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**OPINION OF THE COURT OF CRIMINAL
APPEALS, STATE OF OKLAHOMA
(APRIL 8, 2021)**

IN THE COURT OF CRIMINAL APPEALS
OF THE STATE OF OKLAHOMA

JEFFREY [sic] ARCH JONES,

Appellant,

v.

STATE OF OKLAHOMA,

Appellee.

Case No. F-2017-1245

An Appeal from the District Court of Tulsa County,
the Honorable Tracy L. Priddy District Judge

Before: Dana KUEHN, Presiding Judge,
Scott ROWLAND, Vice Presiding Judge,
Gary L. LUMPKIN, Judge, David B. LEWIS, Judge,
Robert L. HUDSON, Judge.

OPINION

HUDSON, JUDGE:

Jeffery Arch Jones was tried by jury and convicted in Tulsa County District Court, Case No. CF-2017-973, of five counts of Sexual Abuse—Child Under 12, in violation of 21 O.S.Supp.2012, § 843.5(F). In accordance

with the jury's recommendation the Honorable William D. LaFortune, District Judge, sentenced Appellant to forty years imprisonment on Counts 1, 2 and 4; thirty years imprisonment on Count 3, and twenty-five years imprisonment on Count 6. Judge LaFortune ran the sentences for all five counts consecutively. Appellant must serve 85% of his sentences before becoming eligible for parole consideration. Appellant appeals from these convictions and sentences.

In Proposition Two, Appellant claims the District Court lacked jurisdiction to try him. Appellant argues that he is a citizen of the Cherokee Nation and the crimes occurred within the boundaries of the Creek Reservation. Pursuant to *McGirt u. Oklahoma*, 140 S. Ct. 2452 (2020), Appellant's claim raises two separate questions: (a) his Indian status; and (b) whether the crimes occurred on the Creek Reservation. These issues require fact-finding. We therefore remanded this case to the District Court of Tulsa County for an evidentiary hearing.

Recognizing the historical and specialized nature of this remand for evidentiary hearing, we requested the Attorney General and District Attorney work in coordination to effect uniformity and completeness in the hearing process. Upon Appellant's presentation of *prima facie* evidence as to Appellant's legal status as an Indian and as to the location of the crime in Indian Country, the burden shifts to the State to prove it has jurisdiction. The District Court was ordered to determine whether Appellant has some Indian blood and is recognized as an Indian by a tribe or the federal government. The District Court was further ordered to determine whether the crimes in this case occurred in Indian Country. In so doing, the District Court

was directed to consider any evidence the parties provided, including but not limited to treaties, statutes, maps, and/or testimony.

We also directed the District Court that in the event the parties agreed as to what the evidence would show with regard to the questions presented, the parties may enter into a written stipulation setting forth those facts upon which they agree and which answer the questions presented and provide the stipulation to the District Court. The District Court was also ordered to file written findings of facts and conclusions of law with this Court.

A status hearing was held in this case on September 25, 2020, before the Honorable Tracy L. Priddy, District Judge. A written findings of fact and conclusions of law from that hearing was timely filed with this Court. The record indicates that appearing before the District Court on this matter were attorneys from the Oklahoma Attorney General's Office, the Tulsa County District Attorney's Office and counsel for Appellant.

In its written findings of fact and conclusion of law, the District Court stated that the parties have stipulated that Appellant has a blood quantum of 29/64; that Appellant is an enrolled member of the Cherokee Nation and was so at the time of the charged crimes; that the Cherokee Nation is an Indian Tribal Entity recognized by the federal government; the verification for Appellant's tribal enrollment and blood quantum are attached to the written stipulation submitted by the parties; and the crimes charged in this case occurred within the Creek Reservation boundaries. The District Court attached as Exhibit 1 to its findings of facts and conclusions of law a document

entitled Agreed Stipulation signed by all counsel reflecting these stipulations.

The District Court accepted and adopted the stipulations made by the parties and concluded in its findings of fact and conclusions of law that Appellant has some Indian blood, that he is also recognized as an Indian by a tribe and the federal government and therefore Appellant is an Indian under federal law. Finally, the District Court accepted the stipulation of the parties that the crimes in this case occurred on the Creek Reservation and, thus, found the crimes occurred in Indian Country for purposes of federal law.

