

IN THE DISTRICT COURT OF TULSA COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA,)	
)	
Plaintiff,)	
)	Case No. CM-2018-2892
vs.)	CM-2018-5761
)	
ANDREW D. BRAME,)	
)	
Defendant.)	

AMENDED MOTION TO REVOKE BOND

COMES NOW, the State of Oklahoma, by and through Assistant District Attorney, Tara K. Jack, and moves this honorable court to revoke the bond in the above-styled case, or in the alternative increase bond. Grounds for this motion are as follows:

- 1) On November 5th, 2018, Mr. Andrew Brame ("the Defendant") entered a plea of Guilty to the charges of Unlawful Possession of Controlled Drug; Unlawful possession of Drug Paraphernalia; Transporting loaded firearm in motor vehicle; and Failure to carry insurance/security verification form.
- 2) On this November 5th, 2018, Judge April Seibert, Judge of the District Court of Tulsa County, accepted the Defendant's plea of Guilty and withheld a finding of guilt and DEFERRED SENTENCING for a term of ONE (1) YEAR.
- 3) Subsequently, the Defendant was released from custody and placed under the supervision of the District Attorney's Office, Probation Division, as subject to certain rules and conditions.
- 4) On or about November 23rd, 2018 in Tulsa County, State of Oklahoma and within the jurisdiction of this court, the Defendant allegedly committed the misdemeanor crime of Assault and Battery on Jennice Atkins ("the Victim"), by unlawfully,

willfully, and wrongfully battering the Victim as alleged in Tulsa Municipal Incident Report # 2018071616.

- 5) On November 28th, 2018, the State of Oklahoma filed an Application to Accelerate alleging that the Defendant has violated the rules and conditions of his deferred sentence in that:
 - a. *Rule #9: I will not violate city, state or federal laws and will notify the Supervising Authority within forty-eight (48) hours of any arrest or contact with law enforcement.*
- 6) On or about November 29th, 2018 the Defendant was arrested on a warrant for an outstanding Application to Accelerate on CM-2018-2892.
- 7) Upon Arrest, when the Defendant was searched incident to arrest a partial smoking device and a baggy of crystal like substance appearing to be Methamphetamines was found in the Defendant's front left pocket.
- 8) The Defendant was taken into custody on new charges involving Possession of Controlled Drug (CM-2018-5761).
- 9) Upon testing by detectives using a 923 Regent Test Kit, the substance was determined to be positively Methamphetamines, weighing 1.6 grams.
- 10) Further, the Judge Owen Evans requested a Drug Test to be administered upon the Defendant on December 28th, 2018 in the matter of FD-2017-744. The test was not able to be performed due to an insufficient amount of finger/toenails and the Defendant was recommended to return in two (2) weeks. (See State's Exhibit 1, attached hereto).
- 11) On January 14th, 2019 the Defendant was to undergo a Drug Test. However, the amount of finger/toenails was again insufficient to provide accurate test results

and Defendant was again asked to return in two (2) weeks. (See State's Exhibit 2, attached hereto).

12) On February 12th, 2019 Weaver Drug Testing Laboratory was able to collect nail sampled from the Defendant. (See State's Exhibit 3, attached hereto).

13) On February 15th, 2019 a report was generated (See State's Exhibit #3), attached hereto) regarding the Drug Test ordered by Judge Evans in FD-2017-744, showing POSITIVE test results for the Defendant in the Amphetamines category, including Methamphetamines.

14) On March 11, 2019 the Defendant was placed on a GPS, given a curfew of 9 p.m. to 6 a.m., and ordered to follow the rules and conditions of probation.

15) On March 13, 2019 the Defendant received a citation from the City of Bixby, citation number 194998, for the offense of "Inattentive Driving" in violation of State and City law (See State's Exhibit #4).

16) On March 14, 2019, the Defendant violated his curfew as ordered by the Court on March 11, 2019. The Court revoked the Defendant's original bond and set a new bond at \$25,000 for each case and remanded him into the custody of the Tulsa County Jail. Defendant was given a return court date of March 28, 2019.

17) On March 15, 2019, the Defendant made bond and was released on the condition that the Defendant continue to follow all the rules and conditions of probation and is to have no positive U.A.'s.

18) On March 20, 2019, the Defendant was issued a citation by the City of Bixby, citation number 27592, for "Displaying Insulting Sign to Breach the Peace", in violation of municipal ordinance (See State's Exhibit #5).

The guidelines for setting amount of bail set forth in *Brill v. Gurich* are as follows:

- a. The seriousness of the crime charged against the defendant, the apparent likelihood of conviction and the extent of the punishment prescribed by the Legislature;
- b. The defendant's criminal record, if any, and previous record on bail, if any;
- c. Defendant's reputation and mental condition;
- d. The length of his residence in the community;
- e. His family ties and relationships;
- f. Defendant's employment status, record of employment and his financial condition;
- g. The identity of responsible members of the community who would vouch for the defendant's reliability;
- h. Any other factors indicating defendant's mode of life, or ties to the community or bearing on the risk of failure to appear. 1998 OK CR 49, ¶ 7, 965 P.2d 404, 406.

