
IN THE
Supreme Court of the United States

LANCEY DARNELL RAY,

Petitioner,

Vs.

KEVIN STITT, GOVERNOR

Respondent.

On Petition For a Writ Of Certiorari
To the Oklahoma Court of Civil Appeals
for the State of Oklahoma

APPENDIX A:
Opinion of the Oklahoma Court of Civil Appeals

LANCEY D. RAY
NFCC
1605 E. MAIN
Sayre, OK 73662

Pro se Litigant



Appendix A-1a
NOT FOR OFFICIAL PUBLICATION

IN THE COURT OF CIVIL APPEALS OF THE STATE OF OKLAHOMA

DIVISION IV

LANCEY DARNELL RAY,

Plaintiff/Appellant,

and

WILLIAM CHESTNUT,

Plaintiff,

vs.

KEVIN STITT, in his capacity as
Governor for the State of Oklahoma,

Defendant/Appellee.

FILED
COURT OF CIVIL APPEALS
STATE OF OKLAHOMA

MAR 18 2019

JOHN D. HADDEN
CLERK

Case No. 117,250

APPEAL FROM THE DISTRICT COURT OF
OKLAHOMA COUNTY, OKLAHOMA

HONORABLE THOMAS E. PRINCE, TRIAL JUDGE

AFFIRMED

Lancey Darnell Ray
Sayre, Oklahoma

Pro Se

Mike Hunter
ATTORNEY GENERAL
Desiree D. Singer
ASSISTANT ATTORNEY GENERAL
OKLAHOMA ATTORNEY GENERAL'S OFFICE
Oklahoma City, Oklahoma

For Defendant/Appellee

OPINION BY KEITH RAPP, JUDGE:

Trial court plaintiff, Lancey Darnell Ray, appeals the trial court's Order Denying Ray's Motion to Reconsider in this action alleging a violation of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution. Plaintiff appears pro se in this appeal.

BACKGROUND

Plaintiffs, Lancey Darnell Ray and William Chestnut,¹ are inmates within the Oklahoma Department of Corrections (DOC). Plaintiffs, at the time they filed this action, were housed at the North Fork Correctional Center in Sayre, Oklahoma.

On December 7, 2017, Plaintiffs filed a "Complaint for Declaratory and Injunctive Relief in [*sic*] Behalf of Inmates Confined Within the Custody of the Oklahoma Department of Corrections Forced to Serve Eighty-Five Percent (85%) of the Sentence Imposed Prior to Consideration For Parole" against defendant, "Mary Fallin, in her capacity as Governor and Chief Magistrate for the State of Oklahoma." Plaintiffs argued Title 21 O.S.2001 § 13.1,² requiring offenders

¹ Mr. Chestnut did not appeal the trial court's Order Denying Plaintiffs' Motion to Reconsider and is not a party to this appeal.

² Section 13.1 provides:

Persons convicted of:

1. First degree murder as defined in Section 701.7 of this title;
2. Second degree murder as defined by Section 701.8 of this title;

