanor information were signed by the Respondent on May 24, 2022. Upon filing, the case was automatically assigned to Judge Seigars.

80. On May 25, 2022, Assistant District Attorney Tyler Foster met with Russell Singleton, defense attorney for Shalae Newman, who requested the arrest warrant be withdrawn while Singleton prepared more information for the State's review which he believed might change the State's filing decision.

81. Contemporaneous notes on that date in the District Attorney's case management software reflect ADA Tyler Foster discussed Singleton's request to withdraw the warrant with Assistant District Attorney Sean Hill and District Attorney Mike Fields. The notes do not reflect that Singleton made any request relative to sealing the case.

82. Following that discussion, ADA Tyler Foster and defense attorney Russell Singleton appeared before the Respondent to request the arrest warrant be withdrawn to allow the defendant additional time to present mitigating or exculpatory evidence.

83. The Respondent granted the request to withdraw the arrest warrant.

84. Even though the case was assigned to Judge Seigars, the request was made to the Respondent because Judge Seigars was out of the office on May 25, 2022.

85. The case was never reassigned to the Respondent, but he set the matter for future status reviews on his docket.

86. On May 25, 2022, the Respondent drafted and emailed to defense attorney Russell Singleton an Order to Seal in *State of Oklahoma v. Shalae Reann Newman*, CM-2022-249 (Garfield Co.) reading in its entirety, “[o]n this 25<sup>th</sup> day of May, 2022, the Court finds that the above captioned case shall be filed under Seal, until further Order of the Court. It is So Ordered.”

87. In the body of the email to Russell Singleton, the Respondent stated, “Attached are file-stamped ‘copies’ of the Order Recalling Bench Warrant and Order to Seal regarding Ms. Newman’s Case. I particularly wanted her to have the Order Recalling Bench Warrant in the unlikely event she came into contact with law enforcement. If she does, please tell her to have the LE Officer contact me and I will verify the recall of the Warrant. It probably will not be on the ‘system’ until tomorrow and I don’t want something happening tonight.”

88. Defense attorney Russell Singleton was the only recipient of the email and no one else was cc’d on the email.

89. The District Attorney’s office did not receive a separate email or a physical copy of the Order to Seal or the Order Recalling Bench Warrant.

90. A subsequent note from Tyler Foster in the District Attorney’s case management system details, “[a]fter we requested the warrant be withdrawn to allow Russell Singleton to present us with more information that may affect the filing decision, the judge unilaterally sealed the PC affidavit. This was not on request for the state or on request from the defense.”

91. The Respondent not only sealed the PC Affidavit, but also sealed the entire case.

92. In his December 14, 2023 written response to the Council on Judicial Complaints, the Respondent stated, “This Order was entered upon the joint request of both counsel for the Accused and the State, to allow for further investigation into the allegations of the Information” and “counsel for the State, Tyler Foster, and counsel for the accused, Russell Singleton, appeared at my office requesting that the case be sealed pending further investigation.”

93. On December 12, 2024, two days prior to the date of his written response, the Respondent sent a text message to defense attorney Russell Singleton seeking his support for Respondent’s position that the case was sealed on agreement of all parties.

94. Singleton responded he would support Respondent’s position.

95. Singleton did support the Respondent’s position while testifying under oath. Singleton testified that a joint request was made by him and the attorney for the State to the Respondent to seal the case.

96. During his testimony Singleton incorrectly identified the Assistant District Attorney who appeared with him before the Respondent and went on to testify he never even saw the Order to Seal or Order Recalling Bench Warrant at issue.

97. When presented with the ex parte email to him from the Respondent attaching both the Order to Seal and the Order Recalling Bench Warrant, Singleton did not provide direct responses to questions.

98. Both Assistant District Attorneys Tyler Foster and Sean Hill testified Singleton never discussed sealing the case with them prior to Tyler Foster’s May 25, 2022 appearance before the Respondent with defense attorney Russell Singleton.

99. The Respondent's written statement to the Council that both parties requested the case be sealed was untruthful and submitted with the intent to mislead the Council on Judicial Complaints.

100. The alleged victim in *State of Oklahoma v. Shalae Reann Newman*, CM-2022-249 (Garfield Co.) is Tyler Simmons, Shalae Reann Newman's ex-spouse. The judicial complaint regarding this case was filed by Tyler Simmons' mother, Lisa Merck, whose name appears on the face of the complaint.