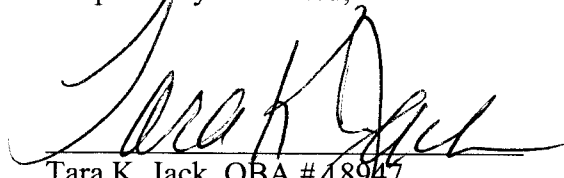
Article 2, Section 8 of the Oklahoma Constitution provides that **bail may be denied for violent offenses where “proof of guilt [is] evident, or the presumption...great, and it [the denial of bail] must be on the grounds that no condition of release would assure the safety of the community or any person.”** *Id.*

The State of Oklahoma requests that the defendant's bond be revoked based upon the Defendant's pattern of criminal behavior, including violent acts toward other people

and new violations of the law, as well as continued use and possession of controlled substances while on bond and against the rules of probation.

WHEREFORE, the State respectfully requests that this Honorable Court grant the State's request to revoke the Defendant's bond and the Defendant be held without bond. The State makes this request in the interest of the safety of others and the Defendant himself.

Respectfully submitted,

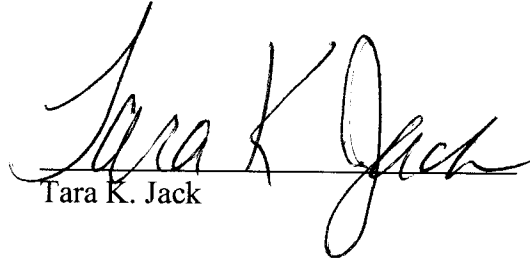
A handwritten signature in black ink, appearing to read "Tara K. Jack", is written over a horizontal line.

Tara K. Jack, OBA #18947
Assistant District Attorney
Tulsa County District Attorney's Office
900 County Courthouse
500 S. Denver
Tulsa, OK 74103
(918)596-4644

CERTIFICATE OF MAILING/DELIVERY

I do hereby certify that on this 27th of March, 2019, I mailed/emailed and/or delivered a full, true and correct copy of the above Amended Motion to Revoke Bond:

Jonathan Nation
JNationlaw@gmail.com


Tara K. Jack

STATE'S
EXHIBIT



1619 S Boulder Tulsa, Ok 74119 – [P] 918.622.6600 – [F] 918.622.6605 – info@tulsaweaverdrugtesting.com

12/28/2018

To whom it may concern:

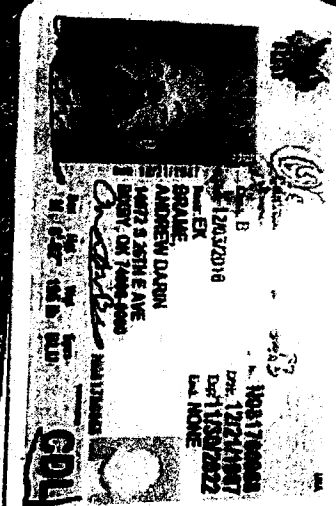
Andrew Brame came to Weaver Drug Testing Lab on 12/28/18 in efforts to be collected for a finger/toenail test. He was unable to be collected due to an insufficient amount of finger/toenails. It is recommended that the donor return to the lab in (2) two weeks on 01/14/18. Donor was advised not to cut or alter his nails in any manner. Please feel free to contact me with any further questions.

