

feloniously committed in Pittsburg County, Oklahoma, by **DAVID HAROLD EUGENE EARLS**, who knowingly and intentionally touched the body and private parts of L.W. who was at the time five (5) years of age, D.O.B. 9/8/2003, in a lewd and lascivious manner and in a manner calculated to arouse and excite sexual interests, to -wit:

The defendant, **DAVID HAROLD EUGENE EARLS**, fondled the breast of L.W. using his fingers or hands contrary to the provisions of section 1123 of Title 21 of the Oklahoma Statutes, and against the Peace and Dignity of the State of Oklahoma.

Count 2:

On or about the 9th day of May, 2008 A.D., through the 20th day of July 2008 A.D., the crime of **INDECENT AND LEWD ACTS WITH A CHILD UNDER SIXTEEN (16)** was feloniously committed in Pittsburg County, Oklahoma, by **DAVID HAROLD EUGENE EARLS**, who knowingly and intentionally touched the body and private parts of L.W. who was at the time five (5) years of age, D.O.B. 9/8/2003, in a lewd and lascivious manner and in a manner calculated to arouse and excite sexual interests, to -wit:

The defendant, **DAVID HAROLD EUGENE EARLS**, kissed L.W. by placing his tongue on L.W.'s belly button contrary to the provisions of section 1123 of Title 21 of the Oklahoma statutes, and against the Peace and Dignity of the State of Oklahoma.

Count 3:

On or about the 9th day of May, 2008 A.D., through the 20th day of July 2008 A.D., the crime of **INDECENT AND LEWD ACTS WITH A CHILD UNDER SIXTEEN (16)** was feloniously committed in Pittsburg County, Oklahoma, by **DAVID HAROLD EUGENE EARLS**, who

knowingly and intentionally touched the body and private parts of R.C. who was at the time six (6) years of age, D.O.B. 10/1/2002, in a lewd and lascivious manner and in a manner calculated to arouse and excite sexual interests, to -wit:

The defendant, **DAVID HAROLD EUGENE EARLS**, caused R.C. to remove his underwear and pants and then **DAVID HAROLD EUGENE EARLS** used his hands to fondle R.C.'s private parts contrary to the provisions of section 1123 of Title 21 of the Oklahoma Statutes, and against the Peace and Dignity of the State of Oklahoma.

True Bill ()

No Bill ()



FOREMAN

Witnesses Appearing Before the Grand Jury

Rachel Cole 9000A E 121 Road, Dustin, Oklahoma 74839

Katherine Cole 9000A E 121 Road, Dustin, Oklahoma 74839

Investigator Fred Ellis 313 N.E. 21st Oklahoma City, Oklahoma 73105

Investigator Jordan Lair 313 N.E. 21st Oklahoma City, Oklahoma 73105

Larry McAllister P.O. Box 1125, Oklahoma City, Oklahoma 73101-1125

David Harold Eugene Earls c/o Pittsburg County Sheriff 1210 N. West Street, McAlester, Oklahoma 74501

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

STATE OF OKLAHOMA,

Plaintiff,

vs.

DAVID HAROLD EUGENE EARLS,

SS # [REDACTED]

D.O.B. 7/10/1944

Defendant.

) 2009 SEP -2 A 11:03
) CINDY ELLER
) BY _____
) Case No. CF-09-360
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SUPPLEMENT TO GRAND JURY INDICTMENT

On the 24th day of August, 2009, by order of the Pittsburg County District Court, the Pittsburg County Grand Jury was convened to serve from that date until such matters pending before said county grand jury are fully investigated. Said grand jury is composed of good and lawful men and women, legally drawn and summoned according to law and then and there examined, impaneled, sworn and charged according to law to diligently inquire into the true and presentment make of all public offenses against the State of Oklahoma and having been committed in Pittsburg County, Oklahoma, do upon their oath and in the name and by the authority of the State of Oklahoma, allege as follows:

That on March 5, 1992, DAVID HAROLD EARLS, was convicted in Pushmataha County District Court, State of Oklahoma, Case No. F-91-79 of Burglary in the Second Degree and was sentenced to five (5) years incarceration.

That on February 1, ^{MHA 1996} ~~2006~~, DAVID HAROLD EARLS, was convicted in Hughes County District Court, State of Oklahoma, Case No. F-95-101 of Assault With a Dangerous Weapon, and was sentenced to twenty (20) years incarceration.

No Bill ()
True Bill (X)

M. A. [Signature]
FOREMAN