

MAY 06 2010

IN THE DISTRICT COURT OF CLEVELAND COUNTY
STATE OF OKLAHOMA

Mary Ann Evans, a/k/a Mary Evans,
And James Kenneth Evans, Sr., husband
And Wife,

Plaintiffs,

vs.

The Board of Commissioners of
Cleveland County, Oklahoma, and
Sheriff Joe K. Lester, Sheriff's Deputy
Edwards, Sheriff's Deputy Higdon,
Undersheriff Rhett Burnett, Sheriff's
Deputy Singer, Sheriff's Deputy Adams,

Defendants.



DOCKET _____ PAGE _____ RECORDED _____
Rhonda Hall, Court Clerk
DEPUTY

Case NO. CJ 2010- 923 L

PETITION

COMES NOW Mary Ann Evans, a/k/a Mary Evans, And James Kenneth Evans, Sr., husband and Wife, and for cause of action against the Defendants, The Board of Commissioners of Cleveland County, Oklahoma, and Sheriff Joe K. Lester, Undersheriff Rhett Burnett, Sheriff's Deputy Edwards, Sheriff's Deputy Higdon, Sheriff's Deputy Singer, and Sheriff's Deputy Adams, and alleges and states as follows:

1. That this Court has jurisdiction of the subject matter of this action and of the parties hereto.

2. That the Plaintiffs are residents of Cleveland County, Oklahoma; the Defendants, The Board of Commissioners of Cleveland County, Oklahoma, and Sheriff Joe K. Lester, Undersheriff Rhett Burnett, Sheriff's Deputy Edwards, Sheriff's Deputy Higdon, Sheriff's Deputy Singer, and Sheriff's Deputy Adams, and the amount in controversy exceeds \$10,000.00, exclusive of interest, costs, and attorney's fees.

3. This action arises out of the actions of the Cleveland County Sheriff's Office by the named defendants, and occurred at Plaintiff's property in Cleveland

County, Oklahoma, on May 15, 2009, whereby the Plaintiff's were assaulted and battered by the defendants, and the Plaintiff's were wrongfully imprisoned by the named Defendants.

4. The Defendant, Sheriff Joseph K. Lester was negligence in his hiring practices and training practice for the named deputies.

5. That the actions of the Defendants caused caused physical and mental harm to the Plaintiff's for which they should be compensated in a sum in excess of \$10,000.00.

6. That as required by the Oklahoma Tort Claims Act, the Defendants were given Notification of Claim on December 15, 2009, and have failed to responded to the Notification.

WHEREFORE, Plaintiff demands judgment against the Defendants' The Board of Commissioners of Cleveland County, Oklahoma, and Sheriff Joe K. Lester, Undersheriff Rhett Burnett, Sheriff's Deputy Edwards, Sheriff's Deputy Higdon, Sheriff's Deputy Singer, and Sheriff's Deputy Adams, in an amount in excess of \$10,000.00, for attorney's fees, costs, pre-judgment and post-judgment interest, and any further relief the court deems equitable, just and available to Plaintiff by law.

Dated this 5th day of May, 2010.

Respectfully submitted:



L. Dee Oliphant OBA 6767

Attorney for Plaintiff

P.O. Box 996

Purcell, Oklahoma 73080

(405) 527-5004

FAX 405) 527-6300

E-Mail ldeeoliphant@valornet.com

ATTORNEYS LIEN CLAIMED

