

ORIGINAL



IN THE COURT OF CRIMINAL APPEALS OF
THE STATE OF OKLAHOMA

FILED
IN COURT OF CRIMINAL APPEALS
STATE OF OKLAHOMA

EDWARD R. BROWN, SR.,

Petitioner,

-vs-

THE STATE OF OKLAHOMA,
ET AL.,

Respondent(s).

JUL 29 2021

JOHN D. HADDEN
CLERK

No. MA-2021-578

ORDER DISMISSING PETITION FOR WRIT OF MANDAMUS

The Petitioner has filed a pro se petition for writ of mandamus seeking relief in Comanche County District Court Case Nos. CF-2017-586, CM-2020-1603, CF-2020-584, and CM-2020-1604.

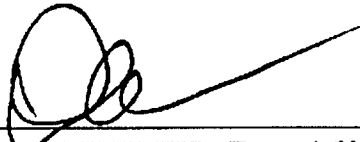
This Court will only entertain extraordinary writs if the petitioner has been denied relief in the District Court. Rule 10.1(A), Rules of the Oklahoma Court of Criminal Appeals, Title 22, Ch.18, App. (2021). Petitioner has not established that he has properly submitted his issues, through counsel, and has been denied relief by the District Court. Moreover, Petitioner's pleadings do not reflect service on the adverse party in this matter. Rule 10.3, Rules, supra (no petition for extraordinary relief shall be heard unless the petition and brief reflect service on the adverse party or parties).

Therefore, the petition for writ of mandamus should be, and is hereby, **DISMISSED**. The Clerk of this Court is directed to return to Petitioner all items he has submitted in support of the petition for writ of mandamus.


IT IS SO ORDERED.

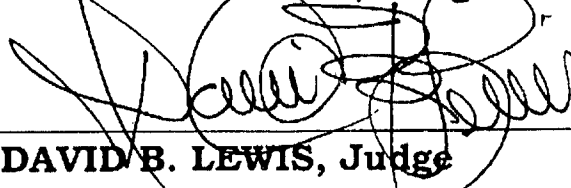
WITNESS OUR HANDS AND THE SEAL OF THIS COURT this

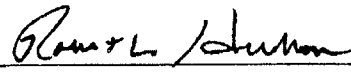
29 day of July, 2021.


DANA KUEHN, Presiding Judge

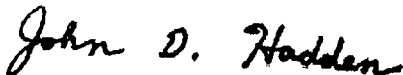

SCOTT ROWLAND, Vice Presiding Judge


GARY L. LUMPKIN, Judge


DAVID B. LEWIS, Judge


ROBERT L. HUDSON, Judge

ATTEST:



Clerk

OA

Appendix C-2

Exhibit II

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT IN AND
FOR
COMANCHE COUNTY, OKLAHOMA

STATE OF OKLAHOMA

ss.

AFFIDAVIT FOR ARREST WARRANT

COMANCHE COUNTY

On this 29th day of October, 2020, Det. Patrick Bellamy, being first duly sworn, upon oath deposes and says:

That probable cause exists to cause the arrest of Edward Renar Brown Sr. for the public offense against said County and State, to wit:

Offense, Burglary in the Second-Degree (S21-1435)

And that probable cause of the Affiant believing such facts exist as follows, to wit:

In the State of Oklahoma, County of Comanche, and the City of Lawton, on 9/20/2020, at approximately 1000 hours, Anette Allen was in her back yard located at 1328 NW Taft. Allen heard a noise coming from the detached garage located at 1330 NW Taft. Allen and her boyfriend, Martin Isham, manage several properties on the 1300 block of NW Taft, including 1330 NW Taft for Evergreen Capitol LLC. Allen looked through her fence and noticed a bicycle outside of the garage. Allen went to investigate and observed two males, later identified as Edward Brown and Taven Jackson, walking away from the garage. Brown was carrying a large mirror. Allen confronted the two men. Jackson stated that he was never in the garage. Brown began to apologize to Allen and stated that he was in the garage, but he did not know it was Allen's garage. Brown then stated that his family owned the property.

Martin Isham inspected the property and observed damage to the door frame that was not there previously.

Patrick Bellamy
Affiant, Det. Patrick Bellamy

Subscribed and sworn before me this 29 day of Oct, 2020.

My commission expired on the 29 day of Mar, 2023

NOTARY PUBLIC State of OK
CHARLIE MARTIN
Comm. # 11002908
Expires 03-29-2023

Charlie Martin
Notary Public

The undersigned Judge of this Court, upon sworn testimony, and/or Affidavit, hereby finds that there is probable cause for the issuance of an arrest warrant for the above-named defendant.

Grant Shepard
Judge of the District Court

Appendix A

Reference LPD Offense Number: 2020-8382

Exhibit III

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT IN AND
FOR
COMANCHE COUNTY, OKLAHOMA

STATE OF OKLAHOMA

ss.

AFFIDAVIT FOR ARREST WARRANT

COMANCHE COUNTY

See
The
date

On this 28th day of October, 2020, Det. Patrick Bellamy, being first duly sworn, upon oath deposes and says:

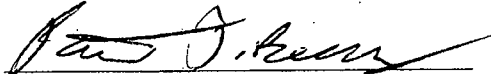
That probable cause exists to cause the arrest of Edward Renar Brown Sr for the public offense against said County and State, to wit:

Offense, Burglary in the First-Degree (S21-1431)

And that probable cause of the Affiant believing such facts exist as follows, to wit:

In the State of Oklahoma, County of Comanche, and the City of Lawton, on 9/22/2020 at approximately 0200 hours Edward Renar Brown Sr. kicked open the front door of 1322 NW Taft while the residents, Griffin Shanks and Jessica Foster were inside. Foster and Shanks confronted Brown and he fled the area on foot. Foster and Shanks recognized Brown from previous incidents where Brown was trespassing on their property. Shanks and Foster were able to identify Brown from a photo lineup.

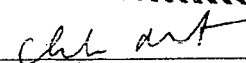
See The Date


Affiant, Det. Patrick Bellamy

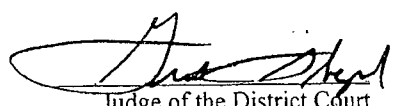
Subscribed and sworn before me this 29 day of Oct, 2020

My commission expired on the 29 day of Mar, 2023

NOTARY PUBLIC State of OK
CHARLIE MARTIN
Comm. # 11002908
Expires 03-29-2023


Notary Public

The undersigned Judge of this Court, upon sworn testimony, and/or Affidavit, hereby finds that there is probable cause for the issuance of an arrest warrant for the above-named defendant.


Judge of the District Court

Reference LPD Offense Number: 2020-8379

Appendix B