101. In investigating a complaint against the Respondent, the Council on Judicial Complaints needed to review the filings in *State of Oklahoma v. Shalae Reann Newman*, CM-2022-249 (Garfield Co.) but could not obtain the filings from the Garfield County Court Clerk because the case was sealed.

102. On November 30, 2023, a request was made to District Judge Paul Woodward to provide a copy of the filings in the case to the Council and to confirm whether a subpoena would need to issue from the Council on Judicial Complaints in order to do so.

103. On that same date, November 30, 2023, Judge Woodward determined there was nothing within the case that would justify it being sealed according to law and subsequently issued an Order unsealing CM-2022-249.

104. In his December 14, 2023 written response to the complaint, the Respondent acknowledged the complaint was filed by Lisa Merck.

105. Despite knowing the complaint was filed by Lisa Merck, the Respondent told attorney Russell Singleton that Judge Woodward was pursuing a Judicial Complaint against him.

106. In mid-December 2023, while Bailiff 2 was still serving as Judge Woodward's secretary/bailiff, the Respondent told Bailiff 2 via text message that Judge Woodward filed a judicial complaint against him.

107. When Bailiff 2 refuted that Judge Woodward filed a judicial complaint, since she would know as his secretary/bailiff who types everything for him, the Respondent reiterated that he did, she just didn't know.

108. Following the Respondent's appearance before the Council on Judicial Complaints on January 24, 2024, when he and his attorney refused to present their oral argument, he sent a text message to Darla Jankey identifying Judge Woodward as the complainant regarding an improperly sealed case.

109. Judge Woodward's initial involvement with this complaint for sealing a case came upon the request of the Council on Judicial Complaints to review the records within the case because the records were improperly sealed.

110. The Respondent's statements about his colleague, Judge Woodward, were knowingly false.

111. In his written response to the complaint before the Council on Judicial Complaints, the Respondent sought to mitigate his improper sealing of the file in violation of the Open Records Act by arguing the State and defense counsel jointly sought to seal the file.

112. The Respondent suggested the complainant's statements to an investigatory body that he had engaged in an ex parte conversation were defamatory.

113. The Council's investigation revealed the case was sealed at the Respondent's suggestion, not upon agreement of all the parties or even a suggestion of

the parties, and the Respondent's written response suggesting otherwise lacked candor and honesty.

114. The Council's investigation also revealed the Respondent undertook a campaign to persuade an attorney to give false testimony and to vilify his colleague, Judge Woodward, by telling multiple people that Judge Woodward filed this judicial complaint against him when he knew that not to be true.

### **VIII. Refusal to Cooperate with Disciplinary Authorities**

#### **Code of Judicial Conduct Canon 2, Rule 2.16**

115. On January 2, 2024, alongside the request for a written response to a complaint, the Council served the Respondent with a subpoena to appear before the Council on Judicial Complaints on January 25, 2024.

116. On January 15, 2024, through counsel, the Respondent sought a continuance on the basis that he was scheduled for a doctor's appointment on January 25, 2024, and would not be available to attend the interview before the Council.

117. When the three-member Council, court reporter, General Counsel, and staff re-arranged their schedules to accommodate him for the day before his scheduled appearance, January 24, 2024, instead of a future date that he requested, the Respondent filed a Motion for Discovery, a Motion to Quash the Council's Panel, a Motion for Disclosure of Electronic Communications and/or Surveillance, and a Motion to Quash the Subpoena.

118. Despite being an investigatory body, not a tribunal, the Council advised the Respondent on Tuesday, January 23, 2024, that the interview scheduled before the

Council on January 24, 2024, would be continued to a future date and instead the Council would hear his oral arguments on the various motions he filed.

119. While attempting to hear his oral argument on the motions, the Respondent and his counsel refused to participate.

120. The Council subpoenaed the Respondent's appearance for an interview on March 28, 2024.

121. On March 11, 2024, seventeen days before the scheduled interview, the Respondent sought a continuance.

122. In addition to Stephen Jones, associate attorney William Jewell had been representing the Respondent and was cc'd on all correspondence with the Council up to that time.

123. The Respondent hired attorney David Henneke to represent him before the Council on Judicial Complaints prior to attorney Stephen Jones entering an appearance with the Council.