On December 7, 2020, the State filed with this Court a supplemental brief after remand. In its brief, the State acknowledges the District Court accepted the parties' stipulations as discussed above and references the District Court's findings. The State contends in its brief that should this Court find Appellant is entitled to relief based on the District Court's findings, this Court should stay any order reversing the conviction for thirty (30) days so that the appropriate authorities can review his case, determine whether it is appropriate to file charges and take custody of Appellant. *Cf.* 22 O.S.2011, § 846.

After thorough consideration of this proposition and the entire record before us on appeal including the original record, transcripts and the briefs of the parties, we find that under the law and evidence relief is warranted. Based upon the record before us, the District Court's findings of fact and conclusions of law are supported by the stipulations jointly made by the parties on remand. We therefore find Appellant has met his burden of establishing his status as an

Indian, having an Indian blood quantum of 29/64 and being a member of the Cherokee Nation. We further find Appellant met his burden of proving the crimes in this case occurred on the Creek Reservation and, thus, occurred in Indian Country.

Pursuant to *McGirt*, we find the State of Oklahoma did not have jurisdiction to prosecute Appellant in this matter.¹ The Judgment and Sentence in this case is hereby reversed and the case remanded to the District Court of Tulsa County with instructions to dismiss the case.²

DECISION

The Judgment and Sentence of the District Court is **REVERSED AND REMANDED WITH INSTRUCTIONS TO DISMISS**. The **MANDATE** is not to be issued until twenty (20) days from the delivery and filing of this decision.³

¹ I maintain my previously expressed views on the significance of *McGirt*, its far-reaching impact on the criminal justice system in Oklahoma and the need for a practical solution by Congress. *See Bosse v. State*, 2021 OK CR 3, ___ P.3d ___ (Hudson, J., Concur in Results); *Hogner v. State*, 2021 OK CR 4, ___ P.3d ___ (Hudson, J., Specially Concurs); and *Krafft v. State*, No. F-2018-340 (Okl.Cr., Feb. 25, 2021) (Hudson, J., Specially Concurs) (unpublished).

² This resolution renders the other six propositions of error raised in Appellant's brief moot.

³ By withholding issuance of the mandate for twenty days, the State's request for time to determine further prosecution is rendered moot.

**AN APPEAL FROM THE DISTRICT COURT
OF TULSA COUNTY THE HONORABLE
TRACY L. PRIDDY DISTRICT JUDGE**

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OPINION BY: HUDSON, J.

Kuehn, P.J.: Concur
Rowland, V.P.J.: Concur
Lumpkin, J.: Concur in Results
Lewis, J.: Concur in Results

**LUMPKIN, JUDGE
CONCURRING IN RESULTS**

Bound by my oath and the Federal-State relationships dictated by the U.S. Constitution, I must at a minimum concur in the results of this opinion. While our nation's judicial structure requires me to apply the majority opinion in the 5-4 decision of the U.S. Supreme Court in *McGirt v. Oklahoma*, ___ U.S. ___, 140 S.Ct. 2452 (2020), I do so reluctantly. Upon the first reading of the majority opinion in *McGirt*, I initially formed the belief that it was a result in search of an opinion to support it. Then upon reading the dissents by Chief Justice Roberts and Justice Thomas, I was forced to conclude the Majority had totally failed to follow the Court's own precedents, but had cherry picked statutes and treaties, without giving historical context to them. The Majority then proceeded to do what an average citizen who had been fully informed of the law and facts as set out in the dissents would view as an exercise of raw judicial power to reach a decision which contravened not only the history leading to the disestablishment of the Indian reservations in Oklahoma, but also willfully disregarded and failed to apply the Court's own precedents to the issue at hand.

My quandary is one of ethics and morality. One of the first things I was taught when I began my service in the Marine Corps was that I had a duty to follow lawful orders, and that same duty required me to resist unlawful orders. Chief Justice Roberts's scholarly and judicially penned dissent, actually following the Court's precedents and required analysis, vividly reveals the failure of the majority opinion to

follow the rule of law and apply over a century of precedent and history, and to accept the fact that no Indian reservations remain in the State of Oklahoma.⁴ The result seems to be some form of “social justice” created out of whole cloth rather than a continuation of the solid precedents the Court has established over the last 100 years or more.