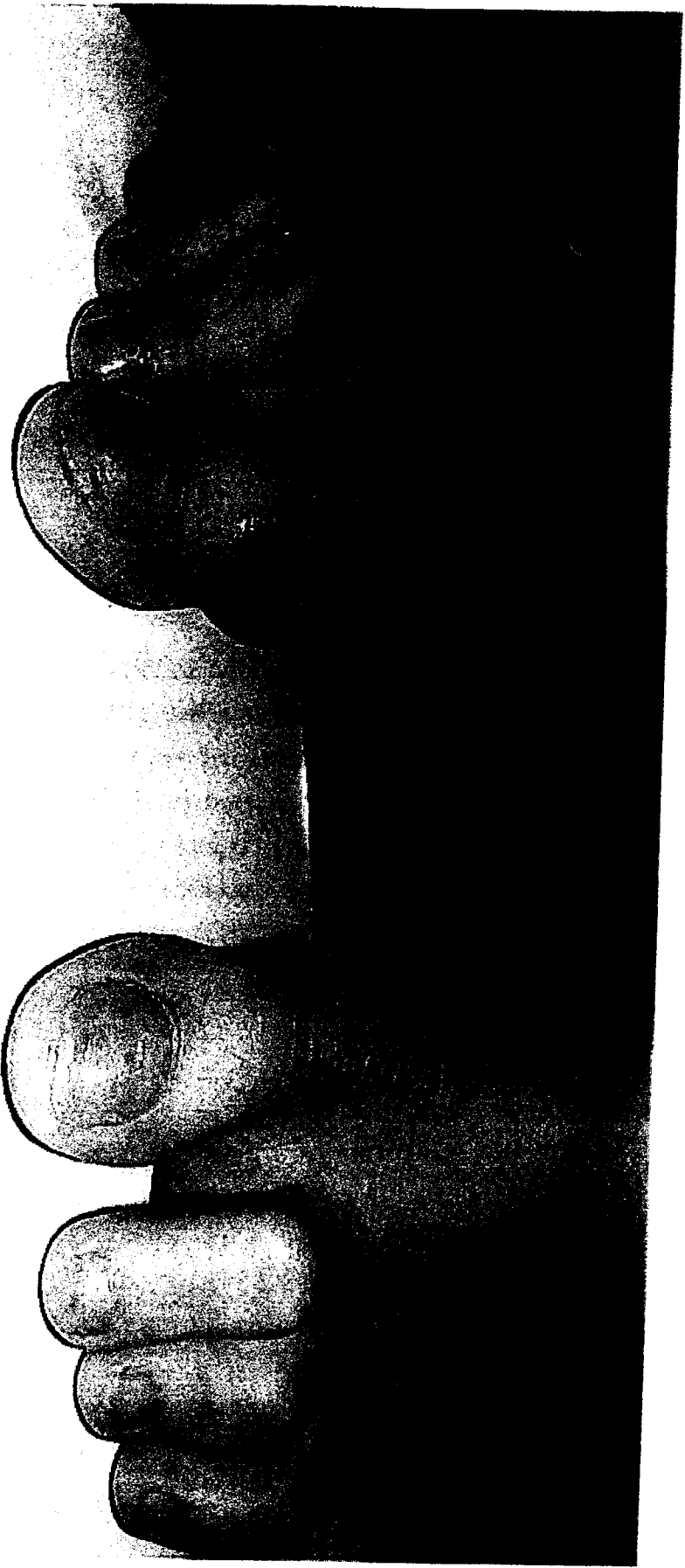
Sincerely,

A handwritten signature in black ink that reads "Taleah Weaver". The signature is written in a cursive, flowing style.

Taleah Weaver

Andrew Brame Fingernails 12-28-18 jw





Andrew Brame Toenails
DOB: 12/21/1987
Sex: M Height: 6'-02" Weight: 195 lb Eyes: BLU
Lic. No.: N081780988
DOB: 12/21/1987
Exp: 11/30/2022
End: NONE
Class: B
Restr: EK
Address: 14072 S 26TH E AVE
BIXBY, OK 74008-0000
Signature: *Andrew Brame*
CDL

Andrew Brame Toenails 12-28-16 JW

STATE'S
EXHIBIT

2



1619 S Boulder Tulsa, Ok 74119 – [P] 918.622.6600 – [F] 918.622.6605 – info@tulsaweaverdrugtesting.com

01/14/2019

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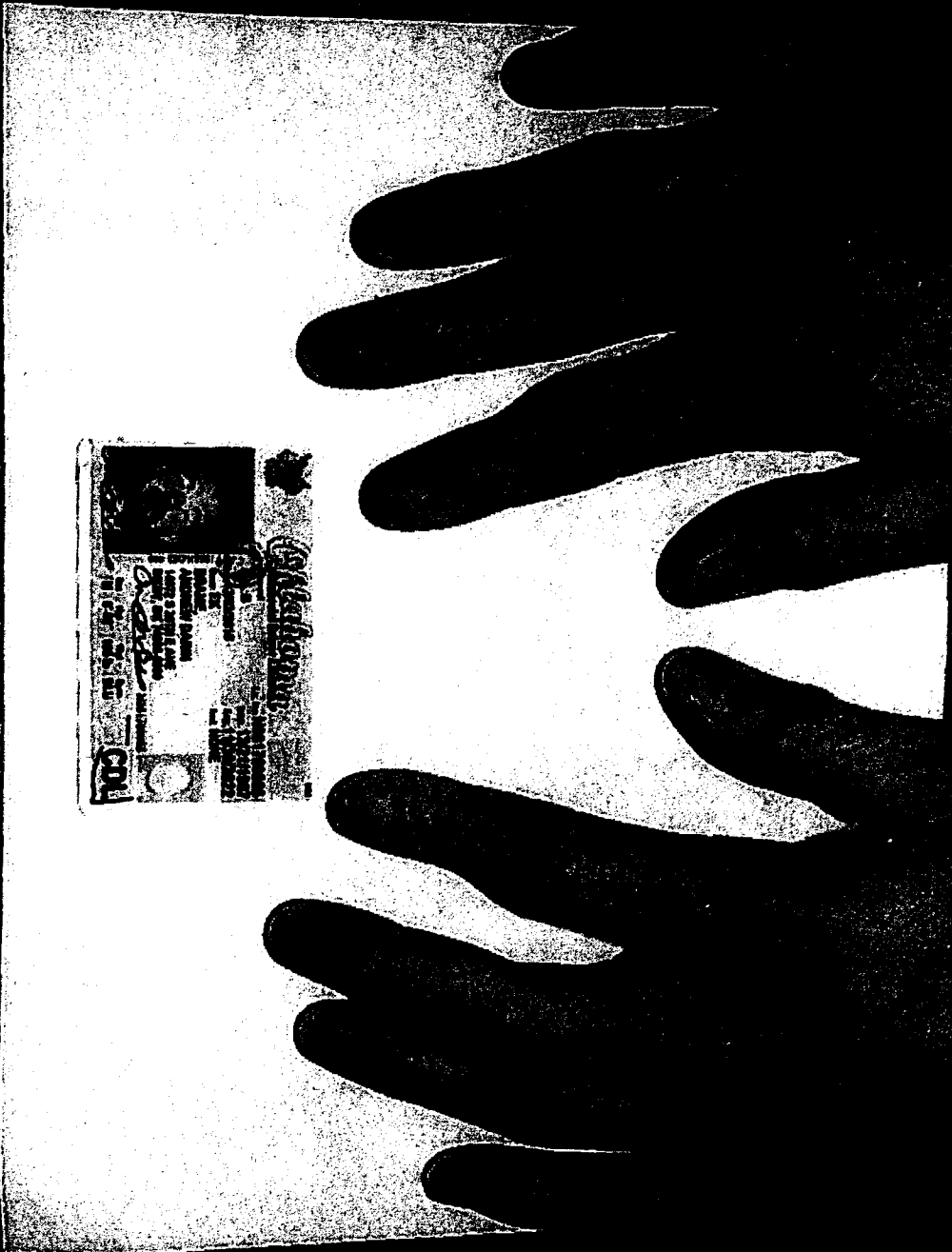
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Taleah Weaver

