

IN THE DISTRICT COURT OF THE MUSCOGEE (CREEK) NATION
OKMULGEE DISTRICT

DISTRICT COURT
OKMULGEE

MUSCOGEE (CREEK) NATION,)
Plaintiff,)
vs.)
EPPERSON: Bea Ann)
CHEROKEE FEMALE)
DL#: OK/J083310395 DOB: 09/30/1972)
HT: 5'4" WT: 158 HAIR: BR EYES: GRN)
LKA: 4402 W 83rd S)
Muskogee, OK 74402)
Defendant.)

2021 SEP 22 P 3:25

MUSCOGEE (CREEK) NATION
DISTRICT COURT

Case No.: CF-2021-973

CRIMINAL
COMPLAINT AND INFORMATION

IN THE NAME AND BY THE AUTHORITY OF THE MUSCOGEE (CREEK) NATION comes now Justin Valentine, the duly qualified Prosecutor, within and for the Muscogee (Creek) Nation, and upon his oath of office gives the District Court of the Muscogee (Creek) Nation, to know and be informed and complain that defendant **Bea Epperson**, an Indian person, did, within the jurisdiction of the Muscogee (Creek) Nation, on or about the 9th day of January, 2014, through the 1st day of July, 2014, anterior to the presentment hereof, commit the following crime(s) in the manner and form as follows:

COUNT ONE: CRIMINAL FRAUD (MCNCA Title 14, § 2-823) That said Defendant within the Muscogee (Creek) Nation on the day and year aforesaid did knowingly make a material misrepresentation to another person resulting in financial loss or made with the intent to violate a law of the Muscogee (Creek) Nation, to wit: on or between the 9th day of January, 2014, and the 27th day of February, 2014, Bea Ann Epperson, as President of E Star Builders, fraudulently appropriated \$8,394.00 of building trust funds that belonged to Steve and/or Kinya Meineke and had been entrusted to the Defendant by Steve and/or Kinya Meineke for payment to McQuay Construction for concrete and dozer work, which was a valid lien able claim.

This crime is a felony punishable by imprisonment for up to three (3) years and/or a fine of not more than fifteen thousand dollars (\$15,000.00).

COUNT TWO: CRIMINAL FRAUD (MCNCA Title 14, § 2-823) That said Defendant within the Muscogee (Creek) Nation on the day and year aforesaid did knowingly make a material misrepresentation to another person resulting in financial loss or made with the intent to violate a law of the Muscogee (Creek) Nation, to wit: on or between the 21st day of January, 2014, and the 27th day of April, 2014, Bea Ann Epperson, as President of E Star Builders, fraudulently appropriated \$3,921.88 of building trust funds that belonged to Steve and/or Kinya Meineke and had been entrusted to the Defendant by Steve and/or Kinya Meineke for payment to Boral Bricks Inc. for bricks, which was a valid lien able claim.

This crime is a felony punishable by imprisonment for up to three (3) years and/or a fine of not more than fifteen thousand dollars (\$15,000.00).

COUNT THREE: CRIMINAL FRAUD (MCNCA Title 14, § 2-823) That said Defendant within the Muscogee (Creek) Nation on the day and year aforesaid did knowingly make a material misrepresentation to another person resulting in financial loss or made with the intent to violate a law of the Muscogee (Creek) Nation, to wit: on or between the 31st day of January, 2014, and the 22nd day of April, 2014, Bea Ann Epperson, as President of E Star Builders, fraudulently appropriated \$4,856.00 of building trust funds that belonged to Steve and/or Kinya Meineke and had been entrusted to the Defendant by Steve and/or Kinya Meineke for payment to Action Heat and Air for HVAC, which was a valid lien able claim.

This crime is a felony punishable by imprisonment for up to three (3) years and/or a fine of not more than fifteen thousand dollars (\$15,000.00).

