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FILED
COURT OF CRIMINAL APPEALS
STATE OF OKLAHOMA

Appellant, Micah Wayne Turner, by and through the undersigned counsel, moves to supplement the record on appeal with the attached materials pursuant to Rules 3.11(A) & 3.11(B)(3)(b), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch. 18, App. (2021), and also moves for an evidentiary hearing on his Sixth Amendment claim of ineffective assistance of trial counsel as outlined in his Brief in Chief. *See Strickland v. Washington*, 466 U.S. 668, 104 S.Ct. 2052, 80 L.Ed.2d 674 (1984); *accord Grant v. State*, 2004 OK CR 24, ¶ 3, 95 P.3d 178.

The attached supporting documents and affidavits reflect the deficient performance of defense counsel in presenting a vigorous defense for Micah Turner.

Specifically, Turner presents the following numbered Exhibits to be included in the record:

1. E-MAIL: This is an e-mail provided to counsel's investigator from Assistant District Attorney Madison Shockley regarding her communications and concerns with lead prosecutor Isaac Shields and District Attorney Matt Ballard concerning an exculpatory statement provided by Shary Turner to the District Attorney's Office on or at the time of the offense to the effect that Turner was terrified of the decedent and needed help;
2. AFFIDAVIT OF SABAHKHALAF: Khalaf was trial counsel. He establishes that the information provided to the District Attorney's Office by Shary Turner was never disclosed to him until after trial, that it was material and would have made a difference as to trial strategy (he would have called Shary Turner as a witness), that witness Breanna Nissen was afraid of, and had been intimidated by, prosecutor Isaac Shields who threatened to file charges on her if she testified, that she never took photographs of jurors as was alleged, and that the jurors deliberated in a courtroom with recording/monitoring equipment available similar to the setup in which prosecutors Isaac Shields and George

Gibbs, Jr., have been alleged to have utilized in eavesdropping on the deliberations of a sitting jury in another case in Rogers County;

3. AFFIDAVIT OF APRIL STAMPER: Stamper is an investigator for appellate counsel and outlines her communications with Assistant District Attorney Madison Shockley who became concerned about a *Brady* violation in this case for non-disclosure of a report made by Shary Turner on or about the time of the shooting; and also that Shockley has refused to execute an affidavit for the defense;
4. AFFIDAVIT OF APRIL STAMPER: Stamper is an investigator for appellate counsel and outlines her communications with Assistant District Attorney Kaylind Landes regarding a Brady violation in this case concerning the non-disclosure of the report made by Shary Turner, *supra*;
5. REFERRAL LETTER: This is a letter dated July 12, 2022, from District Attorney Matthew J. Ballard to the Oklahoma Attorney General regarding a potential criminal referral involving Assistant District Attorney Isaac Shields and Assistant District Attorney George Gibbs, Jr., who were the lead and co-counsel prosecutors in Micah Turner's case;
6. AFFIDAVIT OF BREANNA NISSEN: Nissen was a defense witness who was not called at trial because of an allegation that she was taking pictures of jurors

in the hallway on her cell phone (which was not true), but she was not give any notice or an opportunity to address this allegation, was escorted out of the courthouse, and was not called to testify;

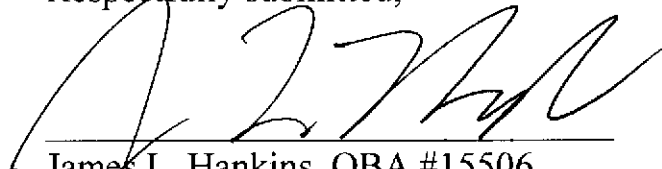
7. AFFIDAVIT OF BRYCE TURNER: Bryce is the brother of the defendant. He was not called to the stand to testify, but should have been in order to rebut and explain statements he made at the scene which were admitted at trial as “excited utterances” and the fact that Wilkins had arrived at the house on the night of the shooting angry and screaming at his mother (Shary Turner);
8. AFFIDAVIT OF SHARY TURNER: Shary is the mother of Micah Turner, and she was not called as a witness at trial, but should have been in order to explain that Wilkins was dangerous, had bragged to her about killing in the past, was a meth user, had a best friend who was a drug dealer, and was a thief who stole guns from the house, all of which made her fearful of him because he was living in her garage and refused to move; and she had made an effort to contact law enforcement to have him evicted but was told it could not happen;

WHEREFORE, Appellant moves this Court for an Order: 1) SUPPLEMENTING the record on appeal with the attached affidavits and supporting materials; and 2) REMANDING this matter to the District Court for an EVIDENTIARY HEARING on his claims of ineffective assistance of trial counsel;

or in the alternative, to the extent that the State does not contest Appellant's evidentiary assertions, to reverse and remand this case for a new trial.