⁴ Senator Elmer Thomas, D-Oklahoma, was a member of the Senate Committee on Indian Affairs. After hearing the Commissioner’s speech regarding the Indian Reorganization Act (IRA) in 1934, Senator Thomas opined as follows:

I can hardly see where it (the IRA) could operate in a State like mine where the Indians are all scattered out among the whites and they have no reservation, and they could not get them into a community without you would go and buy land and put them on it. Then they would be surrounded very likely with thickly populated white sections with whom they would trade and associate. I just cannot get through my mind how this bill can possibly be made to operate in a State of thickly-settled population. (emphasis added).

John Collier, Commissioner of Indian Affairs, *Memorandum of Explanation* (regarding S. 2755), p. 145, hearing before the United States Senate Committee on Indian Affairs, February 27, 1934. Senator Morris Sheppard, D-Texas, also on the Senate Committee on Indian Affairs, stated in response to the Commissioner’s speech that in Oklahoma, he did not think “we could look forward to building up huge reservations such as we have granted to the Indians in the past.” *Id.* at 157. In 1940, in the Foreword to Felix S. Cohen, *Handbook of Federal Indian Law* (1942), Secretary of the Interior Harold Ickes wrote in support of the IRA, “[t]he continued application of the allotment laws, under which Indian wards have lost more than two-thirds of their reservation lands, while the costs of Federal administration of these lands have steadily mounted, must be terminated.” (emphasis added).

The question I see presented is should I blindly follow and apply the majority opinion or do I join with Chief Justice Roberts and the dissenters in *McGirt* and recognize “the emperor has no clothes” as to the adherence to following the rule of law in the application of the *McGirt* decision?

My oath and adherence to the Federal-State relationship under the U.S. Constitution mandate that I fulfill my duties and apply the edict of the majority opinion in *McGirt*. However, I am not required to do so blindly and without noting the flaws of the opinion as set out in the dissents. Chief Justice Roberts and Justice Thomas eloquently show the Majority’s mischaracterization of Congress’s actions and history with the Indian reservations. Their dissents further demonstrate that at the time of Oklahoma Statehood in 1907, all parties accepted the fact that Indian reservations in the state had been disestablished and no longer existed. I take this position to adhere to my oath as a judge and lawyer without any disrespect to our Federal-State structure. I simply believe that when reasonable minds differ they must both be reviewing the totality of the law and facts.

LEWIS, JUDGE, CONCURRING IN RESULTS

Based on my special writings in *Bosse v. State*, 2021 OK CR 3, ___ P.3d ___ and *Hogner v. State*, 2021 OK CR 4, ___ P.3d ___, I concur in the decision to dismiss this case for the lack of state jurisdiction.

**DISTRICT COURT OF TULSA COUNTY,
STATE OF OKLAHOMA, FINDINGS OF FACT
AND CONCLUSIONS OF LAW
(NOVEMBER 12, 2020)**

IN THE DISTRICT COURT IN AND FOR
TULSA COUNTY, STATE OF OKLAHOMA

JEFFERY ARCH JONES,

Appellant,

v.

THE STATE OF OKLAHOMA,

Appellee.

Tulsa County District Court Case No. CF-2017-973
Court of Criminal Appeals Case No. F-2017-1245
Before: Tracy L. PRIDDY, District Judge.

**FINDINGS OF FACTS AND
CONCLUSIONS OF LAW**

This matter came on for a status conference on September 25, 2020 pursuant to the remand order of the Oklahoma Court of Criminal Appeals (“OCCA”) issued August 21, 2020. Danny Joseph appeared on behalf of Appellant, Jeffery Arch Jones, whose appearance was waived. Assistant Attorney General Jennifer Crabb appeared for Appellee. Tulsa County First Assistant District Attorney Erik M. Grayless

also appeared. An evidentiary hearing was not held pursuant to the parties' announcement that they had agreed and stipulated to facts supporting the issues to be determined by this Court.

The Appellant, in his Brief-In-Chief asserted a claim that the District Court lacked jurisdiction to try him as he is a citizen of the Cherokee Nation and the crime occurred within the boundaries of the Creek [Nation] Reservation. Appellant's claim raises two questions: (a) his Indian status, and (b) whether the crime occurred in the Creek [Nation] Reservation. These issues require fact-finding to be addressed by the District Court per the OCCA Order Remanding.

