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FILED
COURT OF CRIMINAL APPEALS
STATE OF OKLAHOMA

JUN 25 2025

JOHN D. HADDEN
CLERK

IN THE COURT OF CRIMINAL APPEALS
OF THE STATE OF OKLAHOMA

FLYNN ROBERT MARTIN,	)	
	)	
Petitioner,	)	
v.	)	**No. PR-2025-480**
	)	
THE HON. JARED SIGLER,	)	
	)	
Respondent.	)	

ORDER DENYING EXTRAORDINARY RELIEF

Petitioner, pro se, seeks a writ of prohibition in the District Court of Washington County, Case No. CM-2024-301. Petitioner stands charged with possession of a controlled dangerous substance. He resides in Arizona and is proceeding pro se before the district court.

Petitioner wants Judge Sigler to recuse. Rule 15, *Rules for District Courts of Oklahoma*, Title 22, Ch.18 App. (2025), provides the procedure for the disqualification of a judge. Rule 15(a) requires the initial request to be made in camera. According to Petitioner's pleadings, he made this request in writing and mailed it to Respondent. When he did not hear anything in response to the informal request, Petitioner followed up by filing a motion to recuse in district court on May 14, 2025. Since then, Petitioner has failed to appear at two court

settings and attempts by Respondent to reach Petitioner by phone have been unsuccessful. The next scheduled court date is June 24, 2025.

Petitioner seeks extraordinary relief in the form of an order prohibiting Respondent from judicial involvement in the case pending resolution of the recusal matter. Petitioner also asks us to suspend the application of Rule 10.2, *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2025), requiring petitions for extraordinary relief to be filed at least ten days prior to a hearing or trial setting.

After the formal motion to recuse was filed, Respondent set the matter for hearing. By doing so, Petitioner claims Respondent has run afoul of Rule 15(d) which 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 following a parties compliance with this rule."

We do not read this rule the same way Petitioner does. By setting the recusal motion for a hearing, Respondent is not "proceeding with the case" or in a manner prohibited by Rule 15. For a writ of prohibition, Petitioner has the burden of establishing (1) a court, officer

or person has or is about to exercise judicial or quasi-judicial power; (2) the exercise of said power is unauthorized by law; and (3) the exercise of said power will result in injury for which there is no other adequate remedy. *See* Rule 10.6(A), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2025). Petitioner has not made the requisite showing. The request for extraordinary relief is **DENIED**. The request to suspend the application of Rule 10.2 is **DENIED**.

IT IS SO ORDERED.

WITNESS OUR HANDS AND THE SEAL OF THIS COURT this 25th day of June, 2025.

GARY L. LUMPKIN, Presiding Judge

WILLIAM J. MUSSEMAN, Vice Presiding Judge

DAVID B. LEWIS, Judge

ROBERT L. HUDSON, Judge

SCOTT ROWLAND, Judge

ATTEST:

Clerk

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