DATED this 4th day of August, 2022.

Respectfully submitted,

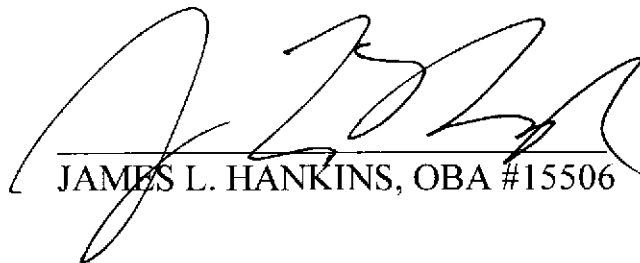


James L. Hankins, OBA #15506
MON ABRI BUSINESS CENTER
2524 N. Broadway
Edmond, Oklahoma 73034
Phone: 405.753.4150
Fax: 405.445.4956
e-mail: jameshankins@ocdw.com

COUNSEL FOR APPELLANT

CERTIFICATE OF SERVICE

I certify that on this 4th day of August, 2022, a true and correct copy of the foregoing was delivered to the Clerk of this Court for transmittal to the Attorney General of the State of Oklahoma.



JAMES L. HANKINS, OBA #15506

EXHIBIT 1

District Attorney E-mail

Madison Shockley

From: Ballard, Matt
Sent: Tuesday, September 28, 2021 9:24 AM
To: Shockley, Madison
Cc: Surber, Brian
Subject: Re: Micah turner evidence

I spoke with Isaac about this yesterday. He thought it had been disclosed in the reports, but was going to check. In addition, the defendant's mother testified at the stand your ground hearing and referenced reports to law enforcement. We have stipulated that the fact that reports to law enforcement were made is relevant and that has been disclosed. Isaac is going to make sure the defense is aware of this incident, but given that it is the defendant's mother who has the information and that she is a defense witness and has already testified once for the defendant, it doesn't seem like there is any doubt that the defendant is aware of it. But thank you for bringing it to our attention.

Matt Ballard
Sent from my iPhone

> On Sep 27, 2021, at 17:04, Shockley, Madison <Madison.Shockley@dac.state.ok.us> wrote:

>

> Matt & Brian

>

> It came to my attention Friday after 5 that in the Micah Turner case there is potential exculpatory evidence that the State did not turn over in discovery.

> From my understanding, the day of the Micah Turner murder the defendant's mother called the Rogers County DAs office. She spoke to Jessica Arthur who tried to give the call to George. George did not take the call. Defendant's mother told Jessica that she was scared of the victim and needed help. Later that day is when the murder happened. The next work day Jessica reminded George of the phone call and pointed out the connection to the murder. Jessica was not asked about it again. Jessica still remembers it, which is why she brought it up last week.

> In this case the Defendant's defense strategy is that the victim was abusing the defendant and his mother and that the murder was in self-defense. Based on what the defense strategy is, I think that the fact that the Defendant's mother called the DAs office before the murder happened could be considered exculpatory evidence. It is my ethical opinion that the State has a duty to disclose that information and felt I needed to bring it to someone else's attention.

> Please see the below email thread, where I bring this to Isaac's attention. As of right now, he has not spoken to Jessica Arthur regarding this. I am not aware of anything he has done to get to the bottom of it.

> They did motion hearings this afternoon for this trial and are starting the trial tomorrow morning.

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> Madison

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> From: Shields, Isaac <Isaac.Shields@dac.state.ok.us>

> Sent: Sunday, September 26, 2021 2:36 PM

> To: Shockley, Madison <Madison.Shockley@dac.state.ok.us>

> Subject: RE: Micah turner evidence

>

> Ok thank you for letting me know. I'll get to the bottom of it.