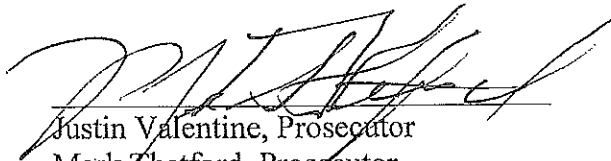
COUNT FOUR: CRIMINAL FRAUD (MCNCA Title 14, § 2-823) That said Defendant within the Muscogee (Creek) Nation on the day and year aforesaid did knowingly make a material misrepresentation to another person resulting in financial loss or made with the intent to violate a law of the Muscogee (Creek) Nation, to wit: on or between the 9th day of January, 2014, and the 17th day of May, 2014, Bea Ann Epperson, as President of E Star Builders, fraudulently appropriate \$4,107.00 of building trust funds that belonged to Steve and/or Kinya Meineke and had been entrusted to the Defendant by Steve and/or Kinya Meineke for payment to Warehouse Surplus for granite, sinks, and other sink items installed by B. Mattox, which was a valid lien able claim.

This crime is a felony punishable by imprisonment for up to three (3) years and/or a fine of not more than fifteen thousand dollars (\$15,000.00).

COUNT FIVE: CRIMINAL FRAUD (MCNCA Title 14, § 2-823) That said Defendant within the Muscogee (Creek) Nation on the day and year aforesaid did knowingly make a material misrepresentation to another person resulting in financial loss or made with the intent to violate a law of the Muscogee (Creek) Nation, to wit: on or between the 31st day of January, 2014, and the 1st day of July, 2014, Bea Ann Epperson, as President of E Star Builders, fraudulently appropriated \$1606.96 of building trust funds that belonged to Steve and/or Kinya Meineke and had been entrusted to the Defendant by Steve and/or Kinya Meineke for payment to Mario's Quality Overhead Door for the garage doors and other accessories, which was a valid lien able claim.

This crime is a felony punishable by imprisonment for up to three (3) years and/or a fine of not more than fifteen thousand dollars (\$15,000.00).

Contrary to the form of the laws in such case made and against the peace and dignity of the Nation.

A handwritten signature in black ink, appearing to read "Justin Valentine", is written over a horizontal line.

Justin Valentine, Prosecutor

Mark Thetford, Prosecutor

William Dodson, Prosecutor

David Pierce, Prosecutor

Department of Justice

P.O. Box 580

Okmulgee, OK 74447

(918) 295-9720

CRIMINAL SUMMONS - DISTRICT COURT

MUSCOGEE (CREEK) NATION)
OKMULGEE DISTRICT) ss:

IN THE DISTRICT COURT OF THE MUSCOGEE (CREEK) NATION
OKMULGEE DISTRICT

MUSCOGEE (CREEK) NATION,)
Plaintiff,)
vs.)

EPPERSON: Bea Ann)
CHEROKEE FEMALE)
DL#: J083310395 DOB: 09/30/1972)
HT: 5'4" WT: 158 HAIR: BR EYES: GRN)
Defendant.)

Case No.: CF-2021-973

Muscogee (Creek) Nation To: Bea Ann Epperson
4402 W 83rd S
Muskogee, OK 74402

WHEREAS a Criminal Complaint and Information was filed in the Muscogee (Creek) Nation District Court alleging you, **Bea Epperson**, Defendant, on or about the 9th day of January, 2014, through 1st day of July, 2014, in the Muscogee (Creek) Nation committed the offense(s) of: **Criminal Fraud (MCNCA Title 14, § 2-823)** and **Criminal Fraud (MCNCA Title 14, § 2-823)** and **Criminal Fraud (MCNCA Title 14, § 2-823)** and **Criminal Fraud (MCNCA Title 14, § 2-823)** and **Criminal Fraud (MCNCA Title 14, § 2-823)**.

This crime is a felony punishable by imprisonment for up to one (3) year and/or a fine of not more than two thousand five hundred dollars (\$15,000.00).

You are hereby ordered to appear to enter a plea to said charges before a District Judge of the District Court of the Muscogee (Creek) Nation, Highway 75 & Loop 56, Okmulgee, OK 74447, on the 22 day of November, 2021, at 9:30 o'clock A.M. Failure to appear will result in an bench warrant being issued for your arrest and you may be further charged with disobeying a lawful order of the Court.

This Summons may be served outside the residence anytime day or night or at the residence between the hours of 7 a.m. and 9 p.m.