Andrew Brame Fingernails 1-14-1994





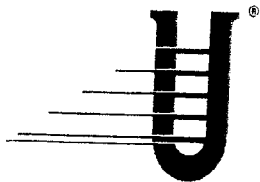
Ohio
Department of Public Safety
Division of Motor Vehicles

Andrew Daron Brame
EX
DOB: 02/27/1981
1447 S 20TH E AVE
BRYAN, OH 44804-0000

Andrew Daron Brame
DOB: 02/27/1981
EXP: 11/30/2022
SEX: M
HGT: 5'10"
WGT: 165 lb
EYES: BLU

CDL

Andrew Brame Toenails 1-14-19 JV



UNITED STATES DRUG TESTING LABORATORIES
1700 S. MOUNT PROSPECT ROAD
DES PLAINES, ILLINOIS 60018-1804
847-375-0770 fax 847-375-0775

Report To David Weaver
Weaver Drug Testing Laboratory
1619 S. Boulder
Tulsa, OK 74119

Client WDLTOK
Client Weaver Drug Testing Laboratory
Location
Collector JERRY WYTHE

STATE'S
EXHIBIT

Sample Information

Specimen ID 7092159
Name ANDREW BRAME
Lab Sample ID 2553369
SSN/DonorID 081760968

Test Reason Random
Type Nails
Collected 2/12/2019 23:59
Received 2/13/2019 11:48
Report Date 2/15/2019 18:33

Tests Requested

NAILSTAT10	NailStat-10	Sample POSITIVE		
Test	Result	Quantitation	Screen Cutoff	Confirm Cutoff
AMPHETAMINES	POSITIVE		500 pg/mg	
Amphetamine LCMSMS	POSITIVE	1147 pg/mg		100 pg/mg
Methamphetamine LCMSMS	POSITIVE	>10000 pg/mg		100 pg/mg
MDA LCMSMS	negative			100 pg/mg
MDMA LCMSMS	negative			100 pg/mg
MDEA LCMSMS	negative			100 pg/mg
BARBITURATES	negative		200 pg/mg	
BENZODIAZEPINES	negative		200 pg/mg	
COCAINES	negative		500 pg/mg	
METHADONES	negative		200 pg/mg	
OPIATES	negative		200 pg/mg	
PCP	negative		300 pg/mg	
OXYCODONE	negative		200 pg/mg	
PROPOXYPHENE	negative		200 pg/mg	
CANNABINOIDS	negative		1 pg/mg	

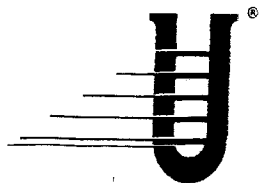
Additional Sample Information

Finger Nails

Sample Comments

ACTUAL VALUE: Methamphetamine - 10718 pg/mg

Test developed and characteristics determined by United States Drug Testing Laboratories, Inc. See Compliance Statement on our website http://www.usdtl.com/compliance_statement



UNITED STATES DRUG TESTING LABORATORIES
1700 S. MOUNT PROSPECT ROAD
DES PLAINES, ILLINOIS 60018-1804
847-375-0770 fax 847-375-0775

Report To David Weaver
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Sample Comments

Certification

Data approved by Liaqat Ali Abbas on 2/15/2019

4

OKLAHOMA UNIFORM VIOLATIONS COMPLAINT

State of Oklahoma Jud. Dist. 11 Court 228

COUNTY OF TULSA
CITY OF BIXBY
PH. 918-366-4430

N2194998

COMPLAINT INFORMATION
The undersigned, being duly sworn, upon his oath deposes and says that:

On or about (date) 3-15-19 At (OK town) 2042 At or near (location) NEEDS MEMORIAL

County Number 72 05 Control City East North Location North

Within the city, county and state aforesaid:

Name (last, first, middle) GRANE, ANDREW D. Phone number 918-366-4430

Address 116 W. NEEDLES BIXBY OK 74008

City BIXBY State OK Zip Code 74008

Birth date (mm/dd/yyyy) 02/19/95 Height 5'10" Weight 170 Eyes B Skin B Scars/Tattoos None