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> -----Original Message-----

> From: Shockley, Madison <Madison.Shockley@dac.state.ok.us>

> Sent: Sunday, September 26, 2021 1:08 PM
> To: Shields, Isaac <Isaac.Shields@dac.state.ok.us>
> Subject: Re: Micah turner evidence
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> Jessica told Kaylind on Friday. This was just coming from Jessica, I have never spoken to the other side so this is not coming from them. Jessica said she told George about it at some point, that is probably why she didn't specifically tell you.
>
> Madison
>
> Sent from my iPhone
>
>> On Sep 26, 2021, at 11:18 AM, Shields, Isaac <Isaac.Shields@dac.state.ok.us> wrote:
>>
>> Where did this come from and is there any documentation of this at all? These people have been recreating history since the murder, so I'm not confident this happened unless we have that in writing or Jessica specifically remembers is. Plus, I'd think Jessica would've told me this, right? So - yes, I'd like to get to the bottom of this asap. Where did you hear this from?
>>
>> -----Original Message-----
>> From: Shockley, Madison <Madison.Shockley@dac.state.ok.us>
>> Sent: Saturday, September 25, 2021 4:16 PM
>> To: Shields, Isaac <Isaac.Shields@dac.state.ok.us>
>> Subject: Micah turner evidence
>>
>> Hey Isaac, I heard about something on your upcoming jury trial and I wanted to make sure you were aware.
>> I heard Micah turners mother called the DAs office earlier in the day the day that the victim was killed. My understanding is that she called to speak with an ADA because she was scared of the victim and the victim had taken the guns from her. Jessica Arthur took the call and tried to give it to George. Since Jessica made it seem like she tried to say something at the beginning and was blown off, it seems like a witness statement was not made. Obviously I haven't gone through your discovery so I am not positive.
>> I am not trying to cause trouble. From what I know about the case their defense is going to be self defense from the domestic incidents. I think because of that it could be considered exculpatory evidence.
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>> Madison
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>> Sent from my iPhone

EXHIBIT 2

Affidavit of Sabah Khalaf

AFFIDAVIT OF SABAH KHALAF

STATE OF OKLAHOMA)
)
COUNTY OF TULSA) ss:

I, Sabah Khalaf, being of lawful age and having legal capacity to make this affidavit, hereby state under oath as follows:

1. I am a practicing attorney licensed in the State of Oklahoma and I was trial counsel for the accused, Micah Turner, in a case styled *State v. Micah Wayne Turner*, No. CF-2020-201 (Rogers County).
2. At some time in June, 2022, it came to my attention that in March of 2020, the Rogers Co. DA's Office(RCDAO) received a telephone call from Shary Turner, the mother of my former client Micah Turner, within a couple of days before Micah Turner was arrested for Murder in Rogers Co.
3. I had met with and spoken to Shary Turner on multiple occasions before the trial of Micah Turner. During the conversations she disclosed she went to the Roger's County Courthouse in an attempt to evict or get guidance on how to remove the decedent in this case, Brad Wilkins.
4. Shary was unfamiliar with the courthouse or the different offices located

within it. It was also a challenge for her since the incident occurred on March 23, 2020, in the middle of shutdowns due to the pandemic and the Rogers County Courthouse was closed on at least one occasion when she drove there.

5. Shary never mentioned to me that she had spoken to an employee of the RCDAO.
6. Once I found out the RCDAO had a record of speaking with Shary Turner before the arrest of Micah Turner, I called Shary Turner and asked her point blank if she had ever spoken to a representative of the RCDAO prior to the trial. She indicated she did not.
7. I suspect that she had called the Rogers County Courthouse and someone transferred her to the RCDAO without her knowing, and that she had expressed fear of Brad Wilkins and a desire for help from law enforcement to an employee of the RCDAO, Jessica Arthur.
8. According to the information I have now, Shary Turner told the District Attorney's Office that she was terrified of Brad Wilkins, that he had made many personal threats to her safety, and told her that he had killed people before. She also believed that the best friend of Brad Wilkins was a drug dealer which also frightened her because Wilkins was living

in her garage. Shary was informed that this information was likely not enough for a VPO so she decided to just forget about seeking a VPO.