I. Jeffery Arch Jones's Status as an Indian

To determine the Indian status of the Appellant, the OCCA directed the District Court to make findings of fact as to whether (1) Appellant has some Indian blood, and (2) is recognized as an Indian by a tribe or the federal government.¹ The Court finds as follows:

Findings of Fact

1. Jeffery Arch Jones is the named Defendant/Appellant in the above-entitled matter.

2. The parties hereto stipulated that Mr. Jones has a blood quantum of 29/64.²

¹ *United States v. Diaz*, 679 F. 3d 1183, 1187 (10th Cir. 2012); *United States v. Prentiss*, 273 F. 3d 1277, 1280-81 (10th Cir. 2001). *Generally Goforth v. State*, 1982 OK CR 48, ¶6, 644 P.2d 114, 116.

² Exhibit 1, Agreed Stipulation 1A.

3. The parties hereto stipulated that Mr. Jones is a citizen of the Cherokee Nation as of March 18, 2004 and was so at the time of the crimes.³

4. The parties hereto stipulated that the Cherokee Nation is an Indian Tribal Entity recognized by the federal government.⁴

5. The parties hereto stipulated that the verification for Mr. Jones's tribal enrollment and blood quantum are attached to this stipulation and the parties agree they should be admitted into the record of this case.⁵

Conclusions of Law

Regarding the first determination, the Court answers the first inquiry in the affirmative. The Court adopted the Agreed Stipulation including the attached documentation of Appellant's blood quantum and citizenship in the Cherokee Nation filed by the parties on September 25, 2020 and made findings of fact thereon. Jeffery Arch Jones is the named Defendant/Appellant in this matter and has a Cherokee blood quantum of 29/64. Although the term "Indian" is not statutorily defined and various terms such as "sufficient"⁶, "substantial"⁷, "significant percentage of"⁸ or

³ Exhibit 1, Agreed Stipulation 1B.

⁴ Exhibit 1, Agreed Stipulation IC.

⁵ Exhibit 1, Agreed Stipulation 1D.

⁶ *United States v. LaBuff*, 658 F. 3d 873, 874-75 (9th Cir. 2011)

⁷ *Vialpando v. State*, 640 P.2d 77, 79-80 (Wyo. 1982).

⁸ *Goforth v. State*, 1982 OK CR 48, ¶ 6, 644 P.2d 114, 116.

“some”⁹ have been used by courts in an attempt to define the quantity of Indian Blood required to satisfy this inquiry, the OCCA mandate ordered this Court to determine “whether the Appellant had *some* Indian blood.”¹⁰ Thus, according to the term used by the OCCA in its Order, this Court concludes Jeffery Arch Jones, the named Defendant/Appellant, had some Indian blood.

Additionally, the Court answers the second part of the inquiry in the affirmative. The Court adopted the Agreed Stipulation including the attached documentation of Appellant’s blood quantum and citizenship in the Cherokee Nation and made findings of fact thereon. Jeffery Arch Jones has been recognized as a citizen of the Cherokee Nation since March 18, 2004 and was recognized as a citizen of the Cherokee Nation at the time of the offenses. Finally, the Cherokee Nation is an Indian Tribal Entity recognized by the federal government. Therefore, Jeffery Arch Jones was recognized as an Indian by a tribe or the federal government.

Having answered both inquiries in the affirmative, this Court concludes Jeffery Arch Jones is an Indian.

II. Whether the Crime Occurred in Indian Country

The OCCA further ordered the District Court to determine whether the crime occurred within the

⁹ *United States v. Diaz*, 679 F.3d 1183, 1187 (10th Cir. 2012).

¹⁰ Order Remanding for Evidentiary Hearing August 21, 2020.

boundaries of the Creek Reservation, referred to as Indian Country.¹¹ The Court finds as follows:

Findings of Fact

1. The parties hereto stipulated that the crimes in this case occurred within the Creek reservation boundaries.¹²

Conclusions of Law

The final inquiry is answered in the affirmative. This Court adopted the Agreed Stipulation and made findings of fact thereon. Although, the location(s) of the crimes of sexual abuse — child under 12 was not included as a stipulation by the parties, Appellant's brief identifies the address as 2321 South First Street in Broken Arrow.¹³ The parties agreed that the location where the crimes occurred were within the Creek Reservation boundaries. These boundaries were established through a series of treaties between the Creek Nation and the United States, and are explicitly recognized as a reservation defined by 18 U.S.C. § 1151(a). This Court concludes that the crimes for which Defendant/Appellant was convicted occurred within the Creek [Nation] Reservation. Based upon the Supreme Court's ruling in *McGirt v. Oklahoma*, 140 S.Ct. 2452, 207 L.Ed.2d 985 (2020), the Creek Nation Reservation is Indian Country.

