

IN THE DISTRICT COURT OF OKLAHOMA COUNTY JUL - 1 2024
STATE OF OKLAHOMA

RICK WARREN
COURT CLERK
42

STATE OF OKLAHOMA ex rel. OKLAHOMA
TOURISM AND RECREATION DEPARTMENT,
Plaintiff,

v.

SWADLEY'S FOGGY BOTTOM KITCHEN,
LLC, an Oklahoma limited liability company,
Defendant.

Case No: CJ-2022-2001
Judge: Hon. Sheila D. Stinson

AMENDED MOTION TO DISQUALIFY COUNSEL AND BRIEF IN SUPPORT

“[T]he proper functioning of the grand jury system depends upon the secrecy of the grand jury proceedings.” *In re Proc. of Multicounty Grand Jury, Case No. CJ-92-4110*, 1993 OK CR 12, ¶ 7, 847 P.2d 812, 814. Defendant’s civil counsel have blatantly disregarded this secrecy to gain an unfair advantage in this case. By doing so, they have engaged in conduct that is prejudicial to the administration of justice. They should be disqualified.

BACKGROUND

This civil case was filed against Defendant, Swadley’s FBK (“the Company”), in April 2022. At all relevant times, the Company has been represented in this litigation by attorneys from the Fellers Snider law firm: Bryan King, Eric Shephard, Wayne Billings, and Mark Stonecipher (“civil attorneys”). During the civil lawsuit, a multicounty grand jury was convened. It led to an indictment of Brent Swadley (hereinafter “Swadley”), the manager and owner of the Company. Tres Savage et al., *‘Serious charges’: Grand Jury indicts Tim Hooper, Brent Swadley, Curt Breuklander*, NONDOC.¹

¹ Available at <https://nondoc.com/2024/02/08/grand-jury-indicts-tim-hooper-brent-swadley-curt-breuklander/>.

Subsequently, criminal charges were filed in February 2024. *See State of Oklahoma v. Swadley*, No. CF-2024-629 (Okla. Cnty. 2024) (“Criminal Case”). These two cases involve different defendants. In the civil case, the Company is a corporate entity civil defendant. In the criminal case, Swadley is an individual criminal defendant. As a criminal defendant, Swadley is authorized to obtain a copy of the grand jury transcript. 22 O.S. § 340(B). The Company is not. Oklahoma law makes clear that Swadley cannot disclose the transcript’s contents to anyone besides his attorney. *Id.*

Pursuant to this provision, as well as other statutes mandating grand jury secrecy, the Attorney General’s Office has created a wall between the multicounty grand jury and the civil side of the office. That wall is both physical and electronic. When a grand jury is convened, non-grand jury personnel are not allowed in the grand jury area of the office. Similarly, all files related to the grand jury are housed on a separate drive. Civil attorneys have no access to grand jury materials. In addition to comporting with statutory mandates regarding secrecy of grand juries, this practice ensures that the Attorney General’s Office does not possess an unfair advantage over civil defendants that are criminally under investigation.

On February 12, Mack Martin and Amber Martin entered appearances in the criminal matter to represent Swadley. *See* OSCN Docket Sheet, Ex. 2. A couple months later, the Martins withdrew as counsel. *Id.* They were replaced by Peter Scimeca and David Smith. *Id.* While Scimeca works at the same firm as the civil attorneys, none of the civil attorneys entered an appearance in that case. As such, Swadley could only share the transcript with Scimeca and Smith.

Recent developments have demonstrated that the Company’s counsel have illegally obtained transcript materials. Not only have they been illegally obtained, but the Company intends to use them in the civil case. On May 10, one of the Company’s attorneys emailed Plaintiff’s counsel—disclosing the Company’s intent to use portions of transcripts from the grand jury proceeding as exhibits to its reply in support of its motion for partial summary judgment. *See* Email, Ex. 1.

Company's counsel had no right to view the transcripts much less use them in the civil proceeding. After becoming aware of the problem, the Company's attorneys entered an appearance on behalf of Swadley in the criminal case on May 14. Ex. 2.

LEGAL STANDARD

The Oklahoma Supreme Court has stated that a motion to disqualify may be granted "where honoring the litigant's choice [of attorney] would threaten the integrity of the judicial process." *Ark. Valley State Bank v. Phillips*, 2007 OK 78, ¶ 13, 171 P.3d 899, 905. The Court has "held that the proper test for granting a motion to disqualify counsel is whether real harm to the integrity of the judicial process is likely to result if counsel is not disqualified." *Id.* at ¶ 23. In making this determination, courts must balance three factors: "1) a party litigant's right to employ the counsel of his or her choice; 2) a moving party's right to maintain the confidentiality of certain information; and 3) the public's interest in preserving the integrity of the judicial process." *Id.* at ¶ 17. "[T]he burden rests with the moving party to establish the likelihood of such harm by a preponderance of the evidence." *Miami Bus. Servs., LLC v. Davis*, 2013 OK 20, ¶ 12, 299 P.3d 477, 484. Before ruling on a motion to disqualify counsel based on a conflict of interest or improper possession of confidential information, a court must hold an evidentiary hearing and make a specific factual finding that the attorney had knowledge of material and confidential information. *Ark. Valley State Bank*, 2007 OK 78, ¶ 24.

ARGUMENT AND AUTHORITY

By inappropriately accessing and using grand jury testimony, the Company's counsel have violated at least three rules of professional responsibility: Rule 3.4(c), Rule 8.4(d), and Rule 1.7. The transgression of these three rules combined with counsels' violation of 22 O.S. § 340(B) harms "the integrity of the judicial process." *Id.* at ¶ 13.

