

**ORIGINAL**

  
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**IN THE COURT OF CRIMINAL APPEALS  
OF THE STATE OF OKLAHOMA**

**FILED**

COURT OF CRIMINAL APPEALS  
STATE OF OKLAHOMA

**MARSHALL HENRY ELLIS,**

**MAR 14 2023**

**Petitioner,**

**JOHN D. HADDEN  
CLERK**

**v.**

**No. HC-2023-174**

**STATE OF OKLAHOMA,**

**Respondents.**

**ORDER DENYING PETITION FOR WRIT OF HABEAS CORPUS**

On February 21, 2023, Petitioner, through counsel, filed a petition for a writ of habeas corpus.<sup>1</sup> Petitioner contends his convictions are constitutionally void and that he is actually innocent in Woodward County District Court Case No. CRF-1985-59.

For a writ of habeas corpus, Petitioner must establish that his confinement is unlawful or that he is entitled to immediate release.

Rule 10.6, *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2023); *Ekstrand v. State*, 1990 OK CR 21, 791 P.2d 92.

Based upon the record provided in this matter, Petitioner has failed to show that he is entitled to the relief requested. Petitioner has not

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<sup>1</sup> The Oklahoma Supreme Court transferred this matter to this Court in an order filed with the Clerk of the Supreme Court on March 6, 2023. *Ellis v. State*, Case No. 121,102 (March 6, 2023).

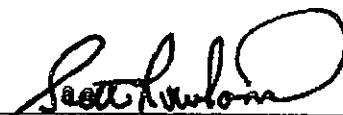
cited any authority which establishes that his confinement is unlawful or that he is entitled to immediate release.

Accordingly, Petitioner's petition for a writ of habeas corpus is **DENIED**.

**IT IS SO ORDERED.**

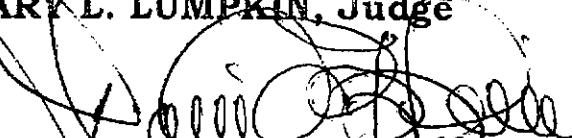
**WITNESS OUR HANDS AND THE SEAL OF THIS COURT** this

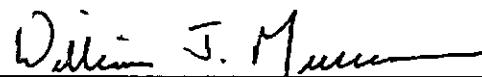
14<sup>th</sup> day of MARCH, 2023.

  
**SCOTT ROWLAND, Presiding Judge**

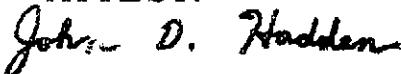
  
**ROBERT L. HUDSON, Vice Presiding Judge**

  
**GARY L. LUMPKIN, Judge**

  
**DAVID B. LEWIS, Judge**

  
**WILLIAM J. MUSSEMAN, Judge**

ATTEST:

  
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John D. Hadden

Clerk

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