

Appendix A

IN THE COURT OF CRIMINAL APPEALS OF THE STATE OF OKLAHOMA

ORIGINAL

1057019136

Larry David Doak,
Petitioner,

v. **IN COURT OF CRIMINAL APPEALS**
STATE OF OKLAHOMA STATE OF OKLAHOMA

FILED

Case Number: PC-2023-686

Respondent,

DEC 11 2023

TCC Number(s): CF-1998-80CF-1998-
81CF-1998-83

JOHN D. HADDEN
CLERK

RECEIPT FOR MANDATE

The undersigned court clerk of Washington County, State of Oklahoma, hereby acknowledges receipt of mandate and Order issued and filed in the above styled and numbered case.

Dated this 7 day of December, 2023

(seal)

Jill Spitzer
Court Clerk
County of Washington,
State of Oklahoma

Sign and Mail to:

Clerk of the Appellate Courts
Oklahoma Judicial Center
2100 N Lincoln Blvd., Suite 4
Oklahoma City, OK 73105-4907

Jill L. Spitzer, Court Clerk
By *Deputy*

ORIGINAL



* 1057021079 *

LARRY DAVID DOAK,) DEC - 5 2023
Petitioner,) JOHN D. HADDEN
v.) CLERK
STATE OF OKLAHOMA,) No. PC-2023-686
Respondent.)

ORDER AFFIRMING DENIAL OF POST-CONVICTION RELIEF

Petitioner, pro se, appeals the denial of post-conviction relief by the District Court of Washington County in Case Nos. CF-1998-80, CF-1998-81, and CF-1998-83. Before the District Court, Petitioner asserted that the State lacked jurisdiction to convict and punish him. See *McGirt v. Oklahoma*, 140 S.Ct. 2452 (2020). In *State ex rel. Matloff v. Wallace*, 2021 OK CR 21, 497 P.3d 686, cert. denied, 142 S.Ct. 757 (2022), this Court determined that the United States Supreme Court decision in *McGirt*, because it is a new procedural rule, is not retroactive and does not void final state convictions. See *Matloff*, 2021 OK CR 21, ¶¶ 27-28, 40, 497 P.3d at 691-92, 694.

The convictions in this matter were final before the July 9, 2020, decision in *McGirt*, and the United States Supreme Court's holding in *McGirt* does not apply. We decline Petitioner's invitation to revisit our holding in *Matloff*.

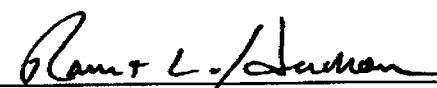
The District Court's order denying post-conviction relief in Washington County District Court Case Nos. CF-1998-80, CF-1998-81, and CF-1998-83 is **AFFIRMED**. Pursuant to Rule 3.15, *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch. 18, App. (2023), the **MANDATE** is **ORDERED** issued upon the delivery and filing of this decision. Petitioner is placed on notice that his state remedies are deemed exhausted on all issues raised in his petition in error, brief, and any prior appeals. See Rule 5.5, *supra*.

IT IS SO ORDERED.

WITNESS OUR HANDS AND THE SEAL OF THIS COURT this

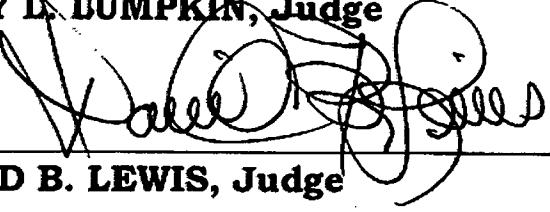
5th day of December, 2023.


SCOTT ROWLAND, Presiding Judge


ROBERT L. HUDSON, Vice Presiding Judge



GARY L. LUMPKIN, Judge

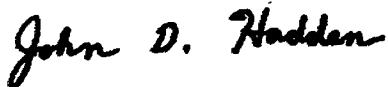


DAVID B. LEWIS, Judge



WILLIAM J. MUSSEMAN, Judge

ATTEST:



Clerk

PA