9. No one from the RCDAO ever disclosed this information to me prior to trial.
10. Had prosecutors in this case disclosed this information to me prior to trial, I would have called Shary Turner to the stand as a witness for the defense because it would have strengthened the self-defense argument, and also would have caused me to explore a potential recusal of the RCDAO since a potential witness was employed there.
11. Prior to trial, I had subpoenaed defense witness Breanna Alonso (now Nissen).
12. Ms. Nissen was at the Turner residence on the night of the shooting, and in fact witnessed the events right after she heard a gunshot. She refused to speak with me before I issued a subpoena for her to appear at trial.
13. ADA Isaac Shields discouraged me multiple times from calling her as a witness. He indicated to me that she was a liar, unreliable, and he threatened to charge her if she testified.
14. When I spoke to Breanna at the Rogers County Courthouse during the course of the trial, she indicated she was terrified of Mr. Shields and the

RCDAO in general. She told me that she had met with Mr. Shields on at least two occasions at the RCDAO and that he had threatened to charge her if she testified.

15. Brianna was an important witness for the defense because she corroborated Micah's version of events and indicated that the decedent, Brad Wilkins, was aggressively moving towards Micah when Micah shot Brad Wilkins. She would have been a powerful witness for Micah and a bad witness for the State.
16. During the trial, Brianna was at the Rogers County Courthouse one full day and we did not get to her testimony. She remained in the hallways until we were ready to call her. The morning we were prepared to call her, Judge Pazzo's bailiff pulled counsel into a separate courtroom and advised a juror saw Brianna in the hallways the day before and appeared to take pictures of the jurors.
17. I was very surprised by this because such behavior was uncharacteristic of her as she was only 18 or 19-years-old at the time, was likely bored sitting in the hallways of the courthouse for an entire day, and was likely using her phone for social media and personal entertainment.
18. I later spoke to Breanna and she confirmed my theory that she was

simply entertaining herself on her phone and had no interest in filming a juror, nor did she take photographs of an jurors.

19. Judge Pazzo held a hearing on the matter to decide how to proceed. I believe I advised the court on my theory and Mr. Shields insisted he be given great latitude on cross to cover her use of her phone.
20. This would inevitably taint the jury and lead them to believe we were using scare tactics to influence them which would ultimately result in a verdict against Micah, in my opinion.
21. Isaac Shields or his co-counsel George Gibbs suggested tape should be pulled to determine if Breanna was in fact the girl in the hallway allegedly taking photos of jurors.
22. Isaac Shields and George Gibbs both went to an unknown location to supposedly get deputies to pull the tapes, returned approximately 20-30 minutes later, and stated the girl in question was Breanna.
23. Judge Pazzo concluded he would give Mr. Shields broad latitude on cross if the defense called Breanna as a witness.
24. It is also noteworthy Shary and Bryce Turner (Bryce is Micah's younger brother who was also present on the night in question) were at the courthouse everyday of the trial and did not attend the trial since I

anticipated calling them as defense witnesses. Once Judge Pazzo gave me the ruling on Breanna, I spoke to Micah and we decided the risk of the jury holding a bias against him due to the alleged pictures was too great.

25. We made a last minute decision not to call her and we chose not to call Bryce Turner (Micah's brother), Shary Turner (Micah's mother) or Micah Turner as a result.
26. All three Turner's intended on testifying and we intended on using Breanna as the first witness since she is not a Turner, was no longer in a relationship with Bryce Turner, no longer had a connection to the Turners, and would likely be received as an unbiased witness who corroborated the Turners.
27. The jurors ultimately deliberated in the courtroom, rather than the jury room, next to Judge Pazzo's as part of the pandemic protocol.
28. The courtroom was likely outfitted with microphones and cameras that I now believe were used by the prosecution during deliberations.
29. I also believe the prosecutors planted the theory Breanna "filmed jurors" as their last effort to prevent her from testifying.
30. It is simply too much of a coincidence that Isaac Shields threatened and

coerced Breanna to not testify as a defense witness, and then she is accused of taking pictures of jurors.