124. Relying upon 22 O.S.2021, § 355(B)(2) which provides that "if counsel desired by the witness is not available, the witness shall obtain other counsel..." the Council advised that the Respondent continued to have sufficient time to retain additional counsel and denied his request for a continuance.

125. The Respondent refused to attend, arguing the Council had not sufficiently assured him that it had not wiretapped or surveilled him in violation of the 4<sup>th</sup> and 14<sup>th</sup> Amendments to the United States Constitution and would not continue the interview in order that he might be accompanied by his *desired* counsel.

126. Upon review of the record on the complaints, on April 29, 2024, the Council on Judicial Complaints found by a majority of its members that the Respondent violated Rules 1.2, 2.3, 2.9, and 2.16 of the Code of Judicial Conduct and committed oppression and offenses involving moral turpitude as used in Article 7A, Section 1(b) of the Oklahoma Constitution.

### **IX. Witnesses**

127. Following are the names and address of the witnesses for the prosecution of this cause:

1. Capt. Stan Florence  
Oklahoma State Bureau of Investigations  
6600 North Harvey Place  
Oklahoma City, OK 73116
2. Special Agent Richard Brown  
Oklahoma State Bureau of Investigations  
6600 North Harvey Place  
Oklahoma City, OK 73116
3. Special Agent Taryn Wade  
Oklahoma State Bureau of Investigations  
6600 North Harvey Place  
Oklahoma City, OK 73116
4. David Brannum  
Information Security Supervisor  
Oklahoma Supreme Court  
c/o Administrative Office of the Courts  
2100 North Lincoln Blvd.  
Oklahoma City, OK 73105
5. Sheriff Cory Rink  
Garfield County Sheriff's Office  
216 West Oxford Avenue  
Enid, OK 73701



6. Hon. Paul Woodward  
Garfield County District Judge  
Garfield County Courthouse  
114 West Broadway  
Enid, OK 73701
7. Hon. Dennis W. Hladik (Ret.)  
c/o Council on Judicial Complaints  
1901 N. Lincoln Blvd.  
Oklahoma City, OK 73105
8. Cynthia Tubbs  
c/o Council on Judicial Complaints  
1901 N. Lincoln Blvd.  
Oklahoma City, OK 73105
9. Darla Jankey  
Garfield County Courthouse  
114 W. Broadway Avenue  
Enid, OK 73701
10. Michael Fields, Esq.  
c/o Council on Judicial Complaints  
1901 N. Lincoln Blvd.  
Oklahoma City, OK 73105
11. Tyler Foster, Esq.  
c/o Council on Judicial Complaints  
1901 N. Lincoln Blvd.  
Oklahoma City, OK 73105
12. Assistant District Attorney Sean K. Hill Esq.  
Garfield County District Attorney's Office  
114 West Broadway, 3<sup>rd</sup> Floor  
Enid, OK 73701
13. Russell Singleton, Esq.  
201 N. Grand Avenue, #400  
Enid, OK 73701
14. David Henneke, Esq.  
102 S. Van Buren Street  
Enid, OK 73703

15. Natalie Matthews Rose (a/k/a Natalie Marshall)  
c/o Council on Judicial Complaints  
1901 N. Lincoln Blvd.  
Oklahoma City, OK 73105

16. The Honorable Greg A. Zigler  
PO Box 2  
Guymon, OK 73942

17. The Honorable Floyd Douglas Haught  
c/o Council on Judicial Complaints  
1901 N. Lincoln Blvd.  
Oklahoma City, OK 73105

### **X. Immediate Temporary Suspension**

128. There is an existing emergency justifying the Trial Division of the Court on the Judiciary of the State of Oklahoma in temporarily suspending Respondent from office pending the determination of the proceedings in this action. There is no evidence the Respondent will voluntarily cease and desist in the performance of those matters which gave rise to the filing of this petition. Great and irreparable harm and injury will occur if Respondent is allowed to continue in the capacity of an Associate District Judge of the State of Oklahoma. Petitioner alleges the foregoing facts concerning the Respondent warrant suspension.

129. Petitioner respectfully requests that the Presiding Judge of the Court on the Judiciary issue an order to the Respondent to appear at a date, time and place certain to show cause why he should not be suspended from the exercise of his office pending further proceedings in this cause, and that upon such hearing the Respondent be suspended from such office pending the proceedings in this action.

