

IN THE SUPREME COURT OF THE UNITED STATES OF AMERICA

Dubuc et al VS. First Nat'l Bank  
& Trust [REDACTED] 121331 Okla. S. Ct.

July 24<sup>th</sup>, 2025

**AFFIDAVIT OF Timeliness and SERVICE OF ALL INTRESTED PARTIES**

Pursuant to 28 U. S. C. § 1746 that on May 19<sup>th</sup>, 2025 84 days after Denial of Certiorari by Oklahoma Supreme court. I placed By US mail Postage Paid 1<sup>st</sup> class to Clerk of US Supreme Court, each court ,clerks office, for placement in public file of the causes requested reviewed to each court clerk , Attorney ,for every party. Received first time

- 1) notice that Original Jurisdiction may apply
- 2) In forma Pauperis
- 3) request for leave to join all common claims in a single petition
- 4) Request to Stay the lower court proceedings pending review
- 5) Petition and Appendix of Orders and only essential material the court might need to fully examine my issues presented for review
- 6) I served Notice of each of the above upon Each Attorney ,court record ,that is under review
- 7) Each respondent or attorney ,the governor and attorney general of the state diverse to my own.
- 8) Under priority Mail #s
- 9) 9589071052700002830855 Okmulgee court clerk copy for each file x3  
9589071052700002830695 Gaither law Attorney Luke Gaither for parker et al and probono clients and Retained FNB & Trust ,prichards et al  
9589071052700002830688 Egan law Attorney Courtney Egan Gallagher  
9589071052700002830435 Governor of Oklahoma Attorney general x2  
9589071052700002830428 Honorable Douglas Kirkley by court clerk  
9589071052700002830381 Oklahoma supreme Court by clerk as ordered by chief justice

10. My May 19<sup>th</sup> 2025 first class priority was not delivered until second attempt May 28<sup>th</sup>, 2025. To this Court ,Letter attached. Those corrections were completed and Returned Separated to Two separate petitions Some of my Copies were not Completely corrected when returned and Received July 16<sup>th</sup>, 2025 having Been Re-mailed USPS First Class Priority July 9<sup>th</sup> 2025.

11. Each Party listed , public record, counsel of record ,was Re-Served July 9<sup>th</sup> 2025. All Corrected Submissions.

12. In The Original and One Copy of the Amended Petition for Certiorari was missed and has been Corrected. This July 24<sup>th</sup>, 2025 for return.

13. The Oklahoma S. Ct. in 121331 Received of Record the original Submissions May 22<sup>nd</sup>, 2025 Attached # 1,2,5-10.

14. The certiorari Petition was Originally Received May 28<sup>th</sup>, 2025 after mail delays from deposit to US Mail May 19<sup>th</sup> 2025 and should be considered timely.

I believe in good faith that I have reasonable cause to seek the relief herein prayed for and not to cause any hardship.

Because *within 84 days of the denial of Certiorari by the Oklahoma Supreme Court February 24<sup>th</sup>, 2025*. I Placed to the Clerk of the United States Supreme Court Petition for Certiorari. May 19<sup>th</sup>, 2025 USPS FIRST Class Priority Insured Mail to the Clerk of the U.S. Supreme Court. Received May 28<sup>th</sup>, 2025.

Which contained Above Listed Clerical Errors Per May 28<sup>th</sup>, 2025 Letter of the clerk. Returned with most Corrections complete July 19<sup>th</sup>, 2025 Per May 28<sup>th</sup>, 2025 Letter of the clerk. *Received July 16<sup>th</sup>, 2025 In the Time Prescribed therein.*

I Affirm that I know the same to be true and correct under penalty of law 28 U. S. C. § 1746.

*7-25-2025*  
Brian D. Dubuc  
541 Citylake rd  
Waldron, Ark 72958  
(918) 319-8392

*72958*  
*APR 16 2025*

*final Corrected copy  
and Reservice WAS  
made FLAT RATE TRACeloy  
Priority 1ST class firs.*

*Sept. 2nd, 2025*

*10-2-25*



ORIGINAL

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

Brian D. DuBuc ; )  
petitioner / Appellant; )  
 )  
- VS - )  
 )  
First National Bank & Trust, dba )  
Nevyle R. Cable Successor in fact, )  
Kyle Powell , Estes Officially in the )  
individual Capacity also , )  
Respondent , )  
 )  
Mabrey Bank dba Mabrey )  
Bancorporation INC. William )  
Carlisle Mabrey III officially and in )  
the individual capacity , )  
Respondent )  
 )  
Linda Prichard , )  
Respondent, )  
 )  
Joseph Gallagher ; )  
Respondent / Appellee ; )  
 )  
et.al. )

Received:	6.12.25
Docketed:	6.12.25
Marshal:	6.12.25
COA/OKC:	6.12.25
COA/TUL:	6.12.25

FILED  
SUPREME COURT  
STATE OF OKLAHOMA

JUN 12 2025

JOHN D. HADDEN  
CLERK

Case No. DF-121331  
OKMULGEE County District Court  
prior Appeal No:118,772 DC NO:  
CV-2019-34 / SC-14-597

STATUS REPORT

RECEIVED  
JUN 12 2025  
CLERK'S OFFICE

APPELLANTS ORDERED STATUS REPORT

Pursuant to the Directive of the court entered in the above styled matter Appellant petitioner Dubuc Provides the Following.