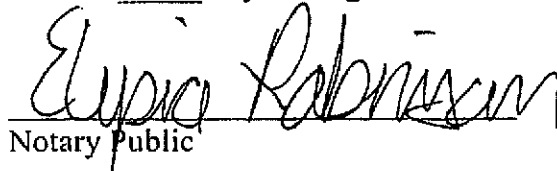
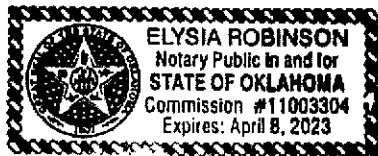
31. The situation with Breanna greatly changed our strategy and likely the outcome of the case.

Further affiant sayeth naught.



Sabah Khalaf

Subscribed and sworn to before me this 3 day of August, 2022.


Notary Public

(Seal)

My Commission Expires:

4/8/23

EXHIBIT 3

Affidavit of April Stamper

AFFIDAVIT OF APRIL STAMPER

STATE OF OKLAHOMA)
) ss:
COUNTY OF MCCLAIN)

I, April Stamper, being of lawful age and having legal capacity to make this affidavit, hereby state under oath as follows:

1. On or about July 5, 2022, I conducted a phone interview with Madison Shockley, former Assistant District Attorney for Rogers County.
2. On or about September 24, 2021 Madison Shockley was made aware of a piece of possible exculpatory evidence by another Assistant District Attorney for Rogers County, Kaylind Landes. *See* attached exhibit.
3. On or about September 25, 2021 Madison Shockley emailed Assistant District Attorney Isaac Shields to inform him of this possible piece of exculpatory evidence from Micah Turner's mother, Shary Turner, calling the Rogers County District Attorney's office on or before the day of the shooting in fear of Brad Wilkins and that he had stolen the family's guns.

4. On or about September 25th, Isaac Shields replied to this email asking if there was any documentation of said call and implied the defense was recreating history.
5. On or about September 26th, Madison Shockley replied in email to Isaac Shields that she had not spoken to the other side and that this information was coming from Jessica Arthur, a witness advocate for Rogers County.
6. Madison Shockley also informed Isaac Shields that this information had been presented to Assistant District Attorney, George Gibbs.
7. Madison Shockley being worried that this piece of possible exculpatory evidence being ignored by Isaac Shields then notified 1st Assistant District Attorney Brian Serber, and District Attorney for Rogers County, Matt Ballard.
8. Madison Shockley informed both Brian Serber and Matt Ballard that she was fearful this information had not been turned over in discovery to the defense and at was her ethical opinion that this information had been

disregarded and should be turned over to the defense as their strategy was self-defense.

9. On or about September 27, 2021 Matt Ballard replied to this email stating that he had spoken with Isaac Shields and it was believed this information had already been turned over to the defense.
10. On or about October 12, 2021 Madison Shockley turned in her two week resignation notice into the Rogers County District Attorney's office because of how this information had been disregarded by all her superiors.
11. On or about July 11, 2022 I spoke with Madison Shockley proposing she sign an affidavit due to this experience with the Rogers County District Attorney's office and she agreed to sign the affidavit. Within 1 hour of agreeing to sign the affidavit, I received a call back from Madison Shockley then refusing to sign the affidavit.

Further affiant sayeth naught.

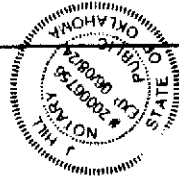
April Stamper
April Stamper

Subscribed and sworn to before me this 4th day of August, 2022.

Jill
Notary Public

(Seal)

My Commission Expires:



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>> I am not trying to cause trouble. From what I know about the case their defense is going to be self defense from the domestic incidents. I think because of that it could be considered exculpatory evidence.
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EXHIBIT 4

Affidavit of April Stamper

AFFIDAVIT OF APRIL STAMPER

STATE OF OKLAHOMA)
) ss:
COUNTY OF MCCLAIN)

I, April Stamper, being of lawful age and having legal capacity to make this affidavit, hereby state under oath as follows:

1. On or about July 5, 2022, I conducted a phone interview with Kaylind Landes, former Assistant District Attorney for Rogers County.
2. On or about September 24, 2021 Jessica Arthur, a civil legal assistant to Rogers County whom would also help with the Victim's advocacy program at times, approached Kaylind Landes about a call she had received from Shary Turner, mother to Micah Turner, on or about March 20, 2020.
3. Jessica Arthur stated that when receiving this call, she tried to turn it over to Assistant District Attorney, George Gibbs but that he declined to take the call.
4. Shortly thereafter, Jessica Arthur was watching the news and had seen the shooting incident that had taken place between Micah Turner and Brad

Wilkins and that it was the mother of Micah Turner that had called in fear just days before.