convicted of certain enumerated crimes must serve at least 85% of his or her

3. Manslaughter in the first degree as defined by Section 711 of this title;
 4. Poisoning with intent to kill as defined by Section 651 of this title;
 5. Shooting with intent to kill, use of a vehicle to facilitate use of a firearm, crossbow or other weapon, assault, battery, or assault and battery with a deadly weapon or by other means likely to produce death or great bodily harm, as provided for in Section 652 of this title;
 6. Assault with intent to kill as provided for in Section 653 of this title;
 7. Conjoint robbery as defined by Section 800 of this title;
 8. Robbery with a dangerous weapon as defined in Section 801 of this title;
 9. First degree robbery as defined in Section 797 of this title;
 10. First degree rape as provided for in Section 1111, 1114 or 1115 of this title;
 11. First degree arson as defined in Section 1401 of this title;
 12. First degree burglary as provided for in Section 1436 of this title;
 13. Bombing as defined in Section 1767.1 of this title;
 14. Any crime against a child provided for in Section 843.5 of this title;
 15. Forcible sodomy as defined in Section 888 of this title;
 16. Child pornography or aggravated child pornography as defined in Section 1021.2, 1021.3, 1024.1, 1024.2 or 1040.12a of this title;
 17. Child prostitution as defined in Section 1030 of this title;
 18. Lewd molestation of a child as defined in Section 1123 of this title;
 19. Abuse of a vulnerable adult as defined in Section 10-103 of Title 43A of the Oklahoma Statutes who is a resident of a nursing facility;
 20. Aggravated trafficking as provided for in subsection C of Section 2-415 of Title 63 of the Oklahoma Statutes;
 21. Aggravated assault and battery upon any person defending another person from assault and battery; or
 22. Human trafficking as provided for in Section 748 of this title,
- shall be required to serve not less than eighty-five percent (85%) of any sentence of imprisonment imposed by the judicial system prior to becoming eligible for consideration for parole. Persons convicted of these offenses shall not be eligible for earned credits or any other type of credits which have the effect of reducing the length of the sentence to less than eighty-five percent (85%) of the sentence imposed.

sentence before parole eligibility (85% Rule), violates the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution. Plaintiffs argue the Section 13.1 statutory class of inmates is treated differently than inmates convicted of crimes not listed in Section 13.1 and there is no rational basis for this distinction. Plaintiffs also contend that no conceivable legitimate state purpose is achieved by treating the classes of inmates differently. Citing statistical data, Plaintiffs allege the 85% Rule is not a deterrent to violent crimes, does not provide public safety, and has pushed prisons to 100% capacity.

In response, Defendant filed a Motion to Dismiss on March 1, 2018, arguing the Oklahoma Legislature “is well within its right to determine that certain offenders of particularly heinous crimes must serve larger portions of their sentences than others.”³ Defendant also argued Plaintiffs’ Equal Protection claim is subject to rational-basis scrutiny, a highly deferential standard, and that the “statutory classification is constitutional under rational-basis scrutiny so long as ‘there is any reasonably conceivable state of facts that could provide a rational basis for the classification.’”⁴ Defendant explained it is rational for the Legislature to decide that offenders of more heinous and violent laws must serve more of their

³ Defendant’s Motion to Dismiss and Brief in Support, pp. 1-2, filed on March 1, 2018.

⁴ Defendant’s Motion to Dismiss and Brief in Support, p. 3, filed on March 1, 2018.

sentences than other offenders before being eligible for parole and, therefore, Plaintiffs' Equal Protection claim fails and must be dismissed.

The trial court entered an Order Sustaining Defendant's Motion to Dismiss, filed on May 7, 2018. The trial court held that "the Legislature has the authority to establish the appropriate sentences for different crimes," citing *State v. Young*, 1999 OK CR 14, 989 P.2d 949, 955. The court held that, therefore, "an equal [protection] challenge against a particular statutory scheme for the punishment of crimes must fail." The trial court granted Defendant's motion to dismiss and dismissed without prejudice Plaintiffs' action.

On May 18, 2018, Plaintiffs filed a Motion to Reconsider asking the trial court to reconsider its decision dismissing Plaintiffs' Equal Protection claim. First, Plaintiffs asked the trial court to give great latitude in considering Plaintiffs' action because they are pro se litigants and should not be held to the same standard as pleadings drafted by attorneys. Plaintiffs argued the trial court did not decide Plaintiffs' claims on the merits, noting Plaintiffs' claim is that 21 O.S.2001 § 13.1 violates the Equal Protection Clause.

Plaintiffs also argued the trial court did not decide Plaintiffs' claims on the facts. Plaintiffs argued there was no rational basis to justify Title 21 O.S.2011, § 13.1 to treat one class of offenders differently than it treats those offenders convicted of a lesser crime not listed in Section 13.1.

