



FILED IN DISTRICT COURT
OKLAHOMA COUNTY

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

JAN 27 2025

RICK WARREN
COURT CLERK

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STATE OF OKLAHOMA,)
Plaintiff,)
)
vs.)
)
JENNIFER HADDOCK,)
Defendant.)

CASE NO. CF-2023-4586

ORDER

THIS MATTER came on for hearing on December 3, 2024, and December 6, 2024, on Defendant’s Motion for Immunity from Prosecution. Defendant was present and represented by counsel J. Patrick Quillian; the State was present by Robert McClatchie.

The witnesses who testified on behalf of Defendant were Gary Haddock, Marcia Ricketson, Jennifer Haddock, and Marla Haddock. The State called no witnesses. At the end of the hearing, the Court requested proposed Findings of Facts from the respective parties. The testimony from December 3, 2024, will be referred to as Transcript volume I (Tr.I), and the testimony from December 6, 2024, will be referred to as Transcript volume II (Tr.II).

FINDINGS OF FACT

1. That this incident occurred on August 3, 2023, in Edmond, Oklahoma, in the apartment of Marcia Ricketson. (Tr.I, p.8)
2. That her son, Sean Haddock (hereinafter “Sean”), lived with her between 2016 and 2020 before moving out. (Tr.I, p.23). He began to live with her again temporarily in January 2023. (*Id.*). Although he would just show

up occasionally (Tr.I, p.24), he did have clothes (Tr.I, p.54), miscellaneous items (Tr.II, p.16), and received mail there (Tr.I, p.51).

3. In January 2023, Ms. Ricketson informed Sean that her lease was up in July and she would be moving out in August. (Tr.I, p.26)
4. Defendant, Ms. Ricketson's daughter (Tr.I, p.7), acknowledged that due to her understanding of the law, Sean could not be evicted from the apartment because her mother had allowed him to stay there. (Tr.II, pp. 11,12).
5. On August 2, 2023, Defendant went to her mother's apartment to help her pack (Tr.I, p.31) and texted Sean to bring their mother's car back and to come "get your shit." (Tr.I, p.97)
6. Sean returned to the apartment around 2 am on the morning of the 3rd (Tr.I, p.31). Defendant returned shortly before 9 am. (Tr.I, p.34)
7. Although Defendant is a Lieutenant with the Edmond Police Department (Tr.I, p.92), she went to the apartment while off-duty, not in uniform, and carrying a non-service weapon. (Tr.II, p.22). The stated reason for the weapon was because Defendant did not know the movers. (Tr.I, p.98). The weapon, a Glock .40 caliber gun, was in a crossbody bag Defendant was wearing. (Tr.I, p.62).
8. When Defendant arrived, Sean came down the hall and immediately started yelling that he was not giving up his furniture. (Tr.I, 34). The bedroom suit had been loaned to him by his stepmother, Marla Haddock. (Tr.I, p.10).
9. While Defendant was walking the movers through the apartment, Sean was becoming agitated. He walked up and down the hallway and stated that no one was taking his furniture. (Tr.I, p.100).
10. Sean was yelling at Defendant and calling her names. (Tr.I, p.101). Both Defendant and Ms. Ricketson tried to get Sean to settle down. (Tr.II, p.29).
11. Sean told his mother that Defendant had a gun and to call 911 (Tr.II, p.36). Ricketson asked Defendant to take her gun outside and put it in her car because Sean was fixated on it. (Tr.I, p.63). Defendant refused to do so. (Tr.I, p.62). Sean also told Defendant to leave but she refused. (Tr.I, pp.89, 112).

12. At one point, Sean was nose-to-nose with Defendant. (Tr.I, p.103). Sean approached Defendant while yelling and Defendant retreated until her back was against a wall. (Tr.II, p.39).
13. Defendant reached inside the bag for her gun. (Tr.I, p.106). She pulled it out but didn't point it at Sean. (*Id.*) Sean was pressed up against her arm. (Tr.II, p.66). Defendant was able to rotate the weapon with two hands pointing it at Sean. (Tr.II, pp.106-107). He grabbed the barrel of the gun and put it to his forehead telling Defendant to shoot him. (*Id.* at 107).
14. Sean either pushed the barrel back (Tr.I, p.86) or Defendant shoved the barrel forward and the parties separated about three feet apart. (Tr.I, p.108).
15. Sean raised his right fist backwards, and Defendant shot him in the upper right chest. (Tr.I, p. 109). He stumbled backwards and fell down. (*Id.* at p.110). Although Defendant rendered first aid, Sean died.
16. The Medical Examiner's Office listed the cause of death as a gun shot wound to the torso and the manner of death as homicide. (Def.Ex.1).

CONCLUSIONS OF LAW

Defendant has the burden to show, by a preponderance of the evidence, that her use of allegedly defensive force was legally justified. *Reynolds v. State*, 2022 OK CR 14, ¶ 15. This required proof that she was not engaged in any unlawful activity, that she was attacked, that she was in a place she had a legal right to be, and that she had a reasonable belief that deadly force was necessary to prevent death or great bodily harm to herself. 21 OS § 1289.25(D). The failure to prove any one of these conditions is fatal to an immunity claim. *Id.*

Marcia Ricketson was the tenant of the apartment. She allowed her son to stay there. Any person in the possession of real property, with the assent of

the owner, is presumed to be a tenant at will. 41 OS § 1. Sean Haddock was a tenant at will.

Ms. Ricketson asked Defendant to remove her gun from the apartment, but Defendant refused. Arguably, she had no legal right to do so. Sean told Defendant to leave but Defendant refused. Arguably, she had no legal right to do so.

Edmond municipal code sets forth that it is unlawful to trespass upon private property. Edmond Mun. Code 8.36.010. It further states that it is a violation of this section if,

on the property of another...lawfully, a failure or *refusal to depart* in case of being requested to so depart orally...by any owner or occupant. (Emphasis added).

Edmond Mun. Code 8.36.020

Defendant's refusal to depart when orally told to do so by Ms. Ricketson and Sean Haddock arguably made her a trespasser. Being a trespasser means that Defendant was potentially engaged in an unlawful activity. Because she has failed to meet this condition by a preponderance of the evidence, Defendant's immunity claim must fail and makes further analysis of the other factors unnecessary.

IT IS THEREFORE ORDERED that Defendant's Motion for Immunity from Prosecution is hereby DENIED.

Dated this 27th day of January, 2025.


Susan C. Stallings
District Court Judge


CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above Order was mailed, postage prepaid, on the date in which it was filed with the Clerk of the District Court, to:

Robert McClatchie
Assistant District Attorney
Oklahoma County District Attorney
211 N. Robinson, Ste. 700
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Attorney for Plaintiff

and

J. Patrick Quillian, Esq.
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Oklahoma City, OK 73118
Attorney for Defendant



Deputy Court Clerk