5. Jessica Arthur stated that she then typed up a document to commemorate the phone call she had received from Shary Turner.
6. Jessica Arthur then sat on this information for months before realizing it may be a critical element to the case against Micah Turner and then relayed the call information to former Roger County Assistant District Attorney, Kaylind Landes in fear she would be held responsible if the call wasn't relayed to the appropriate individuals.
7. Kaylind Landes believing that there was maybe a miscommunication then relayed this information to Madison Shockley.
8. Madison Shockley informed Kaylind Landes that indeed this could be considered exculpatory evidence for the defense and that she would contact the appropriate individuals regarding this information.
9. On or about September 30, 2021 Kaylind Landes was sequestered into Isaac Shields office and was informed in a threatening manner that she

was meddling and that Sabah Khalaf, the defense attorney had been made aware of the phone call Jessica Arthur had taken from Shary Turner.

10. Isaac Shields also stated to Kaylind Landes that he was the highest paid A.D.A and that he could make or break any attorney and that individuals were going to start losing their jobs over this situation.
11. Kaylind Landes stated that she isn't sure that the call was ever properly logged as a document to be placed in an evidentiary manner.
12. Kaylind Landes stated that she believes lies were created to cover up the fact it had never been logged into evidence for the case against Micah Turner.
13. On or about October 4, 2021, Kaylind Landes turned in her two week resignation as she did not want to be a part of anything the Rogers County District Attorney's office with the case against Micah Turner.
14. After turning in her resignation to Rogers County 1st Assistant District Attorney, Brian Serber and Rogers County District Attorney, Matt Ballard, both attempted to get Kaylind Landes to stay on with the department, even if it was only part-time.

15. Out of fear of retaliation from the Rogers County District Attorney's office and being a fairly new licensed attorney, Kaylind Landes did not want to burn any bridges so she told them she was leaving in order to work with her husband's business legal matters.
16. Kaylind Landes believes it was the Rogers County District Attorney's Office angle to keep her working for the office to control the narrative created by this piece of exculpatory evidence.
17. On or about July 11, 2022 I spoke with Kaylind Landes proposing she sign an affidavit due to this experience with the Rogers County District Attorney's office and she agreed to sign the affidavit. Within 1 hour of agreeing to sign the affidavit, I received a call back from Kaylind Landes then refusing to sign the affidavit out of personal fear for her and her family of Isaac Shields.

Further affiant sayeth naught.

April Stamper
April Stamper

Subscribed and sworn to before me this 4th day of August, 2022.



(Seal)

My Commission Expires:

April Stamper
Notary Public

EXHIBIT 5

Ballard Letter Re Isaac Shields



MATTHEW J. BALLARD
DISTRICT ATTORNEY
CRAIG, MAYES & ROGERS COUNTIES
STATE OF OKLAHOMA

Rogers County
200 South Lynn Riggs Boulevard
Claremore, OK 74017
918-923-4960
918-923-4545 (Fax)

Mayes County
918-825-2171, 825-2172
918-825-6698 (Fax)
Craig County
918-256-3320
918-256-9935 (Fax)

July 12, 2022

Hon. John O'Connor
Oklahoma Attorney General
313 NE 21st St.
Oklahoma City, OK 73105

Re: Disqualification Request Regarding Incident Involving Isaac Shields and George Gibbs, Jr.

Dear Attorney General O'Connor:

Please accept this correspondence as my official request for disqualification of my office, District 12, in the investigation of crimes alleged to be committed in an incident involving Isaac Shields and George Gibbs, Jr.

Mr. Shields and Mr. Gibbs were Assistant District Attorneys with my office during a recent jury trial. Mr. Shields was a supervising attorney in my office and Mr. Gibbs was his subordinate. Late in the afternoon of July 7, 2022, I was contacted by the judge who oversaw the trial and notified that an allegation had been made that Mr. Shields and Mr. Gibbs, among others, had observed jury deliberations. I immediately commenced an internal investigation. I have confirmed that the courtroom where the jury deliberated was equipped with cameras linked to a monitor in the courthouse security office. Upon confirming that the jury had been observed through these cameras, Mr. Shields and Mr. Gibbs were suspended and are no longer acting as Assistant District Attorneys for my office.