In response, Defendant noted that Plaintiffs had filed their Motion to Reconsider more than ten days after the trial court's Order and the motion should be treated as a motion to vacate rather than a motion for new trial per 12 O.S.2001, § 651. Defendant argued that even applying a liberal construction to Plaintiffs' motion, the trial court should deny Plaintiffs' Motion to Reconsider.

The trial court denied Plaintiffs' Motion to Reconsider. The trial court held that Plaintiffs failed to show just cause for reconsideration by the trial court, citing 12 O.S.2011 § 1031.

Plaintiff Ray appeals.

STANDARD OF REVIEW

This case presents a question of law, which this Court reviews *de novo*.

Gladstone v. Bartlesville Ind. School Dist. No. 30(I-30), 2003 OK 30, ¶ 5, 66 P.3d 442, 446. On appeal, this Court assumes "plenary independent and non-deferential authority to reexamine a trial court's legal rulings." *Kluver v. Weatherford Hosp. Auth.*, 1993 OK 85, ¶ 14, 859 P.2d 1081, 1084.

"A 'motion to reconsider' does not technically exist within the statutory nomenclature of Oklahoma practice and procedure." *Smith v. City of Stillwater*, 2014 OK 42, ¶ 10, 328 P.3d 1192, 1196. Depending upon the timeframe of the filing of a motion to reconsider, the motion may be considered either a motion for

new trial or a motion to modify or vacate.⁵ *Id.* Both denial of a motion for new trial and denial of a motion to vacate a final order are reviewed by this Court under an abuse of discretion standard. *Smith v. City of Stillwater*, 2014 OK 42 ¶ 11, 328 P.3d at 1197. “An abuse of discretion occurs when a decision is based on an erroneous conclusion of law or where there is no rational basis in evidence for the ruling.” *Id.* “[T]he propriety of the trial court’s denial of the ‘motion for reconsideration’ rests on the underlying correctness of its decision to dismiss The abuse of discretion question is therefore settled by [this Court’s] de novo review of the dismissal’s correctness.” *Id.* (citations omitted).

Plaintiff argues that pleadings prepared by an inmate without the aid of an attorney must be liberally construed. “[R]egardless of the analysis applied to the substance of the pro se pleadings, pro se litigants are required to meet the same procedural standards, evidentiary rules and burdens of proof as represented parties.” *Burghart v. Corrections Corp. of America*, 2009 OK CIV APP 76, ¶ 9, 224 P.3d 1278, 1281 (citing *Funnell v. Jones*, 1985 OK 73, ¶ 4, 737 P.2d 105, 107). It is not the role of this Court to act as the advocate for a pro se litigant. *Id.*

⁵ “[I]f timely filed, a ‘motion to reconsider’ may be treated as a motion for new trial under 12 O.S. § 651 (if filed within ten (10) days of the filing of the judgment, decree, or appealable order), or it may be treated as a motion to modify or to vacate a final order or judgment under the terms of 12 O.S. §§ 1031 and 1031.1 (if filed after ten (10) days but within thirty (30) days of the filing of the judgment, decree, or appealable order).” *Smith v. City of Stillwater*, 2014 OK 42 ¶ 10, 328 P.3d at 1096.

ANALYSIS

Plaintiff contends the 85% Rule under Title 21 O.S.2001 § 13.1 violates the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution. He alleges that he, as an offender required to serve a minimum of eighty-five percent of his imposed sentence without the possibility of parole under Section 13.1, is treated differently than those similarly situated, namely those offenders convicted of crimes not enumerated in Section 13.1. Plaintiff claims this disparate treatment of Section 13.1 violates the Equal Protection Clause. Plaintiff also claims Section 13.1 is not rationally related to any legitimate state interest and, therefore, is an Equal Protection violation.

