



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 [REDACTED] (“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.

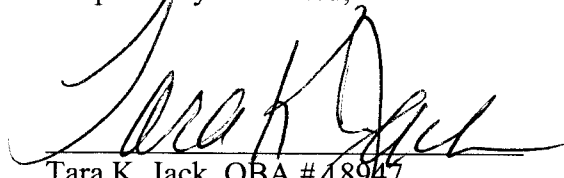
Article 2, Section 8 of the Oklahoma Constitution provides that **bail may be denied for violent offenses where "proof of guilt [is] evident, or the presumption...great, and it [the denial of bail] must be on the grounds that no condition of release would assure the safety of the community or any person."**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

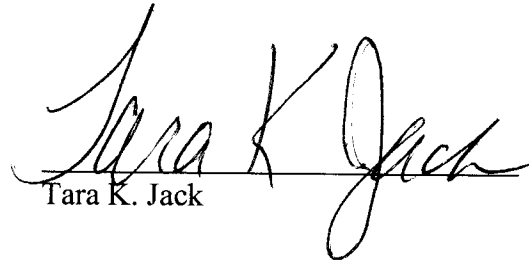
A handwritten signature in black ink, appearing to read "Tara K. Jack", written over a horizontal line.

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:

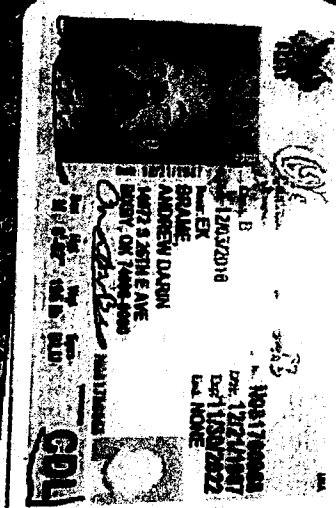
Andrew Brame came to Weaver Drug Testing Lab on 12/28/18 in efforts to be collected for a finger/toenail test. He was unable to be collected due to an insufficient amount of finger/toenails. It is recommended that the donor return to the lab in (2) two weeks on 01/14/18. Donor was advised not to cut 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 ju



A high-contrast, black and white photograph of a hand. The hand is positioned with the palm facing towards the viewer, and the fingers are curled into a fist-like shape. The lighting is dramatic, coming from the side, which highlights the texture of the skin and the contours of the fingers and palm. The background is a solid, dark color, making the hand stand out prominently. The overall effect is graphic and somewhat somber.



STATE'S
EXHIBIT

2



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

01/14/2019

To whom it may concern:

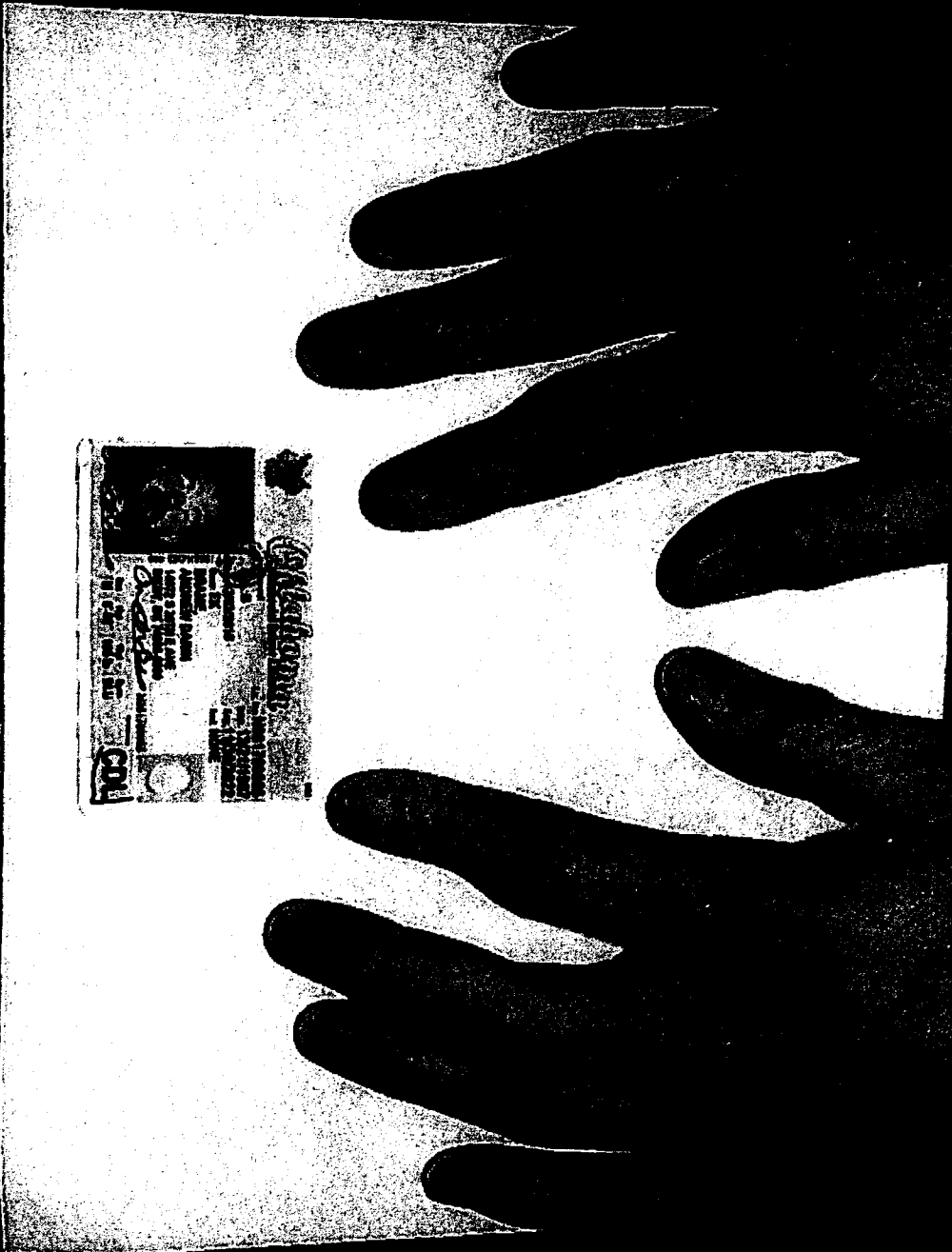
Andrew Brame came to Weaver Drug Testing Lab on 01/14/19 in efforts to be collected for a finger/toenail test. He was unable to be collected due to an insufficient amount of finger/toenails. It is recommended that the donor return to the lab in (2) two weeks on 01/28/19. Donor was advised not to cut or alter his nails in any manner. Please feel free to contact me with any further questions.