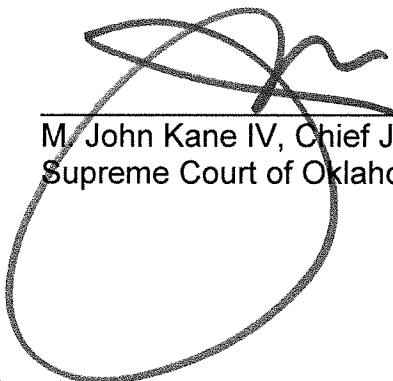
**XI. Relief Requested**

130. The Petitioner alleges that the above-enumerated acts by the Respondent warrant discipline by the Court on the Judiciary as authorized by the statutes and the Constitution of the State of Oklahoma. The Petitioner respectfully requests that the Court on the Judiciary enter an Order removing Judge Brian Lovell from office as District Judge in and for the Fourth Judicial District of the State of Oklahoma, with disqualification to hold any judicial office in the State of Oklahoma.

131. This matter is referred to the Trial Division of the Court on the Judiciary of the State of Oklahoma.

Done this 27<sup>th</sup> day of June, 2024.

RESPECTFULLY SUBMITTED,

  
\_\_\_\_\_  
M. John Kane IV, Chief Justice  
Supreme Court of Oklahoma

STATE OF OKLAHOMA )  
                                  )  
COUNTY OF OKLAHOMA )

ss:

M. John Kane IV, of lawful age, being first duly sworn upon oath says:

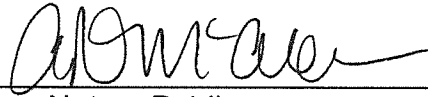
1. That he is the Chief Justice of the Supreme Court of the State of Oklahoma.
2. That he has read the above and foregoing Petition and knows the contents thereof.

3. That he has caused the facts therein set forth to be investigated and that he believes said facts are true.



\_\_\_\_\_  
M. John Kane IV

Subscribed and sworn to before me this 27<sup>th</sup> day of June, 2024.



\_\_\_\_\_  
Notary Public



**ORIGINAL**

**IN THE COURT ON THE JUDICIARY OF THE STATE OF OKLAHOMA  
TRIAL DIVISION**

STATE OF OKLAHOMA, ex rel. )  
M. JOHN KANE IV, CHIEF JUSTICE OF )  
THE SUPREME COURT OF THE STATE )  
OF OKLAHOMA, )  
) **Petitioner,** )  
) )  
v. )  
) )  
**BRIAN LOVELL,** )  
) )  
) **Respondent.** )

**FILED**  
COURT OF THE JUDICIARY  
TRIAL DIVISION

JUN 27 2024

JOHN D. HADDEN  
CLERK

**No. CJTD-2024-1**

Received:	
Date:	6/27/24
By:	js
COA/OKC:	
COA/TUL:	

**DATE ISSUED: June 27, 2025**

**ORDER**

Pursuant to Rule 11 of the Rules of the Court on the Judiciary, 5 O.S.2021, Ch. 1, App. 7, the Clerk of the Supreme Court is directed to issue Notice to the Respondent named in the Petition setting out the day for hearing the Petition on the merits, which shall be the trial date of the case. Pursuant to Rule 12 of the Rules of the Court on the Judiciary, the Marshal of the Oklahoma Supreme Court is hereby appointed to serve a copy of the Petition and Notice of Hearing to Counsel for Respondent in this matter. The Court has been notified that Stephen Jones, as Counsel for Respondent, will accept service of process of the Petition and Notice by electronic mail. Counsel is therefore directed to file a Waiver of Personal Service acknowledging that he accepts service of process by electronic mail. The Waiver of Personal Service shall be filed not later than **Friday, June 28, 2024.**

Thad Balkman  
Presiding Judge of the Court on the Judiciary  
Trial Division



**ORIGINAL**

**IN THE COURT ON THE JUDICIARY OF THE STATE OF OKLAHOMA**

**TRIAL DIVISION**

STATE OF OKLAHOMA, ex rel. )  
 M. JOHN KANE IV, CHIEF JUSTICE )  
 OF THE SUPREME COURT OF THE STATE )  
 OF OKLAHOMA, )  
 )  
 ) **Petitioner,** )  
 )  
 )  
 )  
 ) **Respondent.** )

**FILED**  
COURT OF THE JUDICIARY  
TRIAL DIVISION

JUN 27 2024

JOHN D. HADDEN  
CLERK

**No. CJTD-2024-1**

**DATE ISSUED: June 27, 2024**

Received:	
Docketed:	6/27/24
Marshaled:	
COA/OKC:	
COA/TUL:	

**NOTICE**

THE STATE OF OKLAHOMA TO:

**BRIAN LOVELL**

As ordered by the Presiding Judge of the Court on the Judiciary, State of Oklahoma, Trial Division, you are hereby given notice that a Petition has been filed against you in the Court on the Judiciary, a copy of which is attached.

