

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

MAR 25 2009

THE STATE OF OKLAHOMA,)
)
Plaintiff,)
)
v.)
)
TIMBERLYNN DeGRAFFENREID,)
)
Defendant.)

PATRICIA PRESLEY, COURT CLERK
by _____
DEPUTY

Case No. CF-2009-1907
Watson

INFORMATION

In the name and by the authority of the State of Oklahoma:

W.A. DREW EDMONDSON, Attorney General of Oklahoma, in and for the State and County aforesaid, gives the Court to know and be informed as follows:

TIMBERLYNN DeGRAFFENREID, in Oklahoma County, State of Oklahoma, on or about July 10, 2007, did unlawfully, willfully, intentionally, knowingly, and feloniously commit the crime of **WORKERS' COMPENSATION FRAUD**, in violation of Title 21 O.S. §1663(C)(1), in the manner and form as follows to-wit:

Said Defendant, with intent to injure, defraud, and deceive Reasor's with respect to a claim for payment or other benefits pursuant to a contract of insurance, did knowingly, intentionally, and fraudulently present false, misleading, or incomplete statements concerning facts material to a workers' compensation claim, specifically as follows:

On July 10, 2007, the Defendant filed or caused to be filed a Form 3, Employee's First Notice of Accidental Injury and Claim for Compensation, with the Workers' Compensation Court, alleging that she sustained a work-related injury while working for Reasor's. On June 11, 2007, the Defendant reported to Reasor's that on May 23, 2007, she was lifting a fifty pound bag of dog food and felt a pop in her neck and back. The Defendant provided the information regarding being injured at work when she then and there knew that the information was false, misleading, or incomplete with the intent to injure, defraud, and deceive Reasor's,

all of which is contrary to the law and the statutes, and the peace and dignity of the State of Oklahoma.

W.A. DREW EDMONDSON
ATTORNEY GENERAL OF OKLAHOMA

By: [Signature]
TOMMY HUMPHRIES, OBA #19130
Assistant Attorney General
313 N.E. 21st Street
Oklahoma City, OK 73105
(405) 522-3403

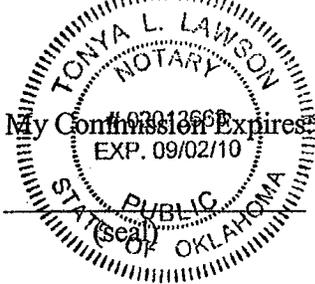
STATE OF OKLAHOMA)
)
COUNTY OF OKLAHOMA)

ss.

I do solemnly swear that the statements and allegations set forth in the within Information are true and correct to the best of my information and belief.

[Signature]
TOMMY HUMPHRIES
Assistant Attorney General

SUBSCRIBED AND SWORN to before me this 24th day of March, 2009,
by Tommy Humphries.



[Signature]
Notary Public

I have examined the facts in this case and recommend a warrant issue.

W.A. DREW EDMONDSON
ATTORNEY GENERAL OF OKLAHOMA

By: [Signature]
TOMMY HUMPHRIES
Assistant Attorney General

I located and interviewed Karen Heck. Heck recalled Timberlynn West and stated she had testified in her Workers' Compensation Court (WCC) hearing. Heck recalled West stating she had not lifted anything at work, but picked up her ninety (90) pound dog the previous day.

I obtained and reviewed a deposition transcript of DeGraffenreid, taken on September 24, 2007, at 320 S. Boston Ave., Suite 725, Tulsa, Tulsa County, Oklahoma, by Jaque Brawner Dean. I also obtained a trail transcript, taken on April 3, 2008, in the Workers' Compensation Court (WCC). DeGraffenreid stated the following during the deposition and trial: DeGraffenreid stated she injured her back on May 23, 2007, while lifting a fifty (50) pound bag of dog food to another employee, Christy. DeGraffenreid denied telling St. John's Sapulpa Hospital she injured her back while lifting a ninety (90) pound dog. DeGraffenreid's workers' compensation claim was denied permanent partial disability by Judge Edwards on April 10, 2008.

I located and interviewed Kristy Carter. Carter recalled Degraffenreid and remembered working with her. Carter could not recall the exact injury date, but stated she once worked with Degraffenreid stocking dog food. Carter stated Degraffenreid did not get hurt on this date, but was unable to verify that date was in fact the injury date. Carter stated, "if this was the day she is claiming she was injured, she did not get hurt."

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



Andrew Whorton, Affiant

COUNTY OF OKLAHOMA)
)
) ss:
STATE OF OKLAHOMA)

This affidavit was subscribed and sworn to before me this 24th day of March, 2009, by Andrew Whorton.

(SEAL)


Notary Public

My commission Expires: _____