I. THE COMPANY'S COUNSEL VIOLATED RULE 3.4(C).

Rule 3.4 of the Oklahoma Rules of Professional conduct mandates that a lawyer acts fairly

to opposing parties and counsel. *See* Rule 3.4, Oklahoma Rules of Professional Conduct, 5 O.S., Ch. 1, App. 3A. Specifically, it prohibits “knowingly disobey[ing] an obligation under the rules of a tribunal except for an open refusal based on an assertion that no valid legal obligation exists.” *Id.*, Rule 3.4(c). Here, the Company’s counsels’ use of the multi-county grand jury transcripts is prohibited by law. Oklahoma law is clear that while the accused may access grand jury testimony, it may only be shared with his attorney. 22 O.S. § 340(B). As the Company is not a defendant in the criminal action, it was not allowed to access grand jury testimony, and it was similarly unlawful for its counsel to access that testimony. As such, the Company’s counsel have violated the rules of the grand jury tribunal. Counsel’s actions to access grand jury testimony unlawfully strikes at the core of grand jury secrecy, which is “an integral part of our criminal justice system.” *Douglas Oil Co. of Cal. v. Petrol Stops Nw.*, 441 U.S. 211, 218 n.9 (1979).

The fact that Scimeca works at the same firm as the Company’s counsel does not change this conclusion. While attorneys representing criminal defendants may typically share grand jury testimony with other attorneys within the firm to prepare for that criminal trial, it is an entirely different prospect for attorney within that firm—not working on the criminal trial—to access the testimony to gain an advantage in their civil case with a different client. The attorneys at Fellers Snider were obligated to enact a screen between Scimeca in the criminal case representing Swadley, and the other attorneys representing the Company in the civil case.² A ruling blessing the Company’s access of these transcripts would raise a host of fairness concerns. For example, a defendant in a

² It is worth noting that the actions taken by counsel at Fellers Snider suggested that there was some sort of a screen. The Company’s filings have included four attorneys from the firm: Bryan King, Eric Shephard, Wayne Billings, and Mark Stonecipher. Peter Scimeca has not filed an entry of appearance or appeared on the briefs in this case. Then, only Peter Scimeca filed an entry of appearance on behalf of Swadley in the criminal case. *See* Ex. 2. It was only after King referenced accessing grand jury testimony that he, Billings, and Stonecipher filed an entry of appearance in the criminal case. *Id.*

civil case might know that a particular firm was involved in a criminal case touching on some of the same events. If that defendant hired the firm for its civil defense, it would be able to access the entire grand jury transcript. Alternatively, a defendant indicted for raping his wife would be permitted to access grand jury materials to cross-examine the wife in a divorce action, as long as he hired the same firm for both the criminal and divorce actions. The wife—and her counsel—would have no right to access the materials. It would be entirely up to defendant’s counsel whether to elect to share it.

In sum, the Company’s counsel violated Rule 3.4(c).

II. THE COMPANY’S COUNSEL VIOLATED RULE 8.4(D).

Rule 8.4 states that it constitutes professional misconduct for an attorney to “engage in conduct that is prejudicial to the administration of justice.” Rule 8.4(d), Oklahoma Rules of Professional Conduct, 5 O.S., Ch. 1, App. 3A. By impermissibly obtaining grand jury testimony, the Company’s counsel have prejudiced the administration of justice. Accessing this testimony has provided the Company with a pronounced advantage in litigation. Plaintiffs’ counsel has no access to the grand jury testimony. Clearly, a party having information prohibited by law for either side to have violates the search for truth, impugns the integrity of the judicial process, and offends due process. Courts across the country have held that such an unfair advantage hinders justice. *See, e.g., United States v. Petters*, 667 F. Supp. 2d 1043, 1046 (D.Minn. 2009) (“Fairness requires the Court to provide access either to both parties or to neither party.”); *Mordenti v. State*, 894 So.2d 161, 174 (Fla. 2004) (“Our justice system strives to ensure that each party’s right to the same information is coterminous.”).

The manner in which the Company’s counsel have sought to include the grand jury testimony highlights the prejudicial nature of their actions. According to their email, the Company’s counsel plans to attach “portions of grand jury testimony to the reply brief.” Ex. 1. Counsel’s decision to attach snippets of testimony necessarily means that Counsel have spent time reading

through unlawfully obtained testimony in an effort to find choice testimony that aids their client. As Plaintiffs' counsel does not have access to the testimony, Plaintiffs' counsel will have no way of knowing whether the testimony has been stripped of its context or is even accurate. It is hard to imagine anything more prejudicial. After all, "words wrenched from their context can be used to support nearly any proposition." *United States v. Brinson-Scott*, 714 F.3d 616, 625 (D.C. Cir. 2013).

Accordingly, the Company's counsel have violated Rule 8.4(d).

III. THE COMPANY'S COUNSEL VIOLATED RULE 1.7.

Rule 1.7 mandates that "a lawyer shall not represent a client if the representation involves a concurrent conflict of interest." Rule 1.7(a), Oklahoma Rules of Professional Conduct, 5 O.S., Ch. 1, App. 3A. A conflict arises when "there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client." *Id.*, Rule 1.7(a)(2). A lawyer is still permitted to represent that client in spite of the conflict if, among other things, "the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client." *Id.*, Rule 1.7(b)(1). Elaborating on this rule, Comment 31 states that "continued common representation will almost certainly be inadequate if one client asks the lawyer not to disclose to the other client information relevant to the common representation." *Id.*, Comment 31. This rule precludes representation by the Company's counsel.