“The Equal Protection Clause of the Fourteenth Amendment mandates that no state ‘deny to any person within its jurisdiction the equal protection of the laws.’” *Gladstone v. Bartlesville Ind. School Dist. No. 30 (I-30)*, 2003 OK 30, ¶ 9, 66 P.3d 442, 447 (citations omitted). In essence, this is a directive that all persons similarly situated should be treated alike. *City of Cleburne v. Cleburne Living Center*, 473 U.S. 432, 439 (1985) (superseded by statute or other grounds). “In order to assert a viable equal protection claim, plaintiffs must first make a threshold showing that they were treated differently from others who were similarly situated to them.” *Barney v. Pulsipher*, 143 F.3d 1299, 1312 (10th Cir. 1998).

Different types of classifications implicate different levels of scrutiny by this Court. In analyzing a case on equal protection grounds, a court will apply one of three standards of review: (1) rational basis, (2) heightened scrutiny, or (3) strict scrutiny. *Butler v. Jones ex rel. State ex rel. Dept. of Corrections*, 2013 OK 105, ¶ 11, n.10, 321 P.3d 161, 166. “If the classification does not implicate a suspect class or abridge a fundamental right, the rational-basis test is used.” *Id.*

Here, this Court is not dealing with a suspect class⁶ nor has Plaintiff claimed an infringement on a fundamental right. Thus, the lower, most deferential threshold, the rational-basis test, is the correct standard for this Court’s analysis.

The Oklahoma Supreme Court in *Gladstone* discussed review under the rational-basis test:

Rational-basis scrutiny is a highly deferential standard that proscribes only that which clearly lies beyond the outer limit of a legislature’s power. A statutory classification is constitutional under rational-basis scrutiny so long as “there is any reasonably conceivable state of facts that could provide a rational basis for the classification.” The rational-basis review in equal protection analysis “is not a license for courts to judge the wisdom, fairness, or logic of legislative choices.” For these reasons, legislative bodies are generally “presumed to have acted within their constitutional power despite the fact that, in practice, their laws result in some inequality.”

Gladstone v. Bartlesville Ind. School Dist. No. 30 (I-30), 2003 OK 30, ¶ 12, 66 P.3d 442, 448. Legislative action that differentiates between classes without a

⁶ Inmates are not members of a suspect class. *Butler v. Jones ex rel. State of Oklahoma ex rel. Oklahoma Department of Corrections*, 2013 OK 105 ¶ 12, 321 P.3d at 167.

rational basis for doing so violates the Equal Protection Clause. *Ross v. Peters*, 1993 OK 8, ¶ 17, 846 P.2d 1107, 1114. “Legislatures are generally ‘presumed to have acted within their constitutional power despite the fact that, in practice, their laws result in some inequality.’” *Id.* ¶ 17, 846 P.2d at 1114-15.

“The rational relation inquiry is a ‘relatively relaxed standard reflecting the Court’s awareness that the drawing of lines that create distinctions is peculiarly a legislative task’ and such action by the Legislature is presumed valid.” *Jacobs Ranch, L.L.C. v. Smith*, 2006 OK 34, ¶ 55, 148 P.3d 842, 857 (citation omitted). A statutory distinction will not be set aside under a rational basis review if “any state of facts reasonably may be conceived to justify it.” *Riddle v. Mondragon*, 83 F.3d 1197, 1207 (10th Cir. 1996)(citation omitted).

Here, Plaintiff does not argue that he is treated differently than those inmates convicted of the same crime he was convicted of or a different crime enumerated in Section 13.1. He argues that he and the other inmates subject to the 85% Rule under Section 13.1 are treated differently than those inmates that have been convicted of a crime not listed in Section 13.1.

Plaintiff cannot state an Equal Protection claim because he is not similarly situated to those offenders that have been convicted of crimes not enumerated in Section 13.1. Nor has he shown that he is being treated differently than those

inmates convicted of the crime he was convicted of or a different crime set forth in Section 13.1.

