

INFORMATION

IN THE DISTRICT COURT IN AND FOR OKLAHOMA COUNTY, STATE OF OKLAHOMA

Bass

**FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.**

THE STATE OF OKLAHOMA,)
) **Plaintiff,**)
))
v.))
))
EDITH JANE WILCOXSON,)
) **Defendant.**)

CF-2012-5549

SEP 13 2012

PATRICIA PRESLEY, COURT CLERK
by _____
DEPUTY

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF OKLAHOMA, COMES NOW **E. SCOTT PRUITT** THE DULY ELECTED, QUALIFIED AND ACTING ATTORNEY GENERAL IN AND FOR THE STATE OF OKLAHOMA, AND ON HIS OFFICIAL OATH INFORMS THE DISTRICT COURT THAT

COUNT 1: ON OR ABOUT THE 6TH DAY OF JULY 2010, A.D. THE CRIME OF WORKERS' COMPENSATION FRAUD WAS FELONIOUSLY COMMITTED IN OKLAHOMA COUNTY, OKLAHOMA, BY EDITH JANE WILCOXSON, WHO WILLFULLY, WRONGFULLY AND FELONIOUSLY PRESENTED DURING A WORKERS' COMPENSATION COURT TRIAL PROCEEDING INVOLVING HER CLAIM AGAINST HER EMPLOYER, WOODWARD COUNTY EMS, IN SUPPORT OF A CLAIM FOR PAYMENT OR OTHER BENEFITS PURSUANT TO A CONTRACT OF INSURANCE DURING THE PENDENCY OF HER WORKERS' COMPENSATION CLAIM MISREPRESENTING THAT SHE NEITHER INJURED NOR RECEIVED MEDICAL TREATMENT ON HER NECK PRIOR TO MAY 2006, KNOWING THAT THE STATEMENTS CONTAIN FALSE, FRAUDULENT, INCOMPLETE, AND/OR MISLEADING INFORMATION CONCERNING ANY FACT OR THING MATERIAL TO THE PURPOSE FOR THE STATEMENT WITH THE INTENT TO DEFRAUD AND/OR DECEIVE ANOTHER, CONTRARY TO THE PROVISIONS OF SECTION 1663 (C)(1) OF TITLE 21 OF THE OKLAHOMA STATUTES, AND AGAINST THE PEACE AND DIGNITY OF THE STATE OF OKLAHOMA

E. SCOTT PRUITT

ATTORNEY GENERAL OF OKLAHOMA

By:

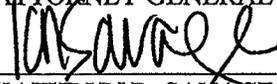
KRSavage

KATHRYN R. SAVAGE, OBA #18990
Assistant Attorney General
313 N.E. 21st Street
Oklahoma City, OK 73105
[405] 522-0684 Telephone
[405] 522-4537 Facsimile

I HAVE EXAMINED THE FACTS IN THIS CASE AND RECOMMEND THAT A WARRANT DO
ISSUE, (22 O.S. 231).

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA

By:


KATHRYN R. SAVAGE
ASSISTANT ATTORNEY GENERAL

VIOLATION AND PENALTY:

21 O.S. §1663 - IMPRISONMENT NOT EXCEEDING 7 YEARS AND/OR A FINE OF UP TO
\$10,000.00.

NAME OF WITNESSES:

Morgan Carpenter, Investigator
Office of Attorney General
313 N.E. 21st Street
Oklahoma City, Oklahoma 73105

Roy Gonzales, Claims Adjuster
County Claims of Oklahoma
429 N.E. 50th
Oklahoma City, Oklahoma 73105

Harvey Rutherford, Police Chief
Woodward Police Department
1219 8th Street
Woodward, Oklahoma 73801

Vanessa Brewington, Administrator
Woodward County EMS
1510 Downs Avenue
Woodward, Oklahoma 73801