Sincerely,

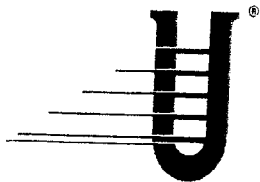
A handwritten signature in black ink that reads "Taleah Weaver". The signature is written in a cursive, flowing style.

Taleah Weaver

Andrew Brame Fingernails 12-14-1994







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	

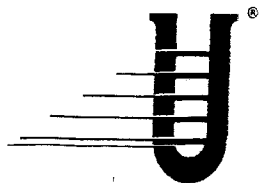
Additional Sample Information

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
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

Sample Comments

Certification

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

4

OKLAHOMA VIOLATIONS COMPLAINT											
State of Oklahoma COUNTY OF TULSA CITY OF BIXBY PH. 918-366-4430						Jud. Dist. _____ Court _____ N0194998					
COMPLAINT INFORMATION											
The undersigned, being duly sworn, upon his oath deposes and says that:											
on or about (date) 3-15-19		at (city & county) BIXBY OK				at or near location NEEDS MORE INFO					
County Number 72 05		Coroner's # _____				North Location _____					
within the city, county and state aforesaid;											
Name (last, first, middle) BLANE, ANDREW D.						Arrest number RECEIVED					
Address [REDACTED]											
City BIXBY State OK Zip Code 74008											
Birth date and day 1-1-75		Height & Weight 5'10" 195		Race W/M		Sex M		Class B		Endorsements _____	
Driver License Number [REDACTED]				Withdrawal <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		Mileage 1122		M-F-A OK		State _____	
Employer PAPA JOHN'S				DUI University <input checked="" type="checkbox"/>		Spouse Path <input type="checkbox"/>					
Vehicle Make NISS		Year 17		Body Style DRIVER		VIN Number JTS640		Year 2017		State OK	
Commercial Vehicle <input type="checkbox"/>		<input checked="" type="checkbox"/> Haz. Mat. Placard		ACCIDENT: <input type="checkbox"/> PD <input checked="" type="checkbox"/> PI <input type="checkbox"/> FATALITY							
and did then and there commit the following offense:											
SPEEDING _____ MPH in _____ MPH Zone		Pass <input type="checkbox"/>		Radar <input type="checkbox"/>		Phone <input type="checkbox"/>		Other <input type="checkbox"/>			
Other Violation: INATTENTIVE DRIVING											
Contrary to Statute/Ordinance: 6-3A-1A											
I, the undersigned, being duly sworn, depose and swear that I have read the foregoing information and know its contents and that the facts supporting the criminal charge are true and correct.											
Signature of Officer [Signature]						Page No. 208 Dist. P					
Sworn to and subscribed before me this _____ day of _____											
Name and Title _____						My Commission Expires _____					
Court Appearance _____ day of APRIL 19 5:30pm (DPS USE)											
(SEND PAYMENT TO P.O. BOX 70) Address of Court 116 W. NEEDLES BIXBY, OK 74008											
NOTICE: Any person whose personal appearance based upon a signed written promise to appear for arraignment is conditions and failure to timely appear for arraignment shall result in suspension of the arrested persons 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.											
X SIGNATURE: [Signature]											
(CHOOSE ONE TYPE BOX)											
<input checked="" type="checkbox"/> Signed Personal Recognizance		<input type="checkbox"/> Bond Attached		<input type="checkbox"/> Magistrate		<input type="checkbox"/> Jail		<input type="checkbox"/> Other _____			
<input type="checkbox"/> JUVENILE Name of Parent or Guardian _____ Address _____											
Officer's Remarks: LOOKING AT PHONE WHILE DRIVING											
AREA: <input checked="" type="checkbox"/> business <input type="checkbox"/> industrial <input type="checkbox"/> school <input type="checkbox"/> residential <input type="checkbox"/> rural											
HIGHWAY TYPE: <input type="checkbox"/> 1 lane <input type="checkbox"/> 2 lane <input type="checkbox"/> 3 lane <input checked="" type="checkbox"/> 4 or more undivided <input type="checkbox"/> 4 or more divided <input type="checkbox"/> on/off 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 1
Endorsements			CDL No		
[REDACTED]			[REDACTED]		
Drivers License Number			Withdrawal		
[REDACTED]			[REDACTED]		
Employer			Did Operate Park		
[REDACTED]			[REDACTED]		
Vehicle-Make Year			Body Style-Color		
[REDACTED]			[REDACTED]		
Tag Number			Year State		
[REDACTED]			[REDACTED]		
Commerical Motor Vehicle			Y N		
[REDACTED]			[REDACTED]		
Haz. Mat. Placard			ACCIDENT		
[REDACTED]			[REDACTED]		
FD			FATALITY		
[REDACTED]			[REDACTED]		

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