The Company's counsel have now filed entries of appearance to represent Swadley in the criminal case. By attempting to represent both Swadley and the Company, Counsel have created a conflict that materially limits their representation of the Company. Because the Company is not permitted to access the grand jury transcripts, its counsel now possesses information relevant to the case that they are not allowed to share with the Company. In effect, the grand jury rules prohibiting the disclosure of transcripts effectively requires "one client [Swadley]" to "ask[] the lawyer not to disclose to the other client [the Company] information relevant to the common representation." *Id.*

Thus, this conflict cannot be remedied because the Company's counsel cannot reasonably believe that they can provide adequate counsel under Rule 1.7. This outcome straightforwardly conflicts with Rule 1.7 and Comment 31. In this situation, "[t]here can be no question that a conflict of interest arises." *N.C. State Bar v. Merrell*, 777 S.E.2d 103, 115 (N.C. Ct. App. 2015).

IV. THE FACTORS WEIGH IN FAVOR OF DISQUALIFICATION.

Here, the interest of preserving the integrity of the judicial process necessitates disqualification of the Company's counsel. To be sure, the Company possesses a right and an interest in employing the counsel of its choice, but that interest must give way "where honoring the litigant's choice would threaten the integrity of the judicial process." *Ark. Valley State Bank*, 2007 OK 78, ¶ 13. As stated above, the Company's attorneys have gained an immense advantage by obtaining access to grand jury testimony that Plaintiff's counsel cannot obtain. This advantage cannot be disputed, and it must be remedied. The only remedy short of disqualification is to allow Plaintiff's counsel access to the grand jury testimony. However, this remedy runs squarely against the "moving party's right to maintain the confidentiality" of multi-county grand jury proceedings. *Id.* at ¶ 17. The Oklahoma Court of Criminal Appeals has stated that the secrecy of grand jury proceedings is a "basic principle" that is "universal" and "widely recognized." *In re Proc. of Multicounty Grand Jury, Case No. CJ-92-4110*, 1993 OK CR 12, ¶ 7. This principle exists to ensure witnesses are willing to come forward, are more frank, and to assure that any defendants exonerated by the grand jury will not face negative repercussions from being accused. *Id.* The United States Supreme Court has noted that "[t]he grand jury as a public institution serving the community might suffer if those testifying today knew that the secrecy of their testimony would be lifted tomorrow." *United States v. Procter & Gamble Co.*, 356 U.S. 677, 682 (1958); *see also United States v. Alexander*, 860 F.2d 508, 514 (2d Cir. 1988) (noting that excessive disclosure of grand jury testimony means that "public confidence in grand jury secrecy cannot help but be eroded, and prospective witnesses will undoubtedly be more hesitant

to come forward to testify”).

These concerns are particularly important with the multicounty grand jury that so often touches on controversial issues of statewide importance. Establishing a precedent that unlawful access to multicounty grand jury testimony can be ameliorated by granting access to all parties will permanently damage the secrecy that the multicounty grand juries rely on to function. It would create a loophole by which any party in a case seeking to access a particular grand jury transcript could access that transcript by merely paying the relevant criminal defense attorney a nominal fee to “represent” him in order to gain access to the transcript. Such a loophole would not only permit but encourage weaponization of grand juries by civil litigants. Surely this was not the intent of Oklahoma voters who, in 1971 with the adoption of State Question 483, authorized the creation of multicounty grand juries to investigate criminal activity throughout our state. OKLA. SECRETARY OF STATE, *Search State Questions: 483*.³

The only workable remedy is disqualification.

CONCLUSION

The continued involvement in this case by the Defendant’s counsel should be prohibited. Their involvement is a threat to the integrity of this case. Therefore, Plaintiff requests that the Court disqualify Fellers Snider and grants any other relief the Court deems appropriate.

³ Available at <https://www.sos.ok.gov/documents/questions/483.pdf>.

Respectfully Submitted,



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Solicitor General

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OFFICE OF ATTORNEY GENERAL

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Counsel for Plaintiff

Exhibit 1

Cristie Fisher

From: Bryan King <Bking@fellerssnider.com>
Sent: Friday, May 10, 2024 11:03 AM
To: Erin Moore
Cc: Evan Edler; Lexie Norwood; Mark Stonecipher; Wayne Billings; Eric Shephard
Subject: [EXTERNAL] Tourism v. Swadley's FBK

Erin,

This follows my attempts to reach you yesterday and this morning. As I mentioned at the pretrial conference, we intend to file a reply brief in support of our motion for partial summary judgment and get the motion set for hearing very soon. In that regard, we will be seeking leave to attach portions of grand jury testimony to the reply brief. Of course, we're happy to do so under seal, enter into a protective order, or take any other steps necessary to keep the testimony private. Please advise if you will consent to our motion for leave to file grand jury testimony under seal and if you have any other suggestions or requests in that regard.

Respectfully,



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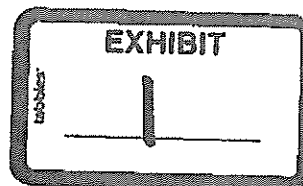


Exhibit 2



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IN THE DISTRICT COURT IN AND FOR OKLAHOMA COUNTY, OKLAHOMA

STATE OF OKLAHOMA,
Plaintiff,

v.

