DISTRICT COURT WASHINGTON CO OK
JEAN DAVIS, COURT CLERK
FILED
MAY 23 2025
BY DEPUTY

IN THE DISTRICT COURT OF WASHINGTON COUNTY
STATE OF OKLAHOMA

THE STATE OF OKLAHOMA,
Plaintiff,

v.

FLYNN ROBERT MARTIN,
Defendant.

Case No. CM-2024-00301

MOTION OBJECTING TO FURTHER PROCEEDINGS DURING PENDENCY OF DISQUALIFICATION MOTION AND REQUEST FOR IMMEDIATE RULING ON THE PAPERS

I. PROCEDURAL BACKGROUND

1. Defendant, appearing pro se, respectfully submits this motion objecting to further proceedings in the above-captioned case while his formal Motion to Disqualify the Honorable Judge Jared Sigler remains pending.

2. Pursuant to Rule 15 of the Rules for District Courts of Oklahoma, the disqualification motion triggered an automatic stay, which precludes any further judicial action until the motion is overruled of record.

3. Defendant hereby waives any hearing on the disqualification motion before the presiding judge and requests that the motion be ruled on the papers.

4. Defendant further objects to the May 28, 2025 status setting and notifies the Court that he will not appear before Judge Sigler unless and until the disqualification motion is overruled of record.

5. On May 14, 2025, Defendant filed a verified Motion to Disqualify the Honorable Judge Jared Sigler pursuant to Rule 15 and 20 O.S. § 1401.

6. This filing included a sworn affidavit attesting to facts that, if true, require disqualification or at minimum raise substantial doubts about impartiality.[1]

7. Rule 15(d), effective November 18, 2024, provides in relevant part:

> When an interested party has filed a formal motion for a judge to disqualify or recuse, the judge cannot proceed with the case until the disqualification stands overruled of record…[2]

8. Nevertheless, on May 15, 2025, Judge Sigler convened an in-chambers proceeding, attempted to contact Defendant by telephone, and set a future hearing for May 28, 2025, even though the disqualification motion remained pending and unresolved.

9. The minute entry confirms the Court appeared in chambers and notes the presence of a court reporter, along with a $20 court reporter fee.

10. The minute entry characterizes the future date only as "status on hearing," referring back to the hearing originally set for May 15; it does not specify any distinct purpose or direct Defendant's personal appearance.

11. No reference is made to the pending Motion to Disqualify, and no order to appear on May 28 was entered.[3]

12. No written ruling has issued, and the stay remains in full force and effect.

Footnotes to Section I:
[1] Motion to Disqualify and Affidavit, filed May 14, 2025 (on file with the Court Clerk).
[2] Rule 15(d), Rules for District Courts of Oklahoma (eff. Nov. 18, 2024).
[3] Minute Entry dated May 15, 2025 (on file); OCIS Fee Ledger dated May 15, 2025 (showing $20 Court Reporter Fee).

II. LEGAL AUTHORITY

13. The language of Rule 15(d) is mandatory. Once a disqualification motion is filed, the judge "cannot proceed with the case" until the motion "stands overruled of record."

14. The rule does not provide exceptions for administrative acts, in-chambers scheduling, or non-adversarial proceedings.

15. The moment the motion is filed, jurisdiction to act is suspended until the challenge is resolved in compliance with Rule 15.

16. In *Miller Dollarhide, P.C. v. Tal*, the Oklahoma Supreme Court held that continued participation by a judge after a disqualification motion has been filed results in a deprivation of due process.

17. Judicial acts undertaken while disqualification is pending are structurally defective and may be set aside on that basis alone.[4]

18. In *Clark v. Board of Education*, the Court held that even the failure to rule on a disqualification motion constitutes a due process violation because it deprives the movant of access to appellate review.

19. Judges are constitutionally obligated to rule promptly so that recusal disputes can be resolved by higher authority if necessary.[5]

20. Finally, *Pierce v. Pierce* reaffirms that disqualification is not solely about actual bias—it is also about the appearance of impartiality.

21. The legitimacy of the judicial process depends on public confidence in its fairness.

22. Failure to recuse when reasonable questions exist compromises that legitimacy and constitutes reversible error.[6]

Footnotes to Section II:
[4] *Miller Dollarhide, P.C. v. Tal*, 2007 OK 58, ¶¶ 10–11, 163 P.3d 548.
[5] *Clark v. Bd. of Educ.*, 2001 OK 56, ¶¶ 9–10.
[6] *Pierce v. Pierce*, 2001 OK 97, ¶¶ 19–22, 39 P.3d 791.

III. OBJECTION AND REQUEST FOR RULING

23. Defendant hereby formally objects to all judicial action taken by Judge Sigler on or after May 15, 2025, as having occurred during the Rule 15(d) stay and without lawful jurisdiction.

24. This includes the in-chambers proceeding held on that date and the setting of a future status setting for May 28, 2025 at 9:00 a.m.[7]

25. The May 15 minute entry expressly omits any language ordering Defendant to appear on May 28; it states only that the matter is "passed" for a future status on hearing.

26. Under Rule 15(d), no such status setting may compel Defendant's attendance because the presiding judge lacks jurisdiction to proceed while the disqualification motion is unresolved. Defendant therefore gives notice that he will not appear before Judge Sigler unless and until the disqualification motion is ruled upon and overruled of record.

27. Defendant respectfully requests that the Court vacate the May 28, 2025 setting and refrain from issuing any order requiring appearance until the disqualification matter is ruled upon and overruled of record.[8]

28. This objection is not an act of defiance but a lawful invocation of the due process rights secured by Rule 15 and Oklahoma constitutional law.

29. Defendant hereby waives any right to a hearing before Judge Sigler on the disqualification motion and respectfully requests that the Court issue a ruling on the papers.

30. All other procedural rights under Rule 15 are expressly reserved.

31. Defendant further reserves all available appellate and supervisory remedies under Oklahoma law, including writs of prohibition or mandamus, as appropriate depending on the Court's handling of the disqualification motion.[9]

Footnotes to Section III:
[7] *Miller Dollarhide*, supra note 4.
[8] Rule 15(d), supra note 2; Minute Entry dated May 15, 2025 (status set without appearance order).
[9] Rule 15(b), Rules for District Courts of Oklahoma

PRAYER FOR RELIEF

32. WHEREFORE, Defendant respectfully requests that this Court:

33. A. Take judicial notice of this objection and cease all further proceedings in this case until the pending Motion to Disqualify has been ruled upon and overruled of record;

34. B. Issue a ruling on the disqualification motion on the papers, without hearing or further personal appearance by Defendant before the challenged judge;

35. C. Vacate and strike the May 28, 2025 setting *(which the docket describes only as "status on hearing" and contains no appearance order)*, and order that no appearance is required until the disqualification matter is resolved; and

36. D. Grant such other relief as may be just, proper, and necessary to protect Defendant's rights and uphold the integrity of the judicial process.

Respectfully submitted,



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Dated: May 20, 2025

CERTIFICATE OF SERVICE

I certify that on May 20, 2025, I mailed this motion to the Washington County Court Clerk with a request that a copy be placed in both the District Attorney's box and the box of the Honorable Judge Jared Sigler.

Respectfully submitted,



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