Cathy Brown
Woodward County EMS
1510 Downs Avenue
Woodward, Oklahoma 73801

Jim Gortman
Woodward County Sheriff's Office
1600 Main Street, #1
Woodward, Oklahoma 73801

Marty Graham, Paramedic
Woodward County EMS
1510 Downs Avenue
Woodward, Oklahoma 73801

Richard Brown, M.D.
1502 Oklahoma Avenue
Woodward, Oklahoma 73801

Bruce Pendelton, M.D.
Neurological Surgery Associates, Inc.
102 S. Van Buren
Enid, Oklahoma 73703

Barry Pollard, M.D.
Neurological Surgery Associates, Inc.
102 S. Van Buren
Enid, Oklahoma 73703

Charles Dunn, M.D.
Willow Run Medical Office Complex
1204 West Willow, Suite D
Enid, Oklahoma 73703

Michael Wright, M.D.
OSSO Spine Center
3115 S.W. 89th Street
Oklahoma City, Oklahoma 73159

Mary Francis, R.N.
OSSO Spine Center
3115 S.W. 89th Street
Oklahoma City, Oklahoma 73159

Edward Shadeed, M.D.
Spine Care of Oklahoma
6303 Waterford Blvd., Suite 200
Oklahoma City, Oklahoma 73118

Walter Gadberry, M.D.
Woodward Regional Hospital
900 17th Street
Woodward, Oklahoma 73801

T. Ball
Department of Public Safety
P.O. Box 11415
Oklahoma City, Oklahoma 73136

St. Mary's Mercy Hospital
Custodian of Records
305 South Fifth
Enid, Oklahoma 73701

Arden Blough, M.D.
1801 N. Broadway Avenue
Oklahoma City, Oklahoma 73103

John Munneke, M.D.
36 West Memorial Road
Oklahoma City, Oklahoma 73114

James Odor, M.D.
14100 Parkway Commons Drive, Suite 200
Oklahoma City, Oklahoma 73134

Timothy Lurtz, Attorney at Law
Collins, Zorn & Wagner
429 NE 50th, 2nd Floor
Oklahoma City, Oklahoma 73105

Carol M. Johnson-Archibald, C.S.R.
Official Court Reporter
Workers' Compensation Court
1915 N. Stiles
Oklahoma City, Oklahoma 73105

H.W. Pete Peters, C.S.R.
Official Court Reporter
Workers' Compensation Court
1915 N. Stiles
Oklahoma City, Oklahoma 73105

Workers' Compensation Court
Custodian of Records
1915 N. Stiles
Oklahoma City, Oklahoma 73105

Becky C. Dame, C.S.R., R.P.R.
Professional Reporters
511 Couch Drive, Suite 100
Oklahoma City, Oklahoma 73102

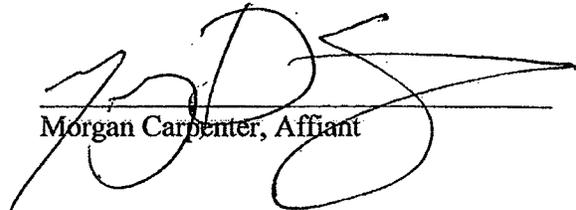
On July 6, 2010, a hearing took place in Oklahoma City, Oklahoma requesting for neck surgery for Wilcoxson. In this hearing, Wilcoxson denied ever having previous injuries, problems or treatment to her neck prior to this injury.

Medical reports reveal on August 14, 1996, Wilcoxson had a MRI of her cervical spine conducted by Dr. David Miller with St Mary's Mercy Hospital in Enid, Oklahoma. Findings showed consistency with Degenerative Disc Disease at C5-C6. On September 16, 1996, Wilcoxson was examined by Dr. Barry Pollard. She was admitted to the hospital and underwent a cervical myelogram for left shoulder and arm pain. This myelogram revealed a defect at C5-C6 on the left side. A bulging disc was discovered.