On May 19<sup>th</sup> 2025 dubuc placed Via Priority First class US Mail To the United States Supreme Court **Petition for Certiorari and Mandamus , Notice of probable US Interest ,Request to stay this court and all lower court proceedings pending review, Index to Appendix.**

A Copy was provided to the clerk for the record at the time of filing as suggested by the court.

The Same was filed of record with the district court clerk and served to all clerks of judges. The Attorney General Oklahoma as counsel to governor , Solicitor General of US.

On May 28<sup>th</sup> 2025 The clerk of the supreme Court advised receipt of said petitions Received May 28<sup>th</sup> 2025 and are deemed Timely filed.

However the clerk directed that the court requires the two petitions to be separated into two petitions

and re-submitted not less than 60 days of May 28<sup>th</sup> ,2025 . Applicant is currently complying with the direction to separate and re-service as two separate petitions.

Appellant anticipates 15 days to re-submission with all identified corrections and re-servicing to be performed.

Dubuc requests the court to reconsider staying the trial courts proceedings because all four factors common to obtaining relief are present in this case. Grable & Sons Metal Products, Inc. v. Darue Engineering & Manufacturing, 545 U.S. 308 (2005).

Brian DuBuc d/b/a historiesantiques  
541 Citylake Rd, waldron AR.  
72958 (918) 319-8292

NOTICE TO COUNSEL OF PARTIES

I Brian D. DuBuc dba histories antiques & Collectables hereby certify a True Copy of this Status Report Was Mailed by U.S. Mail Postage Paid this 9<sup>th</sup> day June 2025. To: Courtney Egan Law 112 N. 1St Street Eufaula Okla. 74432 AND Gaither law Attn Luke Gaither P.O. Box 1090 , Henryetta , Okla. 74437 Filed of Record in the Above Styled Clerks Office and that of the District court of Okmulgee county with proper number of copies for each file listed.

Brian DuBuc d/b/a historiesantiques  
541 Citylake Rd, waldron AR.  
72958 (918) 319-8292

CC;

Clerk of Okmulgee Okla. DC  
with request to distribute to judges

**SUPREME COURT OF THE UNITED STATES  
OFFICE OF THE CLERK  
WASHINGTON, DC 20543-0001**

May 28, 2025

Brian Dubuc  
541 Citylake Rd.  
Waldron, AR 72958

RE: Dubuc v. First Nat'l Bank of Okmulgee, et al.  
OK SC 121,331 (OK COA 121, 331)

Dear Dubuc:

The above-entitled petition for writ of certiorari and mandamus was postmarked May 19, 2025 and received May 28, 2025. The papers are returned for the following reason(s):

A petition for a writ of certiorari may not be combined with any other pleading. Rule 12.4. To the extent that you wish to file a petition for a writ of mandamus, you must file it separately, in accordance with Rule 20. Please amend the cover page and petition to accurately reflect the filing being submitted.

Only parties in the court below may be joined as parties to the petition in this Court. Rule 12.4. Please amend the caption as well as the list of parties.

All submissions must be presented in paper form. Rules 29.1, 33. Electronic devices are not permitted.

Please correct and resubmit as soon as possible. Unless the petition is submitted to this Office in corrected form within 60 days of the date of this letter, the petition will not be filed. Rule 14.5.

A copy of the corrected petition must be served on opposing counsel.

When making the required corrections to a petition, no change to the substance of the petition may be made.

Sincerely,  
Scott S. Harris, Clerk  
By:

Sara Simmons  
(202) 479-3023

Enclosures

1061869485\*

ORIGINAL

• Case number

SUPREME COURT  
STATE OF OKLAHOMA  
MAY 22 2025  
JOHN D. HADDEN  
CLERK

UNITED STATES SUPREME COURT

BRIAN D. DUBUC, dba Histories Antiques & Collectables et al

VS

121331

FIRST NATIONAL BANK & TRUST et al

David A. Parker et al

28 U. S. C. § 2403(a) may apply

PETITION FOR CERTORARI AND MANDAMUS

TO THE SUPREME COURT OF OKLAHOMA  
DISTRICT COURT OF OKMULGEE COUNTY OKLAHOMA WITHIN THE  
CREEK-CHEROKEE NATION RESERVATION IN CAUSE NUMBERS