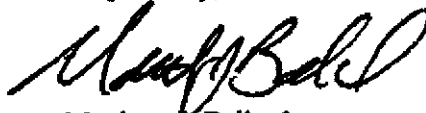
Although I believe that the audio for the cameras was not activated and there has been no allegation that any communication with any juror was made, I believe that this incident potentially implicates 21 O.S. § 588:

If any person, firm or corporation shall knowingly and willfully, by means of any device whatsoever... observes... or attempts to observe, the proceedings of any grand or petit jury of which he is not a member in any court of the State of Oklahoma while such jury is deliberating or voting shall be guilty of a felony...

Because this incident involves individuals who were employed by my office, I believe that a potential conflict of interest exists that would prevent me from reviewing the matter and making any decision to decline or accept charges. This request is made pursuant to 19 O.S. §215.9 and in good faith.

If you have any questions regarding this matter, please contact me directly.

Respectfully,

A handwritten signature in black ink, appearing to read "Matthew J. Ballard". The signature is fluid and cursive, with the first name "Matthew" and last name "Ballard" clearly distinguishable.

Matthew J. Ballard
District Attorney District 12

EXHIBIT 6

Affidavit of Breanna Nissen

AFFIDAVIT OF BREANNA NISSEN

STATE OF OKLAHOMA)
)
COUNTY OF TULSA) ss:

I, Breanna Nissen, being of lawful age and having legal capacity to make this affidavit, hereby state under oath as follows:

1. On or about March 23, 2020, I was at the home of Shary Turner with my then-boyfriend Bryce Turner (Shary's son). Also present were Micah Turner (Bryce's brother) and a man named William Wilkins, who we called Brad. Brad was living in the garage at that time.
2. We were all afraid of Brad and generally felt more safe from him in the bedrooms which had locks.
3. On this day, Brad's aggressive behavior had intensified to the point that Bryce told me to go to bedroom and lock the door, which I did.
4. I heard a gunshot and it scared me. I unlocked and opened the door and I saw Brad standing close to Micah Turner and Brad said, "Oh my God, you shot me. I'm shot." Brad was standing up facing Micah when he said this, about five feet away, and then he fell over on the floor. After seeing this, I went back into the bedroom and closed the door.

5. Prior to the trial in this case, I received a letter from the Rogers County District Attorney's Office wanting to meet with me.
6. I met with Assistant District Attorney Isaac Shields at his office. I told him exactly what I had seen which is the truth.
7. Mr. Shields took a phone call from his son, hung up the phone, and then told me that I was about the same age as his son, but that I was in a much worse position in life.
8. Mr. Shields then told me that there was not any way that I was going to get on the witness stand and lie for Micah Turner.
9. I felt so threatened and intimidated by Mr. Shields because he was very aggressive and said that I was lying when I was telling him the truth about what I saw. I cried silently to myself and felt afraid of him, and he made me afraid to testify for the defense in Micah's case.
10. When I was in court waiting to testify, I was instructed to sit down and not move until they told me what to do. I was escorted out of the courthouse without knowing why or being able to give my side of the story.
11. I have since been told that I was accused by the prosecutors of filming jurors or taking pictures of jurors. This is totally false.

12. I did use my phone in the hallway of the courthouse to pass the time while I waited, but that is all I did.
13. I feel that I did nothing wrong to be kicked out of court and if I had been allowed to testify for Micah, I would have told the truth exactly as I told it to Mr. Shields.

Further affiant sayeth naught.

Breanna Alonso-Nissen
Breanna Nissen

Subscribed and sworn to before me this 2 day of August, 2022.



Suzanne Morgan
Notary Public

(Seal)

My Commission Expires:

10/13/2024

EXHIBIT 7

Affidavit of Bryce Turner

AFFIDAVIT OF BRYCE TURNER

STATE OF OKLAHOMA)) ss:
COUNTY OF ROGERS)

I, Bryce Turner, being of lawful age and having legal capacity to make this affidavit, hereby state under oath as follows:

1. On or about March 13, 2020, our guns in our home were stolen along with multiple credit cards by Brad Wilkins.
2. After our guns were stolen, all bedroom doors had a lock placed on them out of fear for the guns that Brad may have had in his possession.
3. On the evening of March 22, 2020, I returned home with my then girlfriend, Breanna Nissen around 6-7pm.
4. Later that evening, Brad Wilkins arrived at our home angry and screaming at my mother, Shary Turner.
5. During this argument while Brad Wilkins was screaming at my mother, Shary Turner, Brad physically had his foot in the doorway, so she wasn't able to close it to get away from him.