Given under my hand this 22 day of September, 2021.

Stephanie Bear
DISTRICT COURT JUDGE OF THE
MUSCOGEE (CREEK) NATION

This Summons was personally served on Defendant on the ___ day of _____, 2021 at ___:___ o'clock __.M. at _____ (place of service) by:

Signature: _____

Print name: _____

COPY

CRIMINAL WARRANT - DISTRICT COURT

MUSCOGEE (CREEK) NATION)
OKMULGEE DISTRICT) ss:

IN THE DISTRICT COURT OF THE MUSCOGEE (CREEK) NATION
OKMULGEE DISTRICT

MUSCOGEE (CREEK) NATION,)
Plaintiff,)

vs.)

EPPERSON: Bea Ann)
CHEROKEE FEMALE)
DL#: OK/J083310395 DOB: 09/30/1972)
HT: 5'4" WT: 158 HAIR: BR EYES: GRN)
LKA: 4402 W 83rd S)
Muskogee, OK 74402)
Defendant.)

Case No.: CF-2021-973

Muscogee (Creek) Nation To: ESTE MVSOKOKVLKE ESTE WVNAYA MEKKO, THE LIGHORSE CHIEF OR ANY OFFICER OF THE MUSCOGEE (CREEK) NATION OR ANY AUTHORIZED CROSS-DEPUTIZED FEDERAL OR STATE POLICE OFFICER:

WHEREAS, a Criminal Complaint and Information was filed in the Muscogee (Creek) Nation District Court, alleging the Defendant, **Bea Epperson**, on or about the 9thth day of January, 2014, through the 1st day July, 2014, in the Muscogee (Creek) Nation committed the offense(s) of: **Criminal Fraud (MCNCA Title 14, § 2-823)** and **Criminal Fraud (MCNCA Title 14, § 2-823)** and **Criminal Fraud (MCNCA Title 14, § 2-823)** and **Criminal Fraud (MCNCA Title 14, § 2-823)** and **Criminal Fraud (MCNCA Title 14, § 2-823)**.

You are therefore commanded forthwith to take and bring **Bea Epperson** before me, or in case of my absence or inability to act, before some other Judge of the Muscogee (Creek) Nation District Court having cognizance of the case to be dealt with according to law.

Given under my hand this 1th day of October, 2021.

This Warrant may be served outside the residence anytime day or night or at the residence between the hours of 7 a.m. and 9 p.m.


DISTRICT COURT JUDGE

Bond: \$ 5,000.00 Cash

IN THE DISTRICT COURT OF THE MUSCOGEE (CREEK) NATION
In the State of Oklahoma

DISTRICT COURT
FILED

2021 OCT -7 P 4:05

Muscogee (Creek) Nation,
Plaintiff _____)

MUSCOGEE (CREEK) NATION
DONNA BEAVER
COURT CLERK

vs. _____)

Case No: CF-2021-143

Defendant: Epperson, Bea Ann)
DOB: 09/30/1972)
SSN: - - -)
Address: 4402 W 83rd S)
City of Muskogee)
County of Muskogee)

State of OK Case No: _____
(if any)

AFFIDAVIT OF PROBABLE CAUSE
IN SUPPORT OF OUT-OF-CUSTODY AFFIDAVIT/WARRANT

I Robert Frost a duly sworn and commissioned officer of the Muscogee (Creek) Nation Lighthouse Police, upon oath, attest to the following, to-wit:
This Affidavit is required due to the decision of the United States Supreme Court in *McGirt v. Oklahoma*, No. 18-9526 (U.S.) and *Sharp v. Murphy*, No. 17-1107 (U.S.) (land within the 1866 borders of the Muscogee (Creek) Nation remains Indian country today) and due to informal local Court requirement.

(INITIAL All That Apply)

I Investigation:

I was personally involved in the criminal investigation of the above-named Defendant; or

I was not personally involved in the criminal investigation of the above-named Defendant.