RONALD BRENT SWADLEY,

Defendant, and

CURTIS RAY BREUKLANDER,

Defendant, and

TIMOTHY RAYMOND HOOPER,

Defendant.

No. CF-2024-629

(Criminal Felony)

Filed: 02/08/2024

Judge: Stallings, Susan

PARTIES

BREUKLANDER, CURTIS RAY, Defendant
HOOPER, TIMOTHY RAYMOND, Defendant
STATE OF OKLAHOMA, Plaintiff
SWADLEY, RONALD BRENT, Defendant

ATTORNEYS

Attorney

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BREUKLANDER, CURTIS RAY

SWADLEY, RONALD BRENT

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Represented Parties

SWADLEY, RONALD BRENT

SWADLEY, RONALD BRENT

SWADLEY, RONALD BRENT

SWADLEY, RONALD BRENT

SWADLEY, RONALD BRENT

HOOPER, TIMOTHY RAYMOND

EVENTS

Event	Party	Docket	Reporter
Thursday, April 4, 2024 at 9:00 AM PRELIMINARY HEARING CONFERENCE (2-23-24)	SWADLEY, RONALD BRENT	Jason Glidewell	
Thursday, April 4, 2024 at 9:00 AM PRELIMINARY HEARING CONFERENCE (2-23-24)	HOOPER, TIMOTHY RAYMOND	Jason Glidewell	
Wednesday, May 1, 2024 at 9:00 AM FORMAL ARRAIGNMENT	BREUKLANDER, CURTIS RAY	Susan Stallings	
Friday, June 21, 2024 at 9:00 AM PRELIMINARY HEARING CONFERENCE X2	SWADLEY, RONALD BRENT	Jason Glidewell	
Friday, June 21, 2024 at 9:00 AM PRELIMINARY HEARING CONFERENCE X2	HOOPER, TIMOTHY RAYMOND	Jason Glidewell	
Monday, October 21, 2024 at 9:00 AM PRELIMINARY HEARING	HOOPER, TIMOTHY RAYMOND	Jason Glidewell	

Event	Party	Docket	Reporter
Monday, October 21, 2024 at 9:00 AM PRELIMINARY HEARING	SWADLEY, RONALD BRENT	Jason Glidewell	
Tuesday, October 22, 2024 at 9:00 AM PRELIMINARY HEARING	SWADLEY, RONALD BRENT	Jason Glidewell	
Tuesday, October 22, 2024 at 9:00 AM PRELIMINARY HEARING	HOOPER, TIMOTHY RAYMOND	Jason Glidewell	
Wednesday, October 23, 2024 at 9:00 AM PRELIMINARY HEARING	HOOPER, TIMOTHY RAYMOND	Jason Glidewell	
Wednesday, October 23, 2024 at 9:00 AM PRELIMINARY HEARING	SWADLEY, RONALD BRENT	Jason Glidewell	
Thursday, October 24, 2024 at 9:00 AM PRELIMINARY HEARING	SWADLEY, RONALD BRENT	Jason Glidewell	
Thursday, October 24, 2024 at 9:00 AM PRELIMINARY HEARING	HOOPER, TIMOTHY RAYMOND	Jason Glidewell	
Friday, October 25, 2024 at 9:00 AM PRELIMINARY HEARING	HOOPER, TIMOTHY RAYMOND	Jason Glidewell	
Friday, October 25, 2024 at 9:00 AM PRELIMINARY HEARING	SWADLEY, RONALD BRENT	Jason Glidewell	
Wednesday, November 13, 2024 at 9:00 AM PRETRIAL CONFERENCE (1ST SETTING)	BREUKLANDER, CURTIS RAY	Susan Stallings	

COUNTS

Parties appear only under the counts with which they were charged. For complete sentence information, see the court minute on the docket.

- Count # 1.** Count as Filed: OPJ, CONSPIRACY TO DEFRAUD THE STATE, in violation of 21 O.S. 380-592
Date of Offense: 10/08/2019
- | Party Name | Disposition Information |
|-------------------------|-------------------------|
| SWADLEY, RONALD BRENT | |
| BREUKLANDER, CURTIS RAY | |
| HOOPER, TIMOTHY RAYMOND | |
- Count # 2.** Count as Filed: OPJ, FALSE AND /OR FRAUDULENT CLAIMS AGAINST THE STATE, in violation of 21 O.S. 380-592
Date of Offense: 02/11/2021
- | Party Name | Disposition Information |
|-------------------------|-------------------------|
| SWADLEY, RONALD BRENT | |
| BREUKLANDER, CURTIS RAY | |
| HOOPER, TIMOTHY RAYMOND | |
- Count # 3.** Count as Filed: OPJ, FALSE AND /OR FRAUDULENT CLAIMS AGAINST THE STATE, in violation of 21 O.S. 380-592
Date of Offense: 05/29/2021

	Party Name	Disposition Information
	SWADLEY, RONALD BRENT BREUKLANDER, CURTIS RAY HOOPER, TIMOTHY RAYMOND	
Count # 4.		Count as Filed: OPJ, FALSE AND/OR FRAUDULENT CLAIMS AGAINST THE STATE, in violation of 21 O.S. 380-592 Date of Offense: 06/28/2021

	Party Name	Disposition Information
	SWADLEY, RONALD BRENT BREUKLANDER, CURTIS RAY HOOPER, TIMOTHY RAYMOND	
Count # 5.		Count as Filed: OPJ, FALSE AND/OR FRAUDULENT CLAIMS AGAINST THE STATE, in violation of 21 O.S. 380-592 Date of Offense: 07/14/2021