CV-19-34 SC-14-597 SC-19-609 CJ-21-129

OKLAHOMA SUPREME COURT NUMBER 118,772, 118,448 & 121331

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OKLAHOMA

6:24-CV-390-391-392 JFH/GLJ/DES

Brian D. DuBuc Pro se  
541 Citylake Rd  
Waldron Ark. 72958  
(918) 319-8392

[antiquesandcollectablesitis@outlook.com](mailto:antiquesandcollectablesitis@outlook.com)  
PETITIONER

Courtney L. Eagan, OBA# 22553  
South County Law Firm  
311 West 7th Street  
Oklmulgee, OK 74447  
(918) 528-6655  
Attorney for the Respondent

Luke Gaither Attorney  
Gaither Law  
P.O. BOX 1090  
Henryetta Oklahoma 74437  
luke@gatherlawoffice.com  
Attorney For FNB & Trust Prichards et al

HONORABLE JUDGES PICKERING REMERIZ REHEARD KIRKLEY

Oklmulgee County Courthouse 314 West 7<sup>th</sup> Street  
Oklmulgee Oklahoma 74447

Governor State of Oklahoma  
Oklahoma Attorney general 313 NE 21st Street Oklahoma

[contact@oag.ok.gov](mailto:contact@oag.ok.gov)

Respondents

RECEIVED  
MAY 22 2025  
CLERK OF THE  
APPELLATE COURTS  
5-22-25  
JAN

Received:	5-22-25
Docketed:	
Marshal:	
COA/OKC:	
COA/TUL:	

NOTICE THAT UNITED STATES INTREST MAY APPLY

VERIFICATION AND MAILING

"I Brian D Dubuc The Applicant herein for Certiorari and mandamus and do declare certify, verify, and state ,under penalty of perjury that the foregoing Documents are true Exact Copies as those found in there respective courts and is is true and correct. Executed on May 16,2025 .

Further that service by first class postage prepaid was made to each party or attorney who has appeared for said party pro bono officially or unofficially with regard to all matter before the courts Below as now This 16, day of May 2025 and filed of record in each said court and Oklahoma S. Ct. #121.331 ,#118,772,CV-19-34/SC-14-597 and #118,448 ,CV-21-129 ,SC-19-609 Served on all Counsel non default parties and Interested party's

Brian D. Dubuc Pro se  
541 Citylake rd  
Waldron, Arkansas 72958  
(918) 319-8392  
antiquesandcollectablesits@outlook.com

Courtney L. Eagan, OBA# 22553  
South County Law Firm  
311 West 7th Street  
Okmulgee, OK 74447  
(918) 528-6655  
(918) 917-8485  
Attorney for the Respondent

Luke Gaither Attorney  
Gaither Law  
P.O. BOX 1090  
Henryetta Oklahoma 74437  
luke@gatherlawoffice.com

Attorney For FNB & Trust Prichards et al

HONORABLE JUDGES PICKERING REMERIZ REHEARD KIRKLEY  
Okmulgee County Courthouse 314 West 7<sup>th</sup> Street  
Okmulgee Oklahoma 74447

Governor State of Oklahoma  
Oklahoma Attorney general 313 NE 21st Street Oklahoma City, OK 73105  
contact@oag.ok.gov  
Respondents

Copies Filed #121,331 as Directed by the Oklahoma Supreme Court  
and In The District Court of Okmulgee County in Each Above listed Case  
Served Upon John F. Heil III at US District Court Northern District of  
Oklahoma

Solicitor General of the United States, Room 5616, Department of Justice,  
950 Pennsylvania Ave., N. W., Washington, DC 20530-0001.



# ORIGINAL

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First National Bank & Trust, dba )  
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Linda Prichard , )  
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Joseph Gallagher ; )  
Respondent / Appellee ; )  
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et.al. )

Case No. DF-121331  
OKMULGEE County District Court  
prior Appeal No:118,772 DC NO:  
CV-2019-34 / SC-14-597

STATUS REPORT  
UPDATE TO  
APPELLANTS ORDERED STATUS REPORT

Pursuant to the Directive of the court entered in the above styled matter Appellant petitioner Dubuc Provides the Following.

On July 9<sup>th</sup>, 2025 Applicant Completed and mailed certified priority USPS Mail the Requested Corrections and Re submission as Directed by the clerk for Certiorari From Okla. S. Ct. No: 121.331 prior Appeal before Trial #118,772 To the United States Supreme Court.; and , Mandamus In Okla. S. Ct. No:118,448 Okmulgee County DC SC-19-609 Applicant is Currently Awaiting Response from the Clerks Office.