“The equal protection clause is satisfied if the statute applies alike or in reasonable degree to all parties in the same class.” *Daube v. Okla. Tax Comm’n*, 1944 OK 218, ¶ 29, 152 P.2d 687, 690. Here, Plaintiff has not established that he was treated differently from other similarly-situated persons and, therefore, failed to state an Equal Protection claim.

Even if this Court were to leniently construe the similarly-situated requirement, Plaintiff still could not withstand review under the rational basis standard.

Here, there is a rational basis related to a legitimate governmental interest for the distinction established in Section 13.1. The Legislature has provided in Section 13.1 that offenders convicted of more serious crimes against the person or heinous crimes are required to serve more of their sentence in an attempt to protect the population from those offenders convicted of these serious crimes and to deter criminal activity. Furthermore, it is not the role of this Court, or Plaintiff, to second guess the Legislature. This Court finds there is a rational basis for the disparate treatment of Section 13.1 and that the challenged provision does not violate the Equal Protection Clause. Thus, the trial court did not err in granting

Defendant's Motion to Dismiss and, therefore, did not abuse its discretion in denying Plaintiff's Motion to Reconsider.

CONCLUSION

Based on the foregoing, this Court finds Title 21 O.S.2011, § 13.1 does not violate the Equal Protection Clause of the Fourteenth Amendment. Thus, the trial court did not err in denying Plaintiff's Motion to Reconsider. The trial court's Order Denying Ray's Motion to Reconsider is affirmed.

AFFIRMED.

BARNES, P.J., and WISEMAN, V.C.J., concur.

March 18, 2019

IN THE
Supreme Court of the United States

LANCEY DARNELL RAY,

Petitioner,

Vs.

KEVIN STITT, GOVERNOR

Respondent.

On Petition For a Writ Of Certiorari
To the Oklahoma Court of Civil Appeals
for the State of Oklahoma

APPENDIX B:
Court of Civil Appeals' Order
To Respond to Petition for Rehearing

LANCEY D. RAY
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1605 E. MAIN
Sayre, OK 73662

Pro se Litigant



ORIGINAL

Appendix B-13a

IN THE COURT OF CIVIL APPEALS OF THE STATE OF OKLAHOMA

DIVISION IV

LANCEY DARNELL RAY,

Plaintiff/Appellant,

and

WILLIAM CHESTNUT,

Plaintiff,

vs.

MARY FALLIN,

Defendant/Appellee.

FILED
COURT OF CIVIL APPEALS
STATE OF OKLAHOMA

MAY 31 2019

JOHN D. HADDEN
CLERK

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| Mailed | <input checked="" type="checkbox"/> |
| Distrib | <input checked="" type="checkbox"/> |
| Publish | yes <input checked="" type="checkbox"/> no |

Case No. 117,250

ORDER TO RESPOND TO PETITION FOR REHEARING


The Appellant has timely filed a petition for rehearing. This Court has determined that a response is in order.

Therefore, the Appellee is directed to respond to the petition for rehearing. In addition to any other content, the Appellee's response shall address Appellant's argument to the effect that the rationale for the subject 85% sentencing provision is to provide an inmate population for the benefit of private prisons. In this regard, Appellee is directed to the petition for rehearing, starting with the last paragraph page 6, beginning "The 2006 annual report" ending on page 8, line 3. The response shall state the views of Appellee on the question: Has Appellant

presented a justiciable question of fact concerning whether there is a legitimate state purpose for the 85% provision?

Appellee shall file the response on or before fifteen (15) days from the date this Order is filed with the Clerk of the Oklahoma Supreme Court. No further filings are permitted without permission.

SO ORDERED this 6th of May, 2019. ALL JUDGES CONCUR.


DEBORAH B. BARNES
Presiding Judge, Division IV

[117,250 – *Lancey Ray v. Mary Fallin*]

IN THE
Supreme Court of the United States

LANCEY DARNELL RAY,

Petitioner,

Vs.

KEVIN STITT, GOVERNOR

Respondent.