Driver License Number 11322 MFA OK ☐ Y ☐ N ☐ P ☐ S

Employer PAPA JOHN'S DOB 02/19/95 ☐ Y ☐ N ☐ P ☐ S

Vehicle Make NISS Year 17 Body Style 4DR VIN 1N4BL2D111N11322 Title TO

Commercial ☐ Vehicle ☐ Haz. Mat. Placard ☐ ACCIDENT: ☐ PD ☐ PI ☐ FATALITY

and did then and there commit the following offense:

SPEEDING MPH 70 MPH Zone 70 ☐ P ☐ F ☐ O

Other Violation: IMPERMISSIVE DRIVING

Contrary to Statute/Ordinance: 6-3A-2A

I, the undersigned, being duly sworn, depose and swear that I have read the foregoing information and know the facts and contents thereof and that the facts supporting the criminal charge are true to the best of my knowledge.

Signature of Officer [Signature] Date 3-15-19 Badge No. 228 Dist. P

Sworn to and subscribed before me this 15 day of March, 2019.

Name and Title [Signature] My Commission Expires 5/22/21

Court Appearance 2 day of APRIL at 5:30 PM (DPS USE)

(SEND PAYMENT TO P.O. BOX 70)
Address of Court 116 W. NEEDLES BIXBY, OK 74008

NOTICE: Release of personal recognizance based upon a signed written promise to appear for arraignment is conditional, and failure to appear for arraignment shall result in suspension of the arrested person's driving license in Oklahoma, or in the nonresident's home state pursuant to the Nonresident Violator Compact.

WITHOUT ADMITTING GUILT, I promise to appear in said court at said time and place.

X SIGNATURE: [Signature]

☒ Signed Personal ☐ Bond Attached ☐ Recognizance ☐ Magistrate ☐ Jail ☐ Other

☐ JUVENILE Name of Parent or Guardian [Signature] Address [Signature]

Officer's Remarks: LOOKING AT PHONE WHILE DRIVING

AREA: ☒ business ☐ industrial ☐ school ☐ residential ☐ rural
HIGHWAY TYPE: ☐ 1 lane ☐ 2 lane ☐ 3 lane ☒ 4 or more ☐ undivided ☐ divided ☐ ramp

5

OKLAHOMA UNIFORM VIOLATIONS COMPLAINT

State Of Oklahoma) Jud. Dist. Court
County Of TULSA/WAGONER) ss Municipal X
City of Bixby) No 27592

COMPLAINT - INFORMATION

The undersigned, being duly sworn, upon his oath deposes and says that:

on or about (date)		at (24 hour time)		at or near (location)	
03/20/2019		2027		12100 S MEMORIAL DR	
County	East	North		Location	
Number	72 05	Control-Int.			
Name (last, first, middle)					
BRAME, ANDREW DARIN					
Address					
[REDACTED]					
City					
BIXBY					
State Zip Code					
OK 74008					
Birth date (mo., day, yr)	Height	Weight	Race	Sex	Class
[REDACTED]	602	195	W	M	CDL
Drivers License Number			Withdrawal	Year / Month	State
[REDACTED]			<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	2022 11	OK
Employer			Did	Operate	Park
			Unlawfully	<input type="checkbox"/>	<input type="checkbox"/>
Vehicle-Make	Year	Body Style-Color	Tag Number	Year	State
Commerical	Y	N			
Motor	<input type="checkbox"/>	<input type="checkbox"/>			
Vehicle	<input type="checkbox"/>	<input type="checkbox"/>			
Haz. Mat. Placard			ACCIDENT	FD	FI FATALITY
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

and did then and there commit the following offense:

SPEEDING MPH In MPH Zone Pace Radar Plane Other

Other Violation:

DISPLAY INSULTING SIGN TO BREACH PEACE

Contrary to Statute/Ordinance:

5-5D-13

I, the undersigned issuing officer, hereby certify and swear that I have read the foregoing information and know the facts and contents thereof and that the facts supporting the criminal charge stated therein are true.

Signature of Officer 03/20/2019 Badge No. 219 Dist.

Sworn to and subscribed before me this 20 day of March 2019

My Commission Expires

Name and Title

Court Appearance: 25 day of April 2019 at 1730

Address of Court

116 West Needles, Bixby, OK 74008

(DPS USE)

NOTICE: Release upon personal recognizance based upon a signed written promise to appear for arraignment is conditional and failure to timely appear for arraignment shall result in suspension of the arrested person's driver license in Oklahoma, or in the nonresident's home state pursuant to the Nonresident Violator Compact.

WITHOUT ADMITTING GUILT, I promise to appear in said court at said time and place.

SIGNATURE BRAME, ANDREW DARIN

(CHECK ONLY ONE BOX)

Signed Personal	Bond Attached	Magistrate	Jail	Other
<input type="checkbox"/> Recognizance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ JUVENILE Name Of Parent or Guardian Address

Officer's Remarks: Sign stated beppy fuck the cops day and twice on tuesday. White posterboard sign. Observed by 228

AREA: ☐ Business ☐ Industrial ☐ School ☐ Residential ☐ Rural
HIGHWAY TYPE ☐ 1 lane ☐ 2 lane ☐ 3 lane ☐ 4 or more undivided ☐ 4 or more divided ☐ on/off ramp



IN THE DISTRICT COURT OF TULSA COUNTY
STATE OF OKLAHOMA

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Plaintiff,

vs.