¹¹ *McGirt v. Oklahoma*, 140 S.Ct. 2452 (2020); 18 U.S.C. §§ 1152, 1153.

¹² Exhibit 1, Agreed Stipulation 2A.

¹³ Brief of Appellant, April 23, 2018, p. 10

WHEREFORE, this Court finds that Jeffery Arch Jones is an Indian and the crimes for which he was convicted occurred in Indian Country for purposes of the General Crimes Act, 18 U.S.C. § 1152 and the Major Crimes Act, 18 U.S.C. § 1153.

IT IS SO ORDERED this 12th day of November, 2020.

/s/ Tracy L. Priddy
District Judge

**AGREED STIPULATION
(SEPTEMBER 25, 2020)**

IN THE DISTRICT COURT OF TULSA COUNTY
STATE OF OKLAHOMA

JEFFERY ARCH JONES,

Appellant,

v.

THE STATE OF OKLAHOMA,

Appellee.

Case Nos. F-2017-1245, CF-2017-973

The Oklahoma Court of Criminal Appeals (OCCA) remanded this matter for an evidentiary hearing pursuant to the recent decision in *McGirt v. Oklahoma*, 140 S.Ct. 2452 (2020), to determine Mr. Jones's (a) Indian status and (b) whether the crime occurred on the Creek Reservation. The parties have reached the following stipulations:

1. Regarding the status of the Appellant:
 - A. Mr. Jones has a blood quantum of 29/64.
 - B. Mr. Jones is a citizen of the Cherokee Nation as of March 18, 2004 and was so at the time of the crimes.

- C. The Cherokee Nation is a Indian Tribal Entity recognized by the federal government.
 - D. The verification for Mr. Jones's tribal enrollment and blood quantum are attached to this stipulation and the parties agree they should be admitted into the record of this case.
2. Regarding the location of the crime:
- A. The crimes in this case occurred within the Creek reservation boundaries.

The parties therefore request that this Court accept the stipulations.

Respectfully submitted,

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**LETTER FROM CHEROKEE NATION
(SEPTEMBER 9, 2020)**

CHEROKEE NATION
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 1533
Tahlequah, OK 74465
918-453-5000

Sara Hill
Attorney General

To Whom It May Concern:

This letter shall verify that Jeffery Arch Jones, born February 16 1990, is a registered citizen of the Cherokee Nation as of March 18, 2004. His blood quantum is 29/64, dated October 23, 1997.

The response in this letter is based on information exactly as provided by the requesting party. Any incorrect or incomplete information may invalidate the above determination. Cherokee Nation can only confirm citizenship and blood degree for Cherokees. It is possible for the individual to be a member of another tribe and/or to have some degree of Indian blood from another tribe.

This letter does not reflect a finding of eligibility under the Federal Indian Child Welfare Act, 25 U.S.C. § 1901 *et seq.*, ("ICWA"). Per 25 U.S.C. § 1912(a) legal notice regarding an Indian child under ICWA must be sent to Cherokee Nation Indian Child Welfare, PO Box 948, Tahlequah, OK 74465.

App.22a

If you have questions regarding this determination, please email CNOAG@cherokee.org or call the Cherokee Nation Office of the Attorney General at (918) 453-5262.

**COURT OF CRIMINAL APPEALS,
STATE OF OKLAHOMA, ORDER REMANDING
FOR EVIDENTIARY HEARING
(AUGUST 21, 2020)**

IN THE COURT OF CRIMINAL APPEALS
OF THE STATE OF OKLAHOMA

JEFFERY ARCH JONES,

Appellant,

v.

THE STATE OF OKLAHOMA,

Appellee.

No. F-2017-1245

Before: David B. LEWIS, Presiding Judge.,
Dana KUEHN, Vice Presiding Judge., Gary L.
LUMPKIN, Judge., Robert L. HUDSON, Judge.,
Scott ROWLAND, Judge.