On Petition For a Writ Of Certiorari
To the Oklahoma Court of Civil Appeals
for the State of Oklahoma

APPENDIX C:
Court of Civil Appeals' Order
Denying Petition for Rehearing

LANCEY D. RAY
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1605 E. MAIN
Sayre, OK 73662

Pro se Litigant



IN THE COURT OF CIVIL APPEALS OF THE STATE OF OKLAHOMA

DIVISION IV

LANCEY DARNELL RAY,

Plaintiff/Appellant,

and

WILLIAM CHESTNUT,

Plaintiff,

vs.

KEVIN STITT,

Defendant/Appellee.

FILED
COURT OF CIVIL APPEALS
STATE OF OKLAHOMA

JUL 5 2019

JOHN D. HADDEN
CLERK

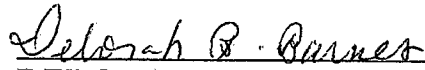
Case No. 117,250

ORDER DENYING PETITION FOR REHEARING

After review, this Court finds that the Petition for Rehearing should be denied.

IT IS THEREFORE ORDERED that Appellant's Petition for Rehearing is denied.

SO ORDERED this 3rd day of July, 2019. ALL JUDGES CONCUR.


DEBORAH B. BARNES
Presiding Judge, Division IV

IN THE
Supreme Court of the United States

LANCEY DARNELL RAY,

Petitioner,

Vs.

KEVIN STITT, GOVERNOR

Respondent.

On Petition For a Writ Of Certiorari
To the Oklahoma Court of Civil Appeals
for the State of Oklahoma

APPENDIX D:
Court of Civil Appeals' Order
Denying Pet. Mot. To Add
Speaker of the House and President Pro Tempore
for the Oklahoma State Legislature

LANCEY D. RAY
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1605 E. MAIN
Sayre, OK 73662

Pro se Litigant



Appendix D-16a

IN THE COURT OF CIVIL APPEALS OF THE STATE OF OKLAHOMA

DIVISION IV

LANCEY DARNELL RAY,

Plaintiff/Appellant,

and

WILLIAM CHESTNUT,

Plaintiff,

vs.

KEVIN STITT,

Defendant/Appellee.

FILED
COURT OF CIVIL APPEALS
STATE OF OKLAHOMA

JUL 17 2019

JOHN D. HADDEN
CLERK

Case No. 117,250

ORDER

Plaintiff's Motion to Add Speaker of The House of Representatives and President Pro Tempore of The Senate for the Oklahoma State Legislature as Defendants/Appellees in the Foregoing Petition for Rehearing pursuant to 12 O.S. § 2021 is hereby denied.

SO ORDERED this 15th day of July, 2019. ALL JUDGES CONCUR.

Deborah B. Barnes
DEBORAH B. BARNES
Presiding Judge, Division IV

IN THE
Supreme Court of the United States

LANCEY DARNELL RAY,

Petitioner,

Vs.

KEVIN STITT, GOVERNOR

Respondent.

On Petition For a Writ Of Certiorari
To the Oklahoma Court of Civil Appeals
for the State of Oklahoma

APPENDIX E:
District Court's Order
Sustaining Defendant's Motion to Dismiss

LANCEY D. RAY
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1605 E. MAIN
Sayre, OK 73662

Pro se Litigant

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMALANCEY DARNELL RAY and
WILLIAM CHESTNUT,

Plaintiffs,

vs.

MARY FALLIN,

Defendant.

