**IN THE DISTRICT COURT OF THE EIGHTEENTH JUDICIAL DISTRICT
OF THE STATE OF OKLAHOMA SITTING IN AND FOR PITTSBURG COUNTY**

STATE OF OKLAHOMA)
        Plaintiff,)
)
vs.)   **CM-2023-103**
)
)
TYLER LEROY JANZ,)
        Defendant.)

ORDER

NOW ON THIS 10th day of March, 2023, this matter comes before the Court on the

Defendant's Motion for "Brady" Letter. In his Motion, Defendant raises the issue of credibility

regarding Deputy David Woody due to a discrepancy between what Deputy Woody wrote in his

affidavit and the actual event that transpired, as captured on video by Deputy David Woody's body

camera. The State filed a response that confesses the Defendant's Motion in part, but provides

significantly more detail regarding the discrepancies between the contents of the probable cause

affidavit and the event itself, which, again, was recorded on Deputy Woody's body camera. The

parties have agreed that, in lieu of an evidentiary hearing, this Court can adopt their combined

Statements of Facts to establish a record from which to rule. The Court will accept the parties'

stipulations as to the Statements of Facts.

The Court finds it alarming to see such a sharp contrast between what Deputy Woody

reported as a basis for arrest and what actually transpired. The Court recognizes that inaccurate

reporting does occur, and can often have an innocent explanation. However, when the accuracy of

the report fails so staggeringly once contact is made with the suspect that even the information the

State relied on to make a charging decision does not exist, this Court cannot find an innocent

explanation that would cure the defect. As such, this Court finds that David Woody's statements in
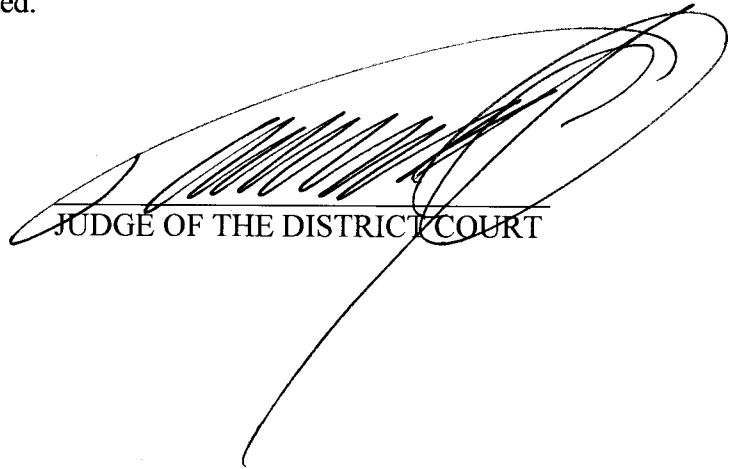
the affidavit lack credibility to support prosecution of the case, and by extension, David Woody lacks credibility to testify regarding the incident.

IT IS THEREFORE ORDERED that this case is dismissed without costs assessed, the Defendant is discharged, and his bond is exonerated.

IT IS SO ORDERED.

JUDGE OF THE DISTRICT COURT