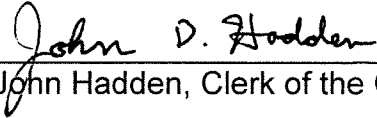
Answer and Motions: You are directed to file an Answer, motions, demurrers, and all pleadings allowed by the Rules of the Court on the Judiciary, if they are to be filed, within **twenty (20) days** after service of this notice upon you.

Temporary Suspension: You are further given notice that the verified Petition, pursuant to Rule 10 of the Rules of the Court on the Judiciary, 5 O.S.2021, Ch. 1, App. 7, requests that you be suspended from the exercise of your office during the pendency of the proceedings in this action. You may file in writing in this case on or before noon on **July 8, 2024**, either: (1) a voluntary temporary suspension from the exercise of all functions of office without loss of benefits, or (2) a verified response to the request for temporary suspension to which any exhibits and affidavits may be attached. If a written voluntary temporary suspension is not filed within the time set, the Court shall meet to determine from the petition and response, if any, whether in its discretion the Respondent should be suspended from office during the proceedings. If the Court determines that the matter should not be decided until after a hearing, then a hearing will be ordered and held to determine if respondent should be temporarily suspended. The burden of proof at such hearing shall be upon the prosecution and the respondent may raise any proper issue.

Motions Hearing: You are further given notice that a hearing on all motions and other matters to be disposed of prior to the pre-trial conference and the hearing of the case on the merits is set before the entire Court on **July 30, 2024, at 9:00 a.m.**, in the Courtroom of the Supreme Court of Oklahoma, B2 State Capitol, 2300 N. Lincoln Blvd., Oklahoma City, Oklahoma.

Pretrial Conference: A pretrial conference shall be held on a date and at a time and place to be determined by the parties and the Court.

Trial Date: You are further given notice that this case is set for hearing on the merits which shall be the trial date of this case, before the entire Court, on **August 27, 2024, at 9:00 a.m.**, in the Courtroom of the Supreme Court of Oklahoma, B2 State Capitol, 2300 N. Lincoln Blvd., Oklahoma City, Oklahoma.

  
\_\_\_\_\_  
John Hadden, Clerk of the Court



**ORIGINAL**

**IN THE COURT ON THE JUDICIARY OF THE STATE OF OKLAHOMA**

**TRIAL DIVISION**

**FILED**  
COURT OF THE JUDICIARY  
TRIAL DIVISION

**JUN 27 2024**

**JOHN D. HADDEN**  
CLERK

STATE OF OKLAHOMA, ex rel. )  
M. JOHN KANE IV, CHIEF JUSTICE OF )  
THE SUPREME COURT OF THE STATE )  
OF OKLAHOMA, )  
) )  
Petitioner, )  
) )  
v. )  
) )  
BRIAN LOVELL, )  
) )  
Respondent. )

**No. CJTD-2024-1**

Received:	6-27-24
Docketed:	
Marshaled:	
COA/OKC:	
COA/TUL:	

**ORDER CONVENING THE COURT ON THE JUDICIARY, TRIAL DIVISION**

Now, on this 27<sup>th</sup> day of June, 2024, the jurisdiction of the Court on the Judiciary has been invoked by the Supreme Court of the State of Oklahoma, by the filing of a Petition seeking the removal from office of Brian Lovell, Associate District Judge, 4th Judicial District. Accordingly, the following judges are hereby called into service as the duly appointed members of the Court on the Judiciary, Trial Division:

Hon. Thad Balkman, Presiding Judge, of Cleveland County

Hon. Stephen R. Pazzo, Jr., Vice-Presiding Judge, of Rogers County

Hon. Charles W. Chesnut, active member of the Oklahoma Bar Association

Hon. Caroline Wall, District Judge, of Tulsa County

Hon. Paul Hesse, District Judge, of Canadian County

Hon. Bret A. Smith, District Judge, of Muskogee County

Hon. Cindy Truong, District Judge, of Oklahoma County

Hon. Steven Kessinger, District Judge, of Pontotoc County

Hon. Jon Parsley, District Judge, of Texas County



IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Court on the Judiciary of the State of Oklahoma, Trial Division, is hereby convened, and shall decide the matter now before the Court regarding Brian Lovell, Associate District Judge, 4th Judicial District. In addition to being filed with the Appellate Court Clerk's Office, a copy of all motions, notices, and requests for hearing shall be submitted to the undersigned, in Norman, Oklahoma.

DONE BY ORDER OF THE COURT ON THE JUDICIARY, TRIAL DIVISION, ON THIS 27<sup>th</sup> day of June, 2024.

A handwritten signature in cursive script that reads "Chad Balkman". The signature is written in black ink and is positioned above a horizontal line.

Thad Balkman  
Presiding Judge of the Court on the Judiciary  
Trial Division



**ORIGINAL**

**IN THE COURT ON THE JUDICIARY OF THE STATE OF OKLAHOMA  
TRIAL DIVISION**

STATE OF OKLAHOMA, ex rel.	)
M. JOHN KANE IV, CHIEF JUSTICE OF	)
THE SUPREME COURT OF THE STATE	)
OF OKLAHOMA,	)
	)
Petitioner,	)
	)
v.	)
	)
BRIAN LOVELL,	)
	)
Respondent.	)

**FILED**  
**COURT OF THE JUDICIARY**  
**TRIAL DIVISION**  
 JUN 27 2024  
 JOHN D. HADDEN  
 CLERK

**No. CJTD-2024-1**

Filed:	
Requested:	6-27-24
Marshall:	
COA/OKC:	
COA/TUL:	

**DATE ISSUED: June 27, 2024**

**SCHEDULING ORDER**

1. The Petition having been filed in this case on June 27, 2024,

IT IS THEREFORE ORDERED:

**NOTICE**

1. Pursuant to Rule 11, Rules of the Court on the Judiciary, 5 O.S.2021, Ch. 1, App. 7, the Clerk of the Court shall issue Notice directed to the Respondent to file an Answer, motions, demurrers, and all pleadings allowed by the Rules of the Court on the Judiciary within twenty (20) days after service of the Notice upon Respondent. The Notice shall set out the date of the hearing of all motions and other matters to be disposed of prior to hearing the case on the merits and shall provide for a pre-trial conference. The Notice shall set out the date within which the Respondent may file a voluntary temporary suspension with pay, or a response to the request for temporary suspension with pay. The Notice shall set out the date of hearing of the petition on the merits, which shall be the trial date of the case.

2. The Notice, with a copy of the Petition filed with the Clerk, including exhibits attached thereto, shall be served as provided in Rule 12 of this Court and Ordered by this Court.

**ANSWER AND MOTIONS**

3. The Respondent, having been notified of the filing of the Petition by the Clerk, is directed to file an Answer, motions, demurrers, and all pleadings allowed by the Rules of the Court on the Judiciary within **twenty (20) days** after the date of service of the

Notice on the Respondent. Pursuant to Rule 15, all motions shall be combined in one motion or pleading and filed simultaneously with the Answer. All motions and demurrers must be presented and argued to the Court at the same hearing.

#### TEMPORARY SUSPENSION

4. The verified Petition requests suspension of the Respondent from the exercise of office during the pendency of the proceedings and, in accordance with Rule 10 of this Court, the Respondent may file in writing in this case on or before noon on **July 8, 2024**: either: (1) a voluntary temporary suspension with pay from the exercise of all functions of the office without loss of benefits, or (2) a verified response to the request for temporary suspension with pay to which any exhibits and affidavits may be attached. If a written voluntary temporary suspension is not filed within the time set in the Notice, the Court shall meet to determine from the petition and response, if any, whether in its discretion the Respondent should be suspended from office during the pendency of the proceedings. If the Court determines that the matter should not be decided until after a hearing, then a hearing will be ordered and held to determine if Respondent should be temporarily suspended. The burden of proof at such hearing shall be upon the prosecution and the Respondent may raise any proper issue.