	Party Name	Disposition Information
	SWADLEY, RONALD BRENT BREUKLANDER, CURTIS RAY HOOPER, TIMOTHY RAYMOND	
Count # 6.		Count as Filed: OPJ, FALSE AND/OR FRAUDULENT CLAIMS AGAINST THE STATE, in violation of 21 O.S. 380-592 Date of Offense: 08/11/2021

	Party Name	Disposition Information
	SWADLEY, RONALD BRENT BREUKLANDER, CURTIS RAY HOOPER, TIMOTHY RAYMOND	

DOCKET

Date	Code	Description
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02-08-2024 | TEXT |

CRIMINAL FELONY INITIAL FILING.
Document Available at Court Clerk's Office

02-08-2024 | O |


ORDER DETERMINING VENUE, SEALING INDICTMENT, REQUIRING TRANSMITTAL OF INDICTMENT TO COUNTY OF VENUE, AND AUTHORIZING DISTRICT COURT TO OPEN FOR PURPOSE OF ISSUANCE OF WARRANT/JUDGE MAI
Document Available at Court Clerk's Office

02-08-2024 | O]

AMENDED ORDER DETERMINING VENUE, REQUIRING TRANSMITTAL OF INDICTMENT TO COUNTY OF VENUE, AND AUTHORIZING DISTRICT COURT TO OPEN FOR PURPOSE OF ISSUANCE OF WARRANT/JUDGE MAI


THIS INDICTMENT IS NOT TO BE SEALED.

Document Available at Court Clerk's Office

02-08-2024 |  WAI\$] HOOPER, TIMOTHY RAYMOND  \$ 50.00

WARRANT OF ARREST ISSUED, JUDGE: KEVIN MCCRAY - BOND AMOUNT: \$10,000.00

COMMENT:

02-08-2024 | OCISR] HOOPER, TIMOTHY RAYMOND  \$ 25.00

OKLAHOMA COURT INFORMATION SYSTEM REVOLVING FUND

02-08-2024 |  WAI\$] BREUKLANDER, CURTIS RAY  \$ 50.00

WARRANT OF ARREST ISSUED, JUDGE: KEVIN MCCRAY - BOND AMOUNT: \$10,000.00

COMMENT:

02-08-2024 | OCISR] BREUKLANDER, CURTIS RAY  \$ 25.00

OKLAHOMA COURT INFORMATION SYSTEM REVOLVING FUND

02-08-2024 |  WAI\$] SWADLEY, RONALD BRENT  \$ 50.00

WARRANT OF ARREST ISSUED, JUDGE: KEVIN MCCRAY - BOND AMOUNT: \$10,000.00

COMMENT:

02-08-2024 | OCISR] SWADLEY, RONALD BRENT  \$ 25.00

OKLAHOMA COURT INFORMATION SYSTEM REVOLVING FUND

02-08-2024 | INFORMATION] SWADLEY, RONALD BRENT  #1

DEFENDANT RONALD BRENT SWADLEY WAS CHARGED WITH COUNT #1, CONSPIRACY TO DEFRAUD THE STATE IN VIOLATION OF 21 O.S. 380-592

02-08-2024 | INFORMATION] BREUKLANDER, CURTIS RAY  #1

DEFENDANT CURTIS RAY BREUKLANDER WAS CHARGED WITH COUNT #1, CONSPIRACY TO DEFRAUD THE STATE IN VIOLATION OF 21 O.S. 380-592

02-08-2024 | INFORMATION] HOOPER, TIMOTHY RAYMOND  #1

DEFENDANT TIMOTHY RAYMOND HOOPER WAS CHARGED WITH COUNT #1, CONSPIRACY TO DEFRAUD THE STATE IN VIOLATION OF 21 O.S. 380-592

02-08-2024 | INFORMATION] SWADLEY, RONALD BRENT  #2

DEFENDANT RONALD BRENT SWADLEY WAS CHARGED WITH COUNT #2, FALSE AND /OR FRAUDULENT CLAIMS AGAINST THE STATE IN VIOLATION OF 21 O.S. 380-592

02-08-2024 | INFORMATION] BREUKLANDER, CURTIS RAY  #2

DEFENDANT CURTIS RAY BREUKLANDER WAS CHARGED WITH COUNT #2, FALSE AND /OR FRAUDULENT CLAIMS AGAINST THE STATE IN VIOLATION OF 21 O.S. 380-592

02-08-2024 | INFORMATION] HOOPER, TIMOTHY RAYMOND  #2

DEFENDANT TIMOTHY RAYMOND HOOPER WAS CHARGED WITH COUNT #2, FALSE AND /OR FRAUDULENT CLAIMS AGAINST THE STATE IN VIOLATION OF 21 O.S. 380-592

02-08-2024 | INFORMATION]

SWADLEY, RONALD BRENT  #3

DEFENDANT RONALD BRENT SWADLEY WAS CHARGED WITH COUNT #3, FALSE AND /OR FRAUDULENT CLAIMS AGAINST THE STATE IN VIOLATION OF 21 O.S. 380-592

02-08-2024 | INFORMATION]

BREUKLANDER, CURTIS RAY  #3

DEFENDANT CURTIS RAY BREUKLANDER WAS CHARGED WITH COUNT #3, FALSE AND /OR FRAUDULENT CLAIMS AGAINST THE STATE IN VIOLATION OF 21 O.S. 380-592

02-08-2024 | INFORMATION]