II. Cross-Deputation:

State of Oklahoma Arresting Agency/Dept.: McIntosh County SO
(Print or Type Name)

The agency/department above-identified, at the time of its criminal investigation, had a valid cross-deputation agreement with the Muscogee (Creek) Nation Lighthorse Police (25 U.S.C. §2801, *et seq.*, Public Law 101-379, 104 Stat. 473; NCA 92-15 § 108; TR 20-133; 21 O.S. § 99; 74 O.S. §§ 1221 *et seq.* (1985)); or

The agency/department above-identified, at the time of its criminal investigation, did not have a valid cross-deputation agreement with the Muscogee (Creek) Nation Police.

III. Cross-Commission:

Name of Primary Investigating Officer/Deputy: Tonya West
(Print or Type Name of State Officer/Deputy)

Badge Number: 4604

The primary investigating officer/deputy of the above-identified agency/department, at the time of his/her investigation, was duly cross-commissioned with the Muscogee (Creek) Nation Lighthorse Police; or

The primary investigating officer/deputy of the above-identified agency/department, at the time of his/her investigation, was not duly cross-commissioned with the Muscogee (Creek) Nation Lighthorse Police.

IV. Personal Review of Law Enforcement Records:

I have personally reviewed the criminal investigation file, including probable cause affidavit and any attachments thereto, if any, provided by the above-named agency/department, a political law enforcement subdivision of the State of Oklahoma.

V. Citizenship of Defendant

I declare that the above-named Defendant was a registered citizen/member of the Cherokee Nation/Tribe at the time of the alleged offense (*United States v. Diaz*, 679 F.3d 1183, 1187 (10th Cir. 2012); *Santa Clara Pueblo v. Martinez*, 436 U.S. 49, 72n.32 (1978)); or

I declare that the above-named Defendant was not a registered citizen/member of the _____ Nation/Tribe at the time of the alleged offense (*United States v. McBratney*, 104 U.S. 621, 624 (1881)).

VI. Criminal Jurisdiction:

I declare that the alleged offense(s) committed by the above-named Defendant was committed within the historical reservation borders of the Muscogee (Creek) Nation; or _____

I declare that the alleged offense(s) committed by the above-named Defendant was not committed within the historical reservation borders of the Muscogee (Creek) Nation.

VII. Probable Cause:

In reliance upon the facts and circumstances identified by the above-named officer/deputy of the above-named agency/department, a political law enforcement subdivision of the State of Oklahoma, I respectfully request that this Honorable Court issue a finding of fact that there is probable cause for the issuance of an arrest warrant (25 U.S.C. §§1302(a)(7), 1304).

Arrest Date: _____

Arrest Location/City: _____

Offense Location/City: Southport Road Eufaula

Offense(s) Committed/Anticipated Muscogee (Creek) Nation Charge(s):

M(C)NCA, Title: 14 Section: 2-823 Offense: Criminal Fraud

M(C)NCA, Title: 14 Section: 2-823 Offense: Criminal Fraud

M(C)NCA, Title: 14 Section: 2-823 Offense: Criminal Fraud

M(C)NCA, Title: 14 Section: 2-823 Offense: Criminal Fraud

M(C)NCA, Title: 14 Section: 2-823 Offense: Criminal Fraud

M(C)NCA, Title: _____ Section: _____ Offense: _____

-or-



In reliance upon the facts and circumstances identified by the above-named officer/deputy of the above-named agency/department, a political law enforcement subdivision of the State of Oklahoma, I respectfully ***do not request*** that this Honorable Court issue a finding of fact that there is probable cause for the issuance of an arrest warrant. The allegations do not fall under the authority and jurisdiction of the Muscogee (Creek) Nation (*see* 25 U.S.C. §§1302(a)(), 1304) or the crime alleged is a federal major crime (18 U.S.C. §§1152, 1153).

Upon oath, I declare that the above information is true and correct to the best of my knowledge and belief.

Officer Name: Robert Frost
Typed or Printed Name

Badge Number: 14

[Signature]
Signature of Affiant/Officer

Subscribed and sworn to before me this 7 day of October, 2021

My commission number: 21010177

My commission expires: Aug 2, 2025

LORI VOGT
NOTARY PUBLIC - STATE OF OKLAHOMA
MY COMMISSION EXPIRES AUG. 02, 2025
COMMISSION # 21010177

NOTARY: [Signature]