ANDREW D. BRAME,

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CM-2018-5761

DISTRICT COURT
FILED

MAR 07 2019

MOTION TO REVOKE BOND

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- 1) On November 5th, 2018, Mr. Andrew Brame ("the Defendant") entered a plea of Guilty to the charges of Unlawful Possession of Controlled Drug; Unlawful possession of Drug Paraphernalia; Transporting loaded firearm in motor vehicle; and Failure to carry insurance/security verification form.
- 2) On this November 5th, 2018, Judge April Seibert, Judge of the District Court of Tulsa County, accepted the Defendant's plea of Guilty and withheld a finding of guilt and DEFERRED SENTENCING for a term of ONE (1) YEAR.
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- 4) On or about November 23rd, 2018 in Tulsa County, State of Oklahoma and within the jurisdiction of this court, the Defendant allegedly committed the misdemeanor crime of Assault and Battery on Jennice Atkins ("the Victim"), by unlawfully,

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- 7) Upon Arrest, when the Defendant was searched incident to arrest a partial smoking device and a baggy of crystal like substance appearing to be Methamphetamines was found in the Defendant's front left pocket.
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- 9) Upon testing by detectives using a 923 Regent Test Kit, the substance was determined to be positively Methamphetamines, weighing 1.6 grams.
- 10) Further, the Judge Owen Evans requested a Drug Test to be administered upon the Defendant on December 28th, 2018 in the matter of FD-2017-744. The test was not able to be performed due to an insufficient amount of finger/toenails and the Defendant was recommended to return in two (2) weeks. (See State's Exhibit "1," attached hereto).
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and Defendant was again asked to return in two (2) weeks. (See State's Exhibit "2," attached hereto).

12) On February 12th, 2019 Weaver Drug Testing Laboratory was able to collect nail sampled from the Defendant. (See State's Exhibit "3," attached hereto).

13) On February 15th, 2019 a report was generated (See State's Exhibit "#3"), attached hereto) regarding the Drug Test ordered by Judge Evans in FD-2017-744, showing POSITIVE test results for the Defendant in the Amphetamines category, including Methamphetamines.

The guidelines for setting amount of bail set forth in *Brill v. Gurich* are as follows:

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- f. Defendant's employment status, record of employment and his financial condition;
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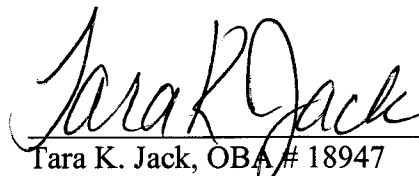
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The State of Oklahoma requests that the defendant's bond be revoked significantly based upon the Defendant's pattern of criminal behavior, including violent acts toward other people as well as continued use and possession of controlled substances while on bond and against the rules of probation.

WHEREFORE, the State respectfully requests that this Honorable Court grant the State's request to revoke the Defendant's bond and the Defendant be held without bond, or in the alternative to increase bond, and that his bond be set in the amount of \$75,000.00. The State makes this request in the interest of the safety of others and the Defendant himself.

Respectfully submitted,

A handwritten signature in black ink, reading "Tara K. Jack", written over a horizontal line.

Tara K. Jack, OBA # 18947
Assistant District Attorney
Tulsa County District Attorney's Office
900 County Courthouse
500 S. Denver
Tulsa, OK 74103
(918)596-4644