HOOPER, TIMOTHY RAYMOND  #3

DEFENDANT TIMOTHY RAYMOND HOOPER WAS CHARGED WITH COUNT #3, FALSE AND /OR FRAUDULENT CLAIMS AGAINST THE STATE IN VIOLATION OF 21 O.S. 380-592

02-08-2024 | INFORMATION]

SWADLEY, RONALD BRENT  #4

DEFENDANT RONALD BRENT SWADLEY WAS CHARGED WITH COUNT #4, FALSE AND/OR FRAUDULENT CLAIMS AGAINST THE STATE IN VIOLATION OF 21 O.S. 380-592

02-08-2024 | INFORMATION]

BREUKLANDER, CURTIS RAY  #4

DEFENDANT CURTIS RAY BREUKLANDER WAS CHARGED WITH COUNT #4, FALSE AND/OR FRAUDULENT CLAIMS AGAINST THE STATE IN VIOLATION OF 21 O.S. 380-592

02-08-2024 | INFORMATION]

HOOPER, TIMOTHY RAYMOND  #4

DEFENDANT TIMOTHY RAYMOND HOOPER WAS CHARGED WITH COUNT #4, FALSE AND/OR FRAUDULENT CLAIMS AGAINST THE STATE IN VIOLATION OF 21 O.S. 380-592

02-08-2024 | INFORMATION]

SWADLEY, RONALD BRENT  #5

DEFENDANT RONALD BRENT SWADLEY WAS CHARGED WITH COUNT #5, FALSE AND/OR FRAUDULENT CLAIMS AGAINST THE STATE IN VIOLATION OF 21 O.S. 380-592

02-08-2024 | INFORMATION]

BREUKLANDER, CURTIS RAY  #5

DEFENDANT CURTIS RAY BREUKLANDER WAS CHARGED WITH COUNT #5, FALSE AND/OR FRAUDULENT CLAIMS AGAINST THE STATE IN VIOLATION OF 21 O.S. 380-592

02-08-2024 | INFORMATION]

HOOPER, TIMOTHY RAYMOND  #5

DEFENDANT TIMOTHY RAYMOND HOOPER WAS CHARGED WITH COUNT #5, FALSE AND/OR FRAUDULENT CLAIMS AGAINST THE STATE IN VIOLATION OF 21 O.S. 380-592

02-08-2024 | INFORMATION]

SWADLEY, RONALD BRENT  #6

DEFENDANT RONALD BRENT SWADLEY WAS CHARGED WITH COUNT #6, FALSE AND/OR FRAUDULENT CLAIMS AGAINST THE STATE IN VIOLATION OF 21 O.S. 380-592

02-08-2024 | INFORMATION]

BREUKLANDER, CURTIS RAY  #6

DEFENDANT CURTIS RAY BREUKLANDER WAS CHARGED WITH COUNT #6, FALSE AND/OR FRAUDULENT CLAIMS AGAINST THE STATE IN VIOLATION OF 21 O.S. 380-592

02-08-2024 | INFORMATION]

HOOPER, TIMOTHY RAYMOND  #6

DEFENDANT TIMOTHY RAYMOND HOOPER WAS CHARGED WITH COUNT #6, FALSE AND/OR FRAUDULENT CLAIMS AGAINST THE STATE IN VIOLATION OF 21 O.S. 380-592













02-08-2024 | TEXT]














OCIS HAS AUTOMATICALLY ASSIGNED JUDGE STALLINGS, SUSAN TO THIS CASE.

02-12-2024 | EAA]


SWADLEY, RONALD BRENT 

ENTRY OF APPEARANCE - A. MARTIN
Document Available at Court Clerk's Office

02-12-2024 EAA	SWADLEY, RONALD BRENT 	
ENTRY OF APPEARANCE M. MARTIN Document Available at Court Clerk's Office		
02-12-2024 MO	SWADLEY, RONALD BRENT 	
MOTION REQUESTING PRELIMINARY EXAMINATION AND MEMORANDUM OF LAW IN SUPPORT THEREOF Document Available at Court Clerk's Office		
02-12-2024 ACCOUNT	SWADLEY, RONALD BRENT 	
RECEIPT # 2024-5566488 ON 02/12/2024. PAYOR: SWADLEY, RONALD BRENT- TOTAL AMOUNT PAID: \$ 10,000.00. LINE ITEMS: CF-2024-629: \$10,000.00 ON AC90 CASH BONDS FOR SWADLEY, RONALD BRENT.		
02-12-2024 ACCOUNT	HOOPER, TIMOTHY RAYMOND 	
RECEIPT # 2024-5566489 ON 02/12/2024. PAYOR: HOOPER, TIMOTHY RAYMOND- TOTAL AMOUNT PAID: \$ 10,000.00. LINE ITEMS: CF-2024-629: \$10,000.00 ON AC90 CASH BONDS FOR HOOPER, TIMOTHY RAYMOND.		
02-16-2024 EAA	HOOPER, TIMOTHY RAYMOND 	
ENTRY OF APPEARANCE BY ROBERT L. WYATT IV OBA#13154 Document Available at Court Clerk's Office		
02-16-2024 NO	HOOPER, TIMOTHY RAYMOND 	
DEFENDANT'S DEMAND FOR PRELIMINARY HEARING Document Available at Court Clerk's Office		
02-23-2024 CTARR	SWADLEY, RONALD BRENT 	
JUDGE MCCRAY: DEFENDANT PRESENT FOR ARRAIGNMENT OUT OF CUSTODY AND IS REPRESENTED BY ATTORNEY MACK MARTIN. STATE NOT PRESENT. DEFENDANT SET FOR PRELIMINARY HEARING CONFERENCE ON 4-4-2024 AT 9:00 AM BEFORE JUDGE GLIDEWELL. BAIL SET IN THE AMOUNT OF \$10,000. Document Available at Court Clerk's Office		
02-23-2024 CTARR	HOOPER, TIMOTHY RAYMOND 	
JUDGE MCCRAY: DEFENDANT PRESENT FOR ARRAIGNMENT OUT OF CUSTODY AND IS REPRESENTED BY ATTORNEY BOB WYATT. STATE NOT PRESENT. DEFENDANT SET FOR PRELIMINARY HEARING CONFERENCE ON 4-4-2024 AT 9:00 AM BEFORE JUDGE GLIDEWELL. BAIL SET IN THE AMOUNT OF \$10,000. Document Available at Court Clerk's Office		
02-23-2024 BO	HOOPER, TIMOTHY RAYMOND 	\$ 10.00
CASH BOND FOR HOOPER, TIMOTHY RAYMOND POSTED BY HOOPER, TIMOTHY RAYMOND, IN THE AMOUNT OF \$10,000.00, POSTED 02/12/2024 Document Available at Court Clerk's Office		
02-23-2024 BOJ	HOOPER, TIMOTHY RAYMOND 	\$ 25.00
BOND INITIAL FILING JAIL FUND FEE		
02-23-2024 CCADMIN25	HOOPER, TIMOTHY RAYMOND 	\$ 2.50
COURT CLERK ADMINISTRATIVE FEE ON \$25 COLLECTIONS		
02-23-2024 DCADMIN25	HOOPER, TIMOTHY RAYMOND 	\$ 3.75
DISTRICT COURT ADMINISTRATIVE FEE ON \$25 COLLECTIONS		