On May 13, 1999, Wilcoxson was involved in a motor vehicle accident while working for the Woodward Police Department and was admitted into the Woodward Hospital. She underwent cervical spine X-rays during this hospital visit. She followed up with her primary care physician, Dr. Richard Brown, Woodward, Oklahoma on May 17, 1999, for pain in her neck. On a Workman's Compensation Injury Information Form for Dr. Brown, Wilcoxson listed her head, neck and left shoulder for injuries deriving from the accident on May 13, 1999. She had multiple visits with Dr. Brown due to chronic problems with her neck following this accident and was prescribed pain medications.

On June 17, 1999, she was seen by Dr. Bruce Pendelton. She received cervical spine X-rays, and the X-rays revealed some significant disc degeneration between C5-C6, but no fractures or subluxations. On July 6, 1999, Wilcoxson was seen by Dr. Pendelton again for persistent neck/left shoulder pain. She attended physical therapy. The MRI conducted by Dr. Charles Dunn, showed circumferential disc bulge at L5-S1 with some associated degenerative spurring of adjacent vertebral end plates. On July 27, 1999, Wilcoxson had a second follow-up appointment with Dr. Pendelton due to still having some neck, left shoulder and biceps area pain. On August 27, 1999, Wilcoxson filed a Form 3 for injuries to the back, neck, left shoulder, left arm and entire body resulting from the automobile accident on May 13, 1999, in Workers' Compensation case#99-13434F. On August 30, 1999, Dr. Pendelton recommended neck surgery for Wilcoxson, and she declined. On October 2, 2000, Wilcoxson was seen by Dr. Pendelton for a flair up of neck and left arm pain. She listed her neck and shoulder pain as her chief complaint on the patient health history form. Her symptoms were described as neck and shoulder pain from work-related car accident. On February 1, 2001, Wilcoxson testified under oath in a Workers' Compensation hearing. She was asked if she sustained injury to her back, neck and left shoulder on May 13, 1999 while working for the city of Woodward. She answered, "yes."

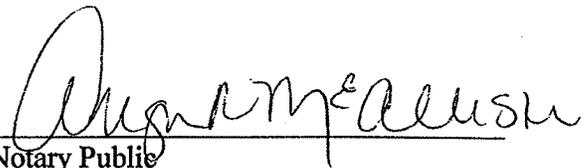
Based on the above information, I believe that probable cause exists to show that Edith Jane Wilcoxson committed the crime of Workers' Compensation Fraud, (1) count in violation of 21 O.S. § 1663 (C). Therefore, I request that a warrant issue for her arrest.


Morgan Carpenter, Affiant

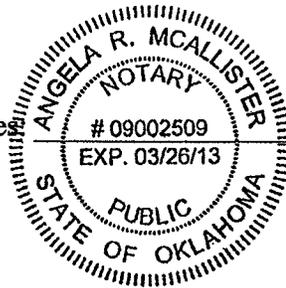
COUNTY OF OKLAHOMA)
STATE OF OKLAHOMA) SS:

This affidavit was subscribed and sworn to before me this 12th day of September, 2012, by Morgan Carpenter.

(SEAL)


Notary Public

My commission Expires



FINDING OF PROBABLE CAUSE

On the _____, day of _____, 2012, the above captioned case came before me, the undersigned Judge of the District Court of Oklahoma County, Oklahoma, upon the Affidavit of Probable Cause of Morgan Carpenter, Investigator with the Office of Attorney General, requesting that a Warrant of Arrest issue for the within named Defendant, Edith "Jane" Wilcoxson, that she might be arrested and held to answer for the offense of Workers' Compensation Fraud. Based upon said Affidavit, I am satisfied and do hereby find that the offense of Workers' Compensation Fraud had been committed, that there is probable cause to believe the within named Defendant has committed said offense and that a Warrant of Arrest should issue.

Dated this _____ day of _____, 2012.

Judge of the District Court