

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

STATE OF OKLAHOMA,)
)
 Plaintiff,)
)
 vs.)
)
 WADE MOCK STARR,)
 DOB 09/10/1970; SSN: [REDACTED])
 Defendant.)

Case No. CF-2012-3806

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

JUN 20 2012

PATRICIA PRESLEY, COURT CLERK
by _____

INDICTMENT

FOR: PERJURY BY CONFLICTING SWORN STATEMENTS, 21 O.S. 2012, § 496
[1 COUNT]
PERJURY, 21 O.S. 2012, § 491[2 Counts]

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF OKLAHOMA:

By the order of the Supreme Court of Oklahoma, the Thirteenth Multicounty Grand Jury was convened with its principal site to be in Oklahoma City, Oklahoma County, Oklahoma, to serve from February 22, 2011 until August 22, 2012 or until the designated presiding judge determines the Thirteenth Multicounty Grand Jury has reached reasonable completion of its investigations, but in any event, no more than twenty-four (24) months from the commencement of its term. That the said Multicounty Grand Jury of the State of Oklahoma, being composed of good and lawful men and woman, legally drawn and summons according to law and then and there examined, impaneled, sworn and charged according to law to diligently inquire into and true presentment make of all public offenses against the State of Oklahoma committed and triable within the State of Oklahoma, upon their oath and in the name and by the authority of the State of Oklahoma, do present and find that:

COUNT 1: PERJURY BY CONFLICTING STATEMENTS UNDER OATH

On or about the 16th day of May, 2013, A.D., the crime of **Perjury** was committed in Oklahoma County, Oklahoma, by the defendant, **WADE MOCK STARR**. That is to say that on or about said date and within said County and State, the Defendant was a witness appearing with his attorney before the Multicounty Grand Jury. It is further alleged that prior thereto, on or about April 5, 2011, the defendant was part-owner of the Deep Fork Grill and Café Nova, the same being restaurants located in Oklahoma City, Oklahoma County, Oklahoma, and did then and there knowingly and intentionally sign and deliver the following affidavit with the intention that it be uttered and delivered as true in an investigation provided by law:

STATE OF OKLAHOMA)
)
COUNTY OF OKLAHOMA)

AFFIDAVIT OF WADE STARR

I, Wade Starr, of lawful age, being duly sworn do hereby depose and state that the statements contained herein are true and correct to the best of my knowledge.

1. I am the owner and proprietor of Deep Fork Grill, Café Nova and various other restaurants.
2. On November 20, 2006, a party was held at Café Nova or Deep Fork Grill to celebrate and raise money for Mr. David Prater.
3. At the conclusion of the party, the bill for the event was approximately \$12,700.00.
4. This bill was not paid for by Mr. David Prater.
5. This bill was paid by Lewis B. Moon, a frequent customer of my restaurants, at Mr. Prater's request.
6. Mr. Moon paid this bill completely with his credit card on the date of the event.

I have read and understand the foregoing document and the statements contained herein are true and correct to the best of my knowledge. I sign this document of my own free will.

Further Affiant sayeth not.

S/ Wade Starr

WADE STARR

Subscribed and sworn to before this 6th day of April, 2011

S/

Notary Public

My Commission Expires:
January 4, 2014

Thereafter, as aforesaid, the defendant appeared as a witness with his attorney before the Multicounty Grand Jury, and after first being duly sworn to tell the whole truth did knowingly, intentionally and feloniously testify, contrary to paragraphs 5 and 6 of defendant's affidavit, as follows:

Q: When you signed the affidavit, you actually didn't know who paid for the party, did you?

A: Like one hundred percent, like see the credit card receipt?

Q: If you need to qualify your answer. Can you answer my question? At the time that you signed the affidavit, did you know who actually paid for it?

A: No, I did not.

Later in his testimony, and contrary to the entire affidavit, defendant was asked in reference to Grand Jury Exhibit 13, the original affidavit signed by defendant, as follows:

Q: Would you look at 13?

A: Which is that sir?

Q: 13.

A: Okay.

Q: Is that true?

A: No.

Later in his testimony, and contrary to the first grammatical paragraph following paragraph 6 of defendant's affidavit, the defendant testified, as follows:

Q: How long did you study that affidavit before you signed it?

A: I'm sorry, sir?

Q: How long did you study that affidavit before you signed it?

A: Zero seconds.