02-23-2024 BO	SWADLEY, RONALD BRENT 	\$ 10.00
CASH BOND FOR SWADLEY, RONALD BRENT, IN THE AMOUNT OF \$10,000.00, POSTED 02/12/2024 Document Available at Court Clerk's Office		
02-23-2024 BOJ	SWADLEY, RONALD BRENT 	\$ 25.00
BOND INITIAL FILING JAIL FUND FEE		
02-23-2024 CCADMIN25	SWADLEY, RONALD BRENT 	\$ 2.50
COURT CLERK ADMINISTRATIVE FEE ON \$25 COLLECTIONS		
02-23-2024 DCADMIN25	SWADLEY, RONALD BRENT 	\$ 3.75
DISTRICT COURT ADMINISTRATIVE FEE ON \$25 COLLECTIONS		
02-27-2024  RETWA	SWADLEY, RONALD BRENT 	
WARRANT RETURNED 2/27/2024, WARRANT ISSUED ON 2/8/2024 COMMENT: WARRANT CLEARED 2-23-2024 Document Available at Court Clerk's Office		
02-27-2024  RETWA	HOOPER, TIMOTHY RAYMOND 	
WARRANT RETURNED 2/27/2024, WARRANT ISSUED ON 2/8/2024 COMMENT: WARRANT CLEARED 2-23-2024 Document Available at Court Clerk's Office		
02-29-2024 ORSR	HOOPER, TIMOTHY RAYMOND 	
ORDER OF RELEASE W/SHERIFF'S RETURN Document Available at Court Clerk's Office		
02-29-2024 ORSR	SWADLEY, RONALD BRENT 	
ORDER OF RELEASE W/SHERIFF'S RETURN Document Available at Court Clerk's Office		
04-03-2024 EAA	SWADLEY, RONALD BRENT 	
ENTRY OF APPEARANCE BY PETER L. SCIMECA OBA#21805 Document Available at Court Clerk's Office		
04-04-2024 EAA	SWADLEY, RONALD BRENT 	
ENTRY OF APPEARANCE ATTORNEY DAVID SMITH OBA 8429 Document Available at Court Clerk's Office		
04-04-2024 CTFREE	HOOPER, TIMOTHY RAYMOND 	
JUDGE GLIDEWELL: THE DEFENDANT APPEARS IN PERSON WITH ATTORNEY B. WYATT AND T. MCLAWHORN. THE STATE APPEARS BY ASSISTANT DISTRICT ATTORNEY S. POWERS. THE PRELIMINARY HEARING CONFERENCE IS CONTINUED TO 6-21-2024 AT 9:00 AM BEFORE JUDGE GLIDEWELL BY AGREEMENT. THE PRELIMINARY HEARING IS SET FOR 10-21-2024 AT 9 AM THROUGH 10-25-2024. BOND CONDITIONS INCLUDE DEFENDANT COMPLYING WITH ALL COURT ORDERS AND NO NEW CRIMINAL CHARGES FILED. COURT REPORTER WAIVED. Document Available at Court Clerk's Office		

04-04-2024 [CTFREE]

SWADLEY, RONALD BRENT 

JUDGE GLIDEWELL: THE DEFENDANT APPEARS IN PERSON WITH ATTORNEY P. SCIMICA, D. SMITH, M. MARTIN, AND A. MARTIN. THE STATE APPEARS BY ASSISTANT ATTORNEY GENERAL S. POWERS. THE PRELIMINARY HEARING CONFERENCE IS CONTINUED TO 6-21-2024 AT 9:00 AM BEFORE JUDGE GLIDEWELL AT THE REQUEST OF THE DEFENSE. THE PRELIMINARY HEARING IS SET FOR 10-21-2024 AT 9 AM THROUGH 10-25-2024. BOND CONDITIONS INCLUDE DEFENDANT COMPLYING WITH ALL COURT ORDERS AND NO NEW CRIMINAL CHARGES FILED. COURT REPORTER WAIVED.