#### MOTIONS HEARING

5. A hearing on all motions and other matters to be disposed of prior to the pre-trial conference and the trial of the case on the merits is set before the entire Court on: **July 30, 2024 at 9:00 a.m.** in the Courtroom of the Supreme Court of Oklahoma, B2, State Capitol, 2300 N. Lincoln Blvd., Oklahoma City, Oklahoma.

#### PRETRIAL CONFERENCE

6. Pretrial conference shall be held on a date and at a time and place to be determined by the parties and the Court.

#### TRIAL DATE

7. Pursuant to Article 7A Oklahoma Constitution § 4(c) and Rule 11 of this Court, this case is set for hearing before the entire Court on the merits, which shall be the trial date of this case, on: **August 27, 2024, at 9:00 a.m.**, in the Courtroom of the Supreme Court of Oklahoma, B2, State Capitol, 2300 N. Lincoln Blvd., Oklahoma City, Oklahoma.

Dated this June 27, 2024.



Thad Balkman  
Presiding Judge of the Court on the Judiciary  
Trial Division



**ORIGINAL**

**IN THE COURT ON THE JUDICIARY OF THE STATE OF OKLAHOMA  
TRIAL DIVISION**

STATE OF OKLAHOMA, ex rel. )  
M. JOHN KANE IV, CHIEF JUSTICE OF )  
THE SUPREME COURT OF THE STATE )  
OF OKLAHOMA, )  
 )  
Petitioner, )  
 )  
v. )  
 )  
BRIAN LOVELL, )  
 )  
Respondent. )

**FILED**  
COURT OF THE JUDICIARY  
TRIAL DIVISION

**JUN 27 2024**

**JOHN D. HADDEN  
CLERK**

**No. CJTD-2024-1**

Received: \_\_\_\_\_  
Docketed: \_\_\_\_\_  
Marshals: *6/27/24*  
COA/YOKC: \_\_\_\_\_  
COA/TUL: \_\_\_\_\_

**ORDER SETTING CONFERENCE**

This matter is hereby set for a conference of the judges of the Court on the Court on the Judiciary on **July 2, 2024, at 12:00 p.m.**, by videoconference. Only the judges of the Court on the Judiciary will be present, and all the judges should notify the undersigned as soon as possible as to whether their schedule will permit them to attend.

DONE BY ORDER OF THE COURT ON THE JUDICIARY, TRIAL DIVISION, ON  
THIS JUNE 27<sup>th</sup>, 2024.

Thad Balkman  
Presiding Judge of the Court on the Judiciary  
Trial Division



**ORIGINAL**

In the Court on the Judiciary of the State of Oklahoma, Trial Division

State of Oklahoma, ex rel. M. John Kane IV  
Chief Justice of the Oklahoma Supreme Court  
of the State of Oklahoma, Petitioner,

Case No. CJTD-2024-1

v.

**FILED**  
COURT OF THE JUDICIARY  
TRIAL DIVISION

Brian Lovell, Respondent.

JUN 27 2024

**RETURN OF SERVICE**

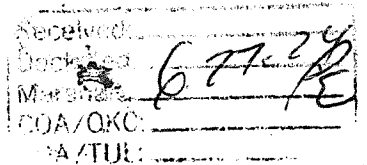
JOHN D. HADDEN  
CLERK

**SERVICE BY ELECTRONIC MAIL**

I certify that I received the Petition, Notice, and Scheduling Order on June 27, 2024, and that I emailed electronic copies of the same to the following Counsel for the Respondent, Brian Lovell, at the following email addresses, on June 27, 2024:

Stephen Jones [sjones@stephenjoneslaw.com](mailto:sjones@stephenjoneslaw.com)

William Jewell [wjewell@stephenjoneslaw.com](mailto:wjewell@stephenjoneslaw.com)



I also certify that I mailed by U.S. Mail copies of the Petition, Notice, and Scheduling Order to the following Counsel for the Respondent, Brian Lovell, at the following mailing address on June 27, 2024:

Stephen Jones, Esq.  
William Jewell, Esq.  
Stephen Jones and Associates  
P.O. Box 472  
214-A North Independence Avenue  
Enid, OK 73701

Date of Service: June 27, 2024

Sharon Schooley  
Sharon Schooley  
Marshal, Oklahoma Supreme Court

Subscribed and sworn to before me this 27th day of June, 2024.

John D. Hadden  
Court Clerk