Q: Okay. And it was just Joe said, here, sign this, and you signed it?

A: Uh-huh, yes, sir.

Q: Well, how often do you sign affidavits in your business?

A: That is the first affidavit I've ever signed in my life.

All of the foregoing being committed in violation of Section 496 of Title 21 of the Oklahoma Statutes and against the Peace and Dignity of the State of Oklahoma.

COUNT 2: PERJURY

On or about the 16th day of May, 2012, A.D., the crime of **Perjury** was committed in Oklahoma County, Oklahoma, by the defendant, **WADE MOCK STARR**. That is to say that on or about said date and within said County and State, the Defendant was a witness in an investigation by the Multicounty Grand Jury of Oklahoma, and after being sworn upon his Oath to tell the whole truth, did knowingly, willfully and feloniously give false testimony that on April 6, 2011, he was provided for his signature the affidavit form set forth at length in Count 1 hereof by an attorney of his long acquaintance, that he knew was then deceased, named Joe Brett Reynolds, as follows:

Q: Could you please describe as best you can recall how it came to be that this affidavit came into being.

A: Joe called me and said is it okay if I come by the restaurant and have you sign that document I told you about? And I said, yeah, sure. And he came in the restaurant. I was kind of busy, and I remember he was wearing sweats and handed it to me and I signed it and he said thanks for doing that. And that was it.

* * *

Q: How did you come to sign this affidavit?

A: I told you that. Joe came to the restaurant and handed me the document. Came in in his sweats, will you sign this. I signed it. That was it.

When in truth and fact, the affidavit form was brought to Mr. Starr at the premises of the Deep Fork Grill by a part-time staff person who worked in Mr. Reynolds' law office named Brandon Kimmel and was signed by the defendant in Mr. Kimmel's presence. All of the foregoing being committed in violation of Section 491 of Title 21 of the Oklahoma Statutes and against the Peace and Dignity of the State of Oklahoma.

COUNT3: PERJURY

On or about the 16th day of May, 2012, A.D., the crime of **Perjury** was committed in Oklahoma County, Oklahoma, by the defendant, **WADE MOCK STARR**. That is to say that on or about said date and within said County and State, the Defendant was a witness in an investigation by the Multicounty Grand Jury of Oklahoma, and after being sworn upon his Oath to tell the whole truth, did knowingly, willfully and feloniously give false testimony that on the night of the election on November 7, 2006, there was a party for David Prater at Deep Fork Grill that was arranged and paid for by Lewis B. Moon:

Q: The party at Deep Fork on election night, who arranged that?

A: L. B. Moon.

* * *

Q: Tell us about Mr. Moon's arrangement of the party on election night.

A: Contacted me, wanted to have a watch party for Mr. Prater. Deep Fork. Celebration. Thought he was going to pull it off. Have open bar. Make some great food, Wade, make it happen. And I said I'd love to. And they had the Lodge Room and the Garden Room, and we set it up. And I just remember he won. It was a big deal. And a lot of people were happy. Everybody had a good time.

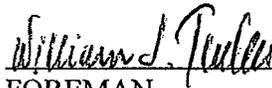
Q: Who paid for it?

A: I'm not positive, sir, but I believe – I thought L. B. Moon paid for it.

When in truth and fact, Mr. Moon did not arrange, hold or pay for a party at Deep Fork Grill on November 7, 2006 in reference to Mr. Prater's election. All of the foregoing being committed in violation of Section 491 of Title 21 of the Oklahoma Statutes and against the Peace and Dignity of the State of Oklahoma.

TRUE BILL

NO BILL



FOREMAN

OKLAHOMA MULTICOUNTY GRAND JURY

Penalties:

Perjury, 21 O.S., §§ 490 and 64(B): Imprisonment in the State Penitentiary for not more than Five (5) years imprisonment and a fine not to exceed Ten Thousand Dollars (\$10,000.00).