Document Available at Court Clerk's Office

04-04-2024 [O]

SWADLEY, RONALD BRENT 

ORDER

Document Available at Court Clerk's Office


04-04-2024 [APLI]

SWADLEY, RONALD BRENT 

APPLICATION TO WITHDRAW AS ATTORNEY OF RECORD FOR DEFENDANT, RONALD BRENT SWADLEY

Document Available at Court Clerk's Office

04-08-2024 [BO]


BREUKLANDER, CURTIS RAY 

\$ 10.00

PROFESSIONAL BOND FOR BREUKLANDER, CURTIS RAY POSTED BY TOLBERT, KATIE (MULTICOUNTY AGENT:HOLDER, WAYNE) (POWER NUMBER:38287--10), IN THE AMOUNT OF \$10,000.00, POSTED 02/08/2024

Document Available at Court Clerk's Office


04-08-2024 [BOJ]

BREUKLANDER, CURTIS RAY 

\$ 25.00

BOND INITIAL FILING JAIL FUND FEE

04-08-2024 [CCADMIN25]

BREUKLANDER, CURTIS RAY 

\$ 2.50

COURT CLERK ADMINISTRATIVE FEE ON \$25 COLLECTIONS

04-08-2024 [DCADMIN25]

BREUKLANDER, CURTIS RAY 

\$ 3.75

DISTRICT COURT ADMINISTRATIVE FEE ON \$25 COLLECTIONS

04-08-2024 [CTARR]

BREUKLANDER, CURTIS RAY 

JUDGE MCRAY: THE DEFT APPEARS IN PERSON WITH ATTY B. BOCK. THE STATE DOES NOT APPEAR. A PLEA OF NOT GUILTY IS ENTERED TO THE STATE'S CHARGES. THIS MATTER IS SET FOR FORMAL ARRAIGNMENT ON 5-1-24 AT 9AM BEFORE JUDGE STALLINGS. BOND IS SET IN THE AMOUNT OF \$10,000.

Document Available at Court Clerk's Office


04-08-2024 [TEXT]

HOOPER, TIMOTHY RAYMOND 

THE STATUS OF THE BOND ENTRY DETAILED IN DOCKET SERIAL #120004269 ABOVE HAS CHANGED TO READ AS FOLLOWS:

CASH BOND FOR HOOPER, TIMOTHY RAYMOND POSTED BY HOOPER, TIMOTHY RAYMOND, IN THE AMOUNT OF \$10,000.00, POSTED 02/12/2024

04-10-2024 [RETWA]

BREUKLANDER, CURTIS RAY 

WARRANT RETURNED 4/10/2024, WARRANT ISSUED ON 2/8/2024

COMMENT: WARRANT CLEARED 04/08/2024

Document Available at Court Clerk's Office

04-10-2024 [ORSR]

BREUKLANDER, CURTIS RAY 

ORDER OF RELEASE W/SHERIFF'S RETURN

Document Available at Court Clerk's Office


04-17-2024 [EAA]

BREUKLANDER, CURTIS RAY 

ENTRY OF APPEARANCE-WILLIAM H BOCK

Document Available at Court Clerk's Office

05-01-2024 | CTARR |

BREUKLANDER, CURTIS RAY 

JUDGE STALLINGS: THE DEFENDANT APPEARS LATE IN PERSON WITH ATTORNEY B. BOCK. THE STATE APPEARS BY AAG S. POWERS . THIS MATTER COMES ON FOR FORMAL ARRAIGNMENT. A PLEA OF NOT GUILTY IS ENTERED & THE DEFENDANT IS FORMALLY ARRAIGNED. THIS MATTER IS SET FOR PRETRIAL CONFERENCE ON 11-13-24 AT 9AM BEFORE JUDGE STALLINGS. BAIL IS SET IN THE AMOUNT OF \$10,000. COURT REPORTER WAIVED.

Document Available at Court Clerk's Office

05-14-2024 | EAA |

SWADLEY, RONALD BRENT 

ENTRY OF APPEARANCE/MARK K STONECIPHER/OBA #10483

Document Available at Court Clerk's Office

05-14-2024 | EAA |

SWADLEY, RONALD BRENT 

ENTRY OF APPEARANCE/BRYAN N B KING/OBA #16673

Document Available at Court Clerk's Office

05-14-2024 | EAA |

SWADLEY, RONALD BRENT 

ENTRY OF APPEARANCE/JOSEPH G WHEELER/OBA #35770

Document Available at Court Clerk's Office

05-15-2024 | EAA |

SWADLEY, RONALD BRENT 

ENTRY OF APPEARANCE A- BILLINGS

Document Available at Court Clerk's Office

06-21-2024 | CTFREE |

HOOPER, TIMOTHY RAYMOND 

JUDGE GLIDEWELL: COMES ON FOR STATUS CONFERENCE. BY AGREEMENT OF THE PARTIES, THIS MATTER TO PROCEED TO PRELIMINARY HEARING ON 10-21-2024.

06-21-2024 | CTFREE |

SWADLEY, RONALD BRENT 

JUDGE GLIDEWELL: COMES ON FOR STATUS CONFERENCE. BY AGREEMENT OF THE PARTIES, THIS MATTER TO PROCEED TO PRELIMINARY HEARING ON 10-21-2024.