

**BEFORE THE STATE ELECTION BOARD  
STATE OF OKLAHOMA**

IN THE MATTER OF THE CONTEST OF )  
THE CANDIDACY OF **STANLEY** )  
**(“STAN”) ALLEN STEVENS** FOR THE ) CAUSE NO. 2022-02  
OFFICE OF STATE REPRESENTATIVE, )  
DISTRICT 79. )

**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND FINAL ORDER**

The above-styled cause was heard by the Election Board of the State of Oklahoma on Monday, April 25, 2022, meeting pursuant to lawful notice under the Open Meeting Act, 25 O.S. 2021, § 301 *et seq.* All testimony was taken under oath. The hearing was transcribed, and a permanent record of such transcripts will be kept.

The following members of the State Election Board (“Board”) were present: Tom Montgomery, Chair; Dr. Tim Mauldin, Vice Chair; and Heather Cline, Member. Also present were Paul Ziriaux, Secretary; and counsel for the State Election Board, Niki Batt, Deputy Attorney General; and Thomas R. Schneider, Deputy General Counsel to the Attorney General. Also present, but not participating were Jerry Buchanan, Alternate Member; and Debi Thompson, Alternate Member.

Petitioner, Karen Gilbert, appeared with counsel Terry Simonson. Contestee Stan Stevens appeared in person and represented himself.<sup>1</sup> Contestee Stevens appeared in person along with a cashier's or certified check in the amount of \$250.00, as required under 26 O.S. 2021, § 5-129.

The Petition was timely filed and Notice of Hearing issued on Monday, April 18, 2022. The Board received proof from the Petitioner that the Tulsa County Sheriff served Contestee within 24 hours of setting the Petition for hearing, as required by 26 O.S. 2021, § 5-124. The Petitioner delivered the executed return of service to the Secretary of the State Election Board on the date of the hearing.

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<sup>1</sup> Mr. Stevens was assisted by Charity Marcus during the proceeding. However, Ms. Marcus did not represent herself to be counsel for Mr. Stevens.

The Board made the following findings of fact and conclusions of law:

1. Contestee Stevens filed with the State Election Board a Declaration of Candidacy for the Office of State Representative, District 79, during the 2022 Candidate Filing Period starting April 13, 2022, and ending on April 15, 2022.

2. Petitioner Gilbert filed with the State Election Board a Declaration of Candidacy for the Office of State Representative, District 79, during the 2022 Candidate Filing Period starting April 13, 2022, and ending on April 15, 2022.

3. The SEB received proof of personal service made on Contestee within twenty-four (24) hours of setting the Petition for hearing, as required by 26 O.S. 2021, §§ 5-124 & 5-125.

4. Under 26 O.S. 2011, § 5-130, “[t]he burden of proof shall be upon the petitioner to sustain the allegations in his petition.” In order to sustain his or her burden of proof, the petitioner must prove the allegations set forth in the Petition by the greater weight of the evidence.

5. Petitioner Gilbert alleges that Contestee Edwards was unqualified to run for the office of state representative due to a prior plea of guilty to a felony in 2008.

6. OKLA. CONST. art. V, § 18 states:

[N]o person shall serve as a member of the Legislature who is, at the time of such service, an officer of the United States or State government, or is receiving compensation as such; nor shall any person be eligible to election to the Legislature, who has been adjudged guilty of a felony.

7. Further, 26 O.S. 2021, § 5-105a provides:

A. A person who has been convicted of a misdemeanor involving embezzlement or a felony under the laws of this state or of the United States or who has entered a plea of guilty or nolo contendere to such misdemeanor involving embezzlement or felony or who has been convicted of a crime in another state which would have been a misdemeanor involving embezzlement or a felony under the laws of this state or has entered a plea of guilty or nolo contendere to such crime shall not be eligible to be a candidate for or to be elected to any state, county, municipal, judicial or school office or any other elective office of any political subdivision of this state for a period of fifteen (15) years following

completion of his sentence or during the pendency of an appeal of such conviction or plea.

B. The provisions of this section shall not be construed to preclude a person who has received a pardon from being eligible for or from holding public office.

8. In his Declaration of Candidacy, Contestee Stevens answered “NO” to the following question:

Have you been convicted, pled guilty or nolo contendere, or otherwise been determined by a court of proper authority in Oklahoma or in another state to be guilty of a misdemeanor involving embezzlement or of a felony under the laws of this state or of the United States?

**See Exhibit No. 2A.**

9. Contestee Stevens left unanswered the question whether it has been fifteen (15) years or longer since completion of a sentence. **See Exhibit No. 2A.**

10. In support of her allegations that Contestee was unqualified, Petitioner Gilbert offered three (3) news articles into evidence detailing that a Stan Stevens received a five-year (5 year) deferred sentence for possession of controlled dangerous substances and drug paraphernalia. **See Exhibit Nos. 3A, 3B, & 3C.** No official court record such as a Plea of Guilty Summary of Facts or a Journal Entry was offered into the record.

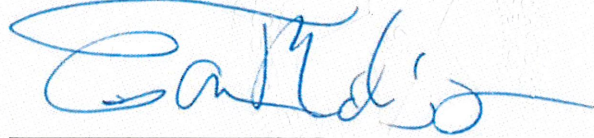
11. When asked under oath whether he had pled guilty to a felony charge in any municipality, state or federal court in the last 15 years, Mr. Stevens stated: “The legal answer to that question is no.” **See Testimony of Stanley Stevens.**

12. Accordingly, considering all the evidence testimony submitted, the Board concludes that the Petitioner did not meet her burden of proof in showing the Contestee is not qualified to be a candidate for the office of state representative. Petitioner Gilbert’s Petition is therefore **DENIED**, and Contestee Stevens’ name shall remain on the ballot as a candidate for the Office of State Representative, House District 79.

13. Petitioner Gilbert shall bear the costs incurred pursuant to 26 O.S. 2021, § 5-131.

On the 25th day of April 2022, members of the State Election Board voted two (2) against and one (1) for sustaining the petition and striking the candidacy of Contestee Stevens from the ballot.<sup>2</sup> Accordingly, the Petition is **DENIED**, and Contestee Stevens is **RETAINED** on the ballot.

OKLAHOMA STATE ELECTION BOARD



June 22, 2022

Date

**TOM MONTGOMERY**, *Chairman*

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<sup>2</sup> Ms. Cline moved to sustain the Petition and strike the Contestee as a candidate from the ballot. Dr. Mauldin seconded the motion. The roll call vote was as follows: Mr. Montgomery-no; Dr. Mauldin-no; Ms. Cline-aye. Legal Counsel advised it was sufficient to have the original motion fail rather than take up an alternative motion.

**CERTIFICATE OF MAILING**

I hereby certify that on the 22 day of June 2022, the above and foregoing Findings of Fact, Conclusions of Law, and Final Order in the above-captioned matter was mailed to:

Stanley Stevens  
6116 E. 60th St.  
Tulsa, OK 74135

CONTESTEE

Terry A. Simonson  
8909 S. Maplewood Ave.  
Tulsa, OK 74137

ATTORNEY FOR PETITIONER GILBERT

Karen Gilbert  
4611 S. Maplewood Ave.  
Tulsa, OK 74135

PETITIONER



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**DAVID DUNN**

*Clerk to the State Election Board*