6. My brother, Micha Turner tried to intervene by talking to Brad, to which Brad replied, "fuck off."
7. This argument that consisted of yelling, screaming and Brad physically inserting himself in my mother's doorway lasted about 5 minutes.
8. Brad Wilkins then exited the home for 35-45 minutes.
9. During the time Brad had exited the home, I stayed in the bedroom with my brother, Micah Turner.
10. I was in fear of Brad knowing he had stolen our guns and that he himself owned a pistol.
11. Once we heard Brad re-enter our home, we could hear him in the kitchen.
12. Micah then left the bedroom.
13. I could then hear arguing in the front of the house.
14. I heard a shot go off and went straight to the front of the house.
15. As I entered the living room, I could see Brad standing and then begin to fall, saying, "it got me, it got me."

16. At this time my mother, Shary Turner had come out of her room and was on the phone with the police/911.
17. My brother, Micah Turner, then handed the gun to my mother and took the phone to speak with the police/911.
18. After Micah took the phone, he began CPR while I made sure Brad's airway was clear and applied pressure to the wound.
19. After the night of the incident my mother and I tested Brad's urine from a 5 gallon bucket urinal Brad had been using in the garage and it tested positive for methamphetamines.
20. I am aware that Officer Harris testified at Micah's trial that I was in an excited state after the shooting and said something to the effect that Wilkins had threatened our mother and that Micah seemed fed up with it and took care of it. To the extent that my statement was used by the State to argue or imply that Micah had planned to kill Wilkins, this is false. I was in shock and trying to help the police by telling them what had happened. When I said that Micah had taken care of it, I just meant that Micah was the one who shot Wilkins, not that he had planned it. I was ready to testify at trial and had I been called I would have explained to the jury that Micah did not plan it.

Further affiant sayeth naught.



Turner

Bryce

Subscribed and sworn to before me this 2 day of August, 2022.



Suzanne Morgan
Notary Public

(Seal)

My Commission Expires:

10/13/2024

EXHIBIT 8

Affidavit of Shary Turner

AFFIDAVIT OF SHARY TURNER

STATE OF OKLAHOMA)
) ss:
COUNTY OF ROGERS)

I, Shary Turner, being of lawful age and having legal capacity to make this affidavit, hereby state under oath as follows:

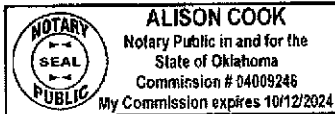
1. On or about March 20, 2020, I went to the Rogers County Courthouse to inform them of the personal threats Brad Wilkins had made against myself and family.
2. I also took documentation that included bank statements in which Brad Wilkins had taken money out of my bank account and letters from credit card vendors to which Brad Wilkins had fictitiously attempted to get credit cards in my name.
3. Brad had told me that he had shot his mother's boyfriend or husband in the past.
4. Brad had told me his best friend was a drug dealer who brought drugs in into Tulsa through his car dealership, which also made me fearful.

5. The Rogers County Courthouse made me aware at this time that my information would not be enough to invoke an immediate victim protection order.
6. The Rogers County Courthouse also informed me that my information would more than likely not be enough for a judge to order a victim protection order and to proceed with an eviction notice against Brad Wilkins.
7. Upon returning home after this meeting Brad Wilkins broke into my secured bedroom and stole all of my documentation.
8. After stealing my documentation of said incidents Brad Wilkins set them on fire in a trash bin and then urinated on the documentation to extinguish the fire.
9. On 3/22/2020 and 3/23/2020 the behavior of Brad Wilkins had intensified as to yelling and cussing at everyone in the home.

Further affiant sayeth naught.


Shary Turner

Subscribed and sworn to before me this 3 day of August, 2022.



(Seal)

My Commission Expires:


Notary Public

10-12-24