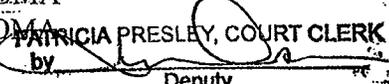
WITNESSES (Before the Grand Jury):

Richard Goss, OSBI, SW Regional Office, 5 NE 22nd Street, Lawton, OK
Robert L. Hudson, First Assistant Attorney General, Attorney General Building, 313 N.E. 21st Street, Oklahoma City, OK
Jordan Lair, OAG Investigator, 313 N.E. 21st Street, Oklahoma City, OK
Marilyn Hughes, State Ethics Commission, State Capitol Building, 2300 N Lincoln Blvd., Rm. B-5 Oklahoma City, OK
Amy Gilson, 2025 Sheffield Road, The Village, OK
Jennifer Welch, c/o Josh Welch, 101 Park Avenue, Suite 360, Oklahoma City, OK
Jennifer Jarrard Oliver, Paper Palace, North Park Mall, 11932 N. May, Oklahoma City, OK
Lewis B. Moon, Attorney at Law, 101 Park Ave., #810, Oklahoma City, OK
Ronald L. Wallace, Attorney, 7 Mickey Mantle Drive, Suite 377, Oklahoma City, OK
Josh Welch, Attorney, 101 Park Avenue, Suite 360, Oklahoma City, OK
J. David Ogle, Attorney, 100 Park Avenue, Suite 500, Oklahoma City, OK
Scott Adams, Attorney, 401 N. Hudson Ave., Suite 100, Oklahoma City, OK
Hon. David Prater, District Attorney, County Administration Building, Oklahoma City, OK
Irven Box, Attorney at Law, Box & Box, 2621 S. Western, Oklahoma City, OK
Michael Sheddie Johnson, Attorney at Law, 4101 N. Classen, #A, Oklahoma City, OK
Tyler Hampton, Paralegal, 4101 N. Classen, #A, Oklahoma City, OK
Brandon Michael Kimmel, 501 N. Walker, #120, Oklahoma City, OK
Jennifer Kay Chrisman, 501 N. Walker, #120, Oklahoma City, OK
Wade M. Starr, c/o Larry Derryberry, Esq.
Al Gerhart, c/o Sooner Tea Party, 358 N. Rockwell Ave., Oklahoma City, OK
Robin Susnic, Office of District Attorney, Oklahoma County Courthouse, Oklahoma City, OK
Cari Routh, Office of District Attorney, Oklahoma County Courthouse, Oklahoma City, OK
Hon. Cindy Troung, District Judge, Oklahoma County Courthouse, Oklahoma City, OK
Hon. Mike Reynolds, State Representative, District 91, 2609 S. W. 107th, Oklahoma City, OK
Alex Bednar, Esq., 5617 N. Classen Blvd., Oklahoma City, OK
Debbie Maddox, Esq., Assistant General Counsel, Oklahoma Bar Association, Oklahoma City, OK
Anita Sanders, Esq., Suite 110, 200 North Harvey Ave., Oklahoma City, OK
Scott Anderson, Esq., 500 North Walker Ave., Suite 120, OKC, OK
Charles F. Cox, Esq., One Hudson Ave., Suite 700, OKC, OK
Jason Murry, Esq., 411 NW 7th Street, OKC, OK
Angie Dawn Sullivan-Olson, Esq., The Olson Law Firm, 2516 NW Expressway, Oklahoma City, OK
Hon. Anastasia Pittman, State Representative, District 99, Room 505 State Capitol Building, 2300 N. Lincoln, Oklahoma City, OK

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA
IN THE DISTRICT COURT OF THE STATE OF OKLAHOMA

JUN 15 2012

PATRICIA PRESLEY, COURT CLERK

by  Deputy

IN THE MATTER OF THE MULTICOUNTY) Case No. SCAD-2011-9
GRAND JURY, STATE OF OKLAHOMA) D.C. Case No. CV-2011-81

**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**

NOW on this 14 day of June, 2012, the Court having been presented, in open court, an indictment returned by the Oklahoma Multicounty Grand Jury, the Court finds and orders as follows:

1. Said indictment having been examined by the Court, the Court pursuant to the provisions of 22 O.S. Section 358 finds and orders that venue and jurisdiction shall be in Oklahoma County, State of Oklahoma;
2. That said indictment shall be transmitted by the Attorney General or one of his Assistant Attorneys General to the District Court Clerk of Oklahoma County who, thereafter, upon receipt thereof shall notify the District Judge of Oklahoma County of the filing of the same;
3. That the District Judge of Oklahoma County shall proceed according to the provisions of Title 22 O.S. Section 386;
4. That said indictment may be unsealed by the District Judge of Oklahoma County for the purpose of issuing arrest warrants, and thereafter shall remain sealed under the Order of the District Court of Oklahoma County until such time following the arrest and arraignment of the named accused.


BARBARA G. SWINTON, PRESIDING JUDGE
OF THE MULTICOUNTY GRAND JURY