On May 19<sup>th</sup> 2025 dubuc placed Via Priority First class US Mail To the United States Supreme Court Petition for Certiorari and Mandamus , Notice of probable US Interest ,Request to stay this court and all lower court proceedings pending review, Index to Appendix. .

A Copy was provided to the clerk for the record at the time of filing as suggested by the court.

Received:	7-18-25
Docketed:	
Marshal:	JM
COA/OKC:	
COA/TUL:	

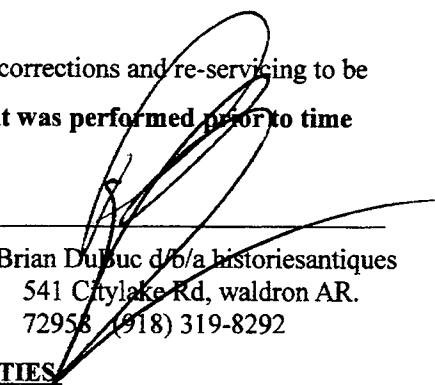
SUPREME COURT  
STATE OF OKLAHOMA  
JUL 18 2025  
JOHN D. HADDEN  
CLERK

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CLERK'S OFFICE

**The Same was filed of record with the district court clerk and served to all clerks of judges. The Attorney General Oklahoma as counsel to governor , Solicitor General of US. On May 28<sup>th</sup> 2025 The clerk of the supreme Court advised receipt of said petitions Received May 28<sup>th</sup> 2025 and are deemed Timely filed.**

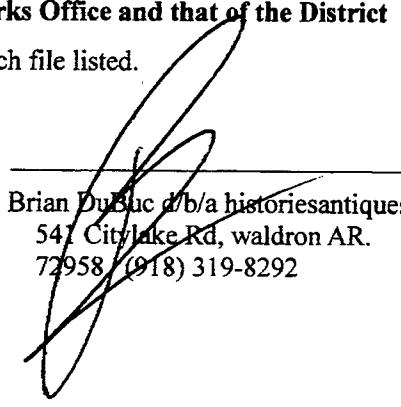
However the clerk directed that the court requires the two petitions to be separated into two petitions and re-submitted not less than 60 days of May 28<sup>th</sup> ,2025 . Applicant is currently complying with the direction to separate and re-service as two separate petitions.

Appellant anticipates 15 days to re-submission with all identified corrections and re-servicing to be performed. **Proper completion took longer than Anticipated but was performed prior to time allowed.**

  
\_\_\_\_\_  
Brian DuBuc d/b/a historiesantiques  
541 Citylake Rd, waldron AR.  
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**NOTICE TO COUNSEL OF PARTIES**

I Brian D. DuBuc dba histories antiques & Collectables hereby certify a True Copy of this Status Report Was Mailed by U.S. Mail Postage Paid this 14<sup>th</sup> day July 2025. To: **Courtney Egan Law 112 N. 1St Street Eufaula Okla. 74432 AND Gaither law Attn Luke Gaither P.O. Box 1090 , Henryetta ,Okla.74437 Filed of Record in the Above Styled Clerks Office and that of the District court of Okmulgee county with proper number of copies for each file listed.**

  
\_\_\_\_\_  
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CC;  
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• Case number

UNITED STATES SUPREME COURT

BRIAN D. DUBUC, dba Histories Antiques & Collectables et al

VS

FIRST NATIONAL BANK & TRUST et al  
David A. Parker et al

PETITION FOR CERTORARI AND MANDAMUS

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DISTRICT COURT OF OKMULGEE COUNTY OKLAHOMA WITHIN THE  
CREEK-CHEROKEE NATION RESERVATION IN CAUSE NUMBERS SC-14-597  
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OKLAHOMA SUPREME COURT NUMBER 118,772, 118,448 & 121331  
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Respondents

NOTICE THAT UNITED STATES INTREST MAY APPLY

RECEIVED

JUL 16 2025

OFFICE OF THE  
CIRCUIT CLERK

RECEIVED

MAY 28 2025

OFFICE OF THE CIRCUIT CLERK

• Case number

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UNITED STATES SUPREME COURT  
BRIAN D. DUBUC, dba Histories Antiques & Collectables et al

VS

FIRST NATIONAL BANK & TRUST et al  
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APPENDIX TO

PETITION FOR CERTORARI AND MANDAMUS

TO THE SUPREME COURT OF OKLAHOMA  
DISTRICT COURT OF OKMULGEE COUNTY OKLAHOMA WITHIN THE  
CREEK-CHEROKEE NATION RESERVATION IN CAUSE NUMBERS

CV-19-34 SC-14-597 SC-19-609 CJ-21-129

OKLAHOMA SUPREME COURT NUMBER 118,772, 118,448 & 121331

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