State's
Exhibit
#1



1619 S Boulder Tulsa, Ok 74119 – [P] 918.622.6600 – [F] 918.622.6605 – info@tulsaweaverdrugtesting.com

12/28/2018

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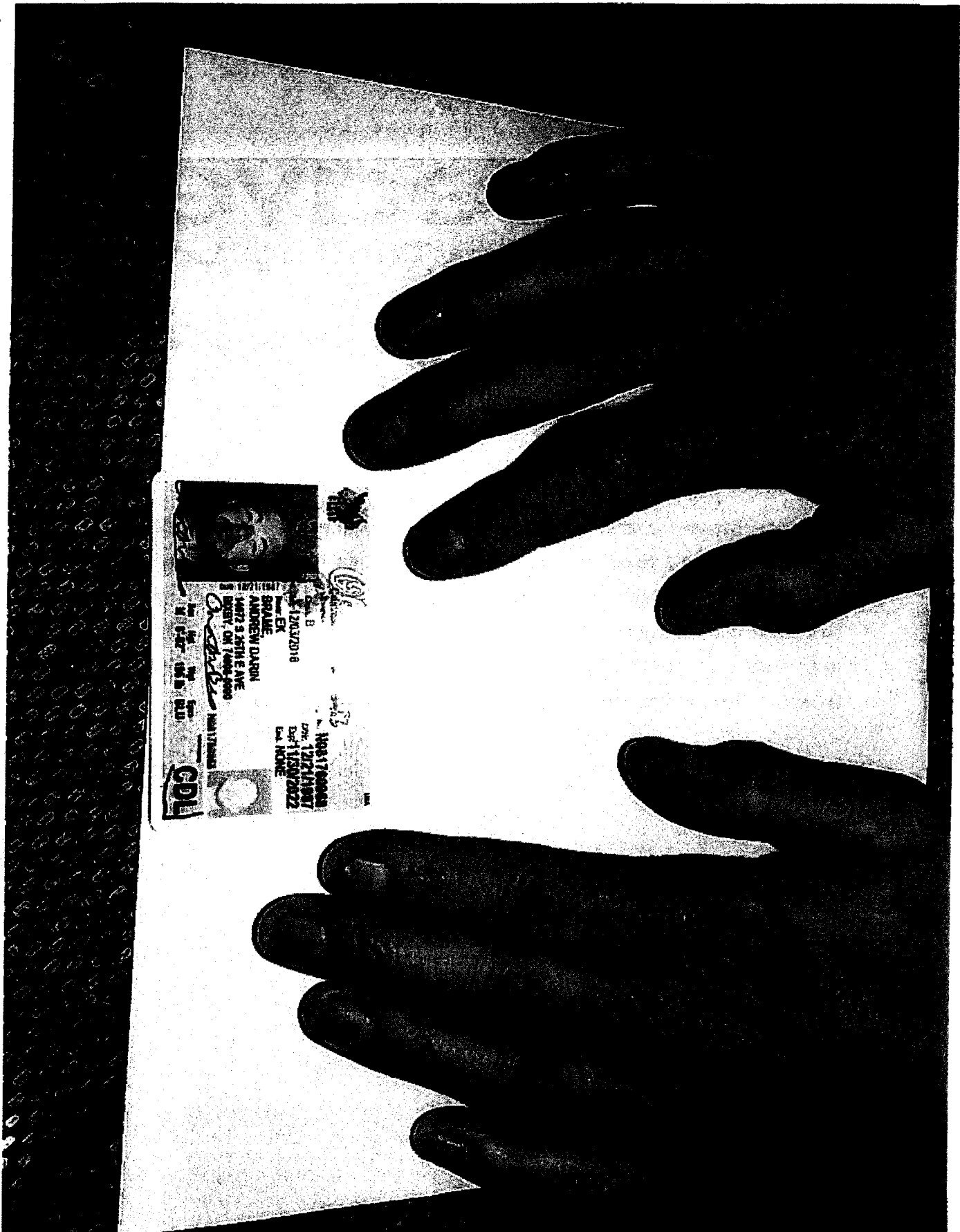
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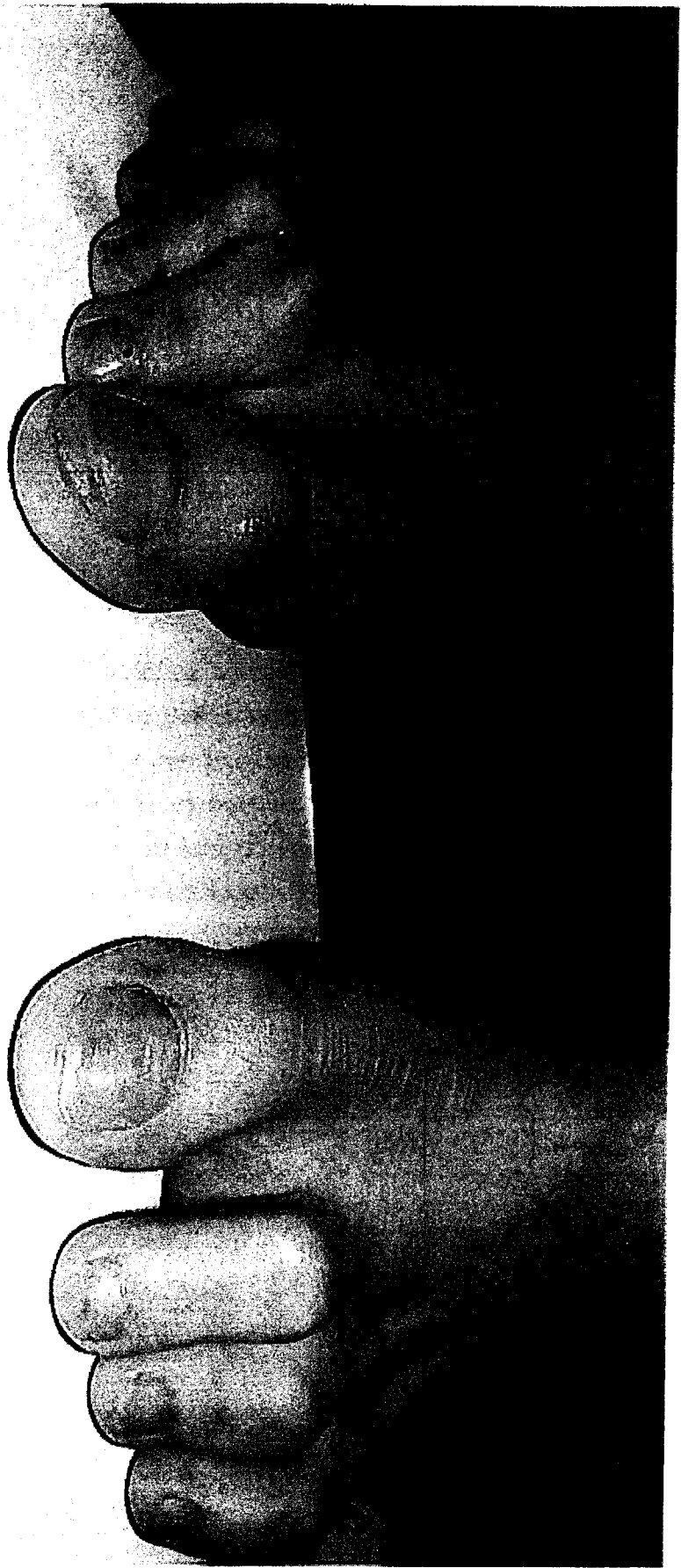
Sincerely,