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)FILED IN DISTRICT COURT
OKLAHOMA COUNTY

Case No. CV-2017-2393

MAY 07 2018

Judge Thomas E. Prince

RICK WARREN
COURT CLERK

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**ORDER SUSTAINING
DEFENDANT'S MOTION TO DISMISS**

This matter is before the Court on Defendant's Motion to Dismiss filed herein on March 1, 2018. The Plaintiffs filed their Response thereto on March 15, 2018. Having determined that the Defendant's motion may be considered without a hearing, pursuant to District Court Rule 4(h), and for good cause shown, the Court Finds and Orders as follows:

1. Plaintiffs have alleged that 21 O.S. 2011, §13.1, is an unconstitutional as a violation of the equal protection clause of the United States and Oklahoma Constitutions. See 14th Amend., §1, U.S. Const.; Art. 2, §7, Okla. Const. Section 13.1 addresses twenty-two (22) separate criminal offenses and provides, in part, as follows:

Persons convicted of:

1. First degree murder as defined in Section 701.7 of this title;
2. Second degree murder as defined by Section 701.8 of this title;
3. Manslaughter in the first degree as defined by Section 711 of this title;
4. Poisoning with intent to kill, as defined by Section 651 of this title;
5. Shooting with intent to kill, use of a vehicle to facilitate use of a firearm, crossbow or other weapon, assault, battery, or assault and battery with a deadly weapon or by other means

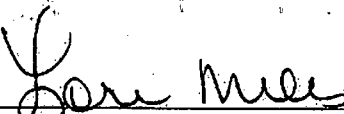
CERTIFICATE OF MAILING

THIS IS TO CERTIFY that on the 8 day of May, 2018, a true and correct copy of the above and foregoing instrument was mailed to the following:

Stan J. West
Assistant Attorney General
Oklahoma Attorney General's Office
Litigation Division
313 NE 21st Street
Oklahoma City, OK 73105

Lancey Darnell Ray, #666601
NFCC (CS-163)
1605 E. Main
Sayre, OK 73662

William Chestnut, #737486
NFCC (CN-216)
1605 E. Main
Sayre, OK 73662



DEPUTY COURT CLERK



IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN DISTRICT COURT
OKLAHOMA COUNTY

LANCEY DARNELL RAY and
WILLIAM CHESTNUT,

Plaintiffs,

vs.

MARY FALLIN,

Defendant.

JUN 28 2018

RICK WARREN
COURT CLERK

56

Case No. CV-2017-2393

Judge Thomas E. Prince

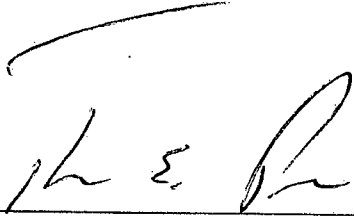
**ORDER DENYING RAY'S
MOTION TO RECONSIDER**

This matter is before the Court on the Motion to Reconsider filed herein on May 18, 2018, by Plaintiff Lancy Darnell Ray. The Defendant filed a Response on May 30, 2018. A Reply was filed on June 15, 2018. Having determined that the Defendant's motion may be considered without a hearing, pursuant to District Court Rule 4(h), and for good cause shown, the Court Finds and Orders as follows:

1. No just cause has been shown by Plaintiff Ray for reconsideration of the Court's Order of May 7, 2018. See 12 O.S. 2011, §1031.
2. The Plaintiff Ray's Motion to Reconsider should be and is HEREBY denied.

IT IS SO ORDERED.

DATED this 28 day of June, 2018.


THOMAS E. PRINCE
DISTRICT JUDGE

CERTIFICATE OF MAILING

THIS IS TO CERTIFY that on the 28 day of June, 2018, a true and correct copy of the above and foregoing instrument was mailed to the following:

Stan J. West
Assistant Attorney General
Oklahoma Attorney General's Office
Litigation Division
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DEPUTY COURT CLERK

IN THE
Supreme Court of the United States

LANCEY DARNELL RAY,

Petitioner,

Vs.

KEVIN STITT, GOVERNOR

Respondent.

On Petition For a Writ Of Certiorari
To the Oklahoma Court of Civil Appeals
for the State of Oklahoma

APPENDIX G:
Oklahoma Supreme Court's Order
Denying Certiorari

LANCEY D. RAY
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Sayre, OK 73662

Pro se Litigant