**ORDER REMANDING FOR
EVIDENTIARY HEARING**

Jeffery Arch Jones was tried by jury and convicted in Tulsa County District Court, Case No. CF-2017-973, of five counts of Sexual Abuse—Child Under 12, in violation of 21 O.S.Supp.2012, § 843.5(F). In accordance with the jury's recommendation the Honorable William D. LaFortune, District Judge, sentenced Appellant to

forty years imprisonment on Counts 1, 2 and 4; thirty years imprisonment on Count 3, and twenty-five years imprisonment on Count 6. Judge LaFortune ran the sentences for all five counts consecutively. Appellant must serve 85% of his sentences before becoming eligible for parole consideration. Appellant appeals from these convictions and sentences.

In Proposition Two, Appellant claims the District Court lacked jurisdiction to try him. Appellant argues that he is a citizen of the Cherokee Nation and the crimes occurred within the boundaries of the Creek Reservation.

Pursuant to *McGirt v. Oklahoma*, No. 18-9526 (U.S. July 9, 2020), Appellant's claim raises two separate questions: (a) his Indian status and (b) whether the crimes occurred on the Creek Reservation. These issues require fact-finding. We therefore **REMAND** this case to the District Court of Tulsa County, for an evidentiary hearing to be held within sixty (60) days from the date of this Order.

Recognizing the historical and specialized nature of this remand for evidentiary hearing, we request the Attorney General and District Attorney work in coordination to effect uniformity and completeness in the hearing process. Upon Appellant's presentation of *prima facie* evidence as to the Appellant's legal status as an Indian and as to the location of the crimes in Indian Country, the burden shifts to the State to prove it has subject matter jurisdiction.

The hearing shall be transcribed, and the court reporter shall file an original and two (2) certified copies of the transcript within twenty (20) days after the hearing is completed. The District Court shall

then make written findings of fact and conclusions of law, to be submitted to this Court within twenty (20) days after the filing of the transcripts in the District Court. The District Court shall address only the following issues.

First, the Appellant's status as an Indian. The District Court must determine whether (1) Appellant has some Indian blood, and (2) is recognized as an Indian by a tribe or the federal government.¹

Second, whether the crimes occurred on the Creek Reservation. In making this determination the District Court should consider any evidence the parties provide, including but not limited to treaties, statutes, maps, and/or testimony.

The District Court Clerk shall transmit the record of the evidentiary hearing, the District Court's findings of fact and conclusions of law, and any other materials made a part of the record, to the Clerk of this Court, and counsel for Appellant, within five (5) days after the District Court has filed its findings of fact and conclusions of law. Upon receipt thereof, the Clerk of this Court shall promptly deliver a copy of that record to the Attorney General. A supplemental brief, addressing only those issues pertinent to the evidentiary hearing and limited to twenty (20) pages in length, may be filed by either party within twenty (20) days after the District Court's written findings of fact and conclusions of law are filed in this Court.

¹ See *Goforth v. State*, 1982 OK CR 48, ¶ 6, 644 P.2d 114, 116. See also *United States v. Diaz*, 679 F.3d 1183, 1187 (10th Cir. 2012); *United States v. Prentiss*, 273 F.3d 1277, 1280-81 (10th Cir. 2001).

Provided however, in the event the parties agree as to what the evidence will show with regard to the questions presented, they may enter into a written stipulation setting forth those facts upon which they agree and which answer the questions presented and provide the stipulation to the District Court. In this event, no hearing on the questions presented is necessary. Transmission of the record regarding the matter, the District Court's findings of fact and conclusions of law and supplemental briefing shall occur as set forth above.

IT IS FURTHER ORDERED that the Clerk of this Court shall transmit copies of the following, with this Order, to the District Court of Tulsa County: Appellant's Brief in Chief, filed April 23, 2018; and Appellee's Response Brief, filed August 3, 2018. The present order renders **MOOT** any request made to date for supplemental briefing by either party in this case as well as any request to file an amicus brief.

IT IS SO ORDERED.

WITNESS OUR HANDS AND THE SEAL OF THIS COURT this 21st day of August, 2020.

App.27a

/s/ David B. Lewis
Presiding Judge

/s/ Dana Kuehn
Vice Presiding Judge

/s/ Gary L. Lumpkin
Judge

/s/ Robert L. Hudson
Judge

/s/ Scott Rowland
Judge

ATTEST:

/s/ John D. Hadden
Clerk