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Taleah Weaver

Andrew Brame Fingernails 12-28-18 JW





Andrew Brame Toenails
DOB: 12/21/1987
Sex: M Height: 6'02" Weight: 195 lb Eyes: BLU
CDL

Andrew Brame Toenails
CDL License
Lk. No: N081760968
DOB: 12/21/1987
Exp: 11/30/2022
End: NONE

Andrew Brame Toenails
CDL License
Lk. No: N081760968
DOB: 12/21/1987
Exp: 11/30/2022
End: NONE

Andrew Brame Toenails
CDL License
Lk. No: N081760968
DOB: 12/21/1987
Exp: 11/30/2022
End: NONE

Andrew Brame Toenails 12-28-18 JN

State's
Exhibit
#2



1619 S Boulder Tulsa, Ok 74119 – [P] 918.622.6600 – [F] 918.622.6605 – info@tulsaweaverdrugtesting.com

01/14/2019

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Taleah Weaver

Andrew Brame Fingernails R-14-1944



Andrew Branne Toenails 1-14-19 *ju*

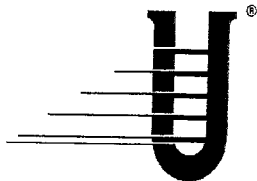
California
Department of Motor Vehicles

Andrew Branne
DOB: 12/11/1971
SEX: M
HAIR: BRN
EYES: BRN
HEIGHT: 5'07"
WEIGHT: 165 lb
BUILD: BLU

Andrew Branne
14872 S 28TH E AVE
BIRMGHAM, OK 73409-0000

Andrew Branne
DOB: 12/11/1971
EXPIRATION: 11/03/2022
CLASS: NONE

CDL



UNITED STATES DRUG TESTING LABORATORIES
1700 S. MOUNT PROSPECT ROAD
DES PLAINES, ILLINOIS 60018-1804
847-375-0770 fax 847-375-0775

State's
Exhibit
#3

Report To David Weaver
Weaver Drug Testing Laboratory
1619 S. Boulder
Tulsa, OK 74119

Client WDLTOK
Client Weaver Drug Testing Laboratory
Location
Collector JERRY WYTHE

Sample Information

Specimen ID 7092159
Name ANDREW BRAME
Lab Sample ID 2553369
SSN/DonorID 081760968

Test Reason Random
Type Nails
Collected 2/12/2019 23:59
Received 2/13/2019 11:48
Report Date 2/15/2019 18:33

Tests Requested

NAILSTAT10	NailStat-10	Sample POSITIVE		
Test	Result	Quantitation	Screen Cutoff	Confirm Cutoff
AMPHETAMINES	POSITIVE		500 pg/mg	
Amphetamine LCMSMS	POSITIVE	1147 pg/mg		100 pg/mg
Methamphetamine LCMSMS	POSITIVE	>10000 pg/mg		100 pg/mg
MDA LCMSMS	negative			100 pg/mg
MDMA LCMSMS	negative			100 pg/mg
MDEA LCMSMS	negative			100 pg/mg
BARBITURATES	negative		200 pg/mg	
BENZODIAZEPINES	negative		200 pg/mg	
COCAINES	negative		500 pg/mg	
METHADONES	negative		200 pg/mg	
OPIATES	negative		200 pg/mg	
PCP	negative		300 pg/mg	
OXYCODONE	negative		200 pg/mg	
PROPOXYPHENE	negative		200 pg/mg	
CANNABINOIDS	negative		1 pg/mg	

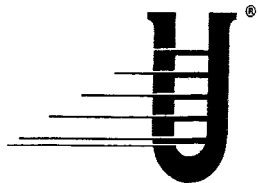
Additional Sample Information

Finger Nails

Sample Comments

ACTUAL VALUE: Methamphetamine - 10718 pg/mg

Test developed and characteristics determined by United States Drug Testing Laboratories, Inc. See Compliance Statement on our website http://www.usdtl.com/compliance_statement

**UNITED STATES DRUG TESTING LABORATORIES**

1700 S. MOUNT PROSPECT ROAD
DES PLAINES, ILLINOIS 60018-1804
847-375-0770 fax 847-375-0775

Report To David Weaver
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Tulsa, OK 74119

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Certification

Data approved by Liaqat Ali Abbas on 2/15/2019