

**IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF OKLAHOMA, IN AND FOR STEPHENS COUNTY**

THE STATE OF OKLAHOMA,
Plaintiff,

FILED DISTRICT COURT
Stephens County, Okla.

v.

Case No. CM-2025-00530

FEB 13 2026

JOSE M. DECASTRO,
Defendant.

MELODY HARPER
Court Clerk

DEFENDANT'S MOTION TO DEEM MOTIONS CONFESSED

COMES NOW Defendant Jose M. DeCastro, appearing pro se, and respectfully moves this Court to deem his pending Motion for Franks Hearing and Supplemental Motion for Franks Hearing confessed by the State pursuant to Oklahoma District Court Rule 4(e). In support, Defendant states:

I. PROCEDURAL BACKGROUND

1. On January 9, 2026, Defendant filed his Motion for Franks Hearing with this Court.
2. On January 20, 2026, Defendant filed his Supplemental Motion for Franks Hearing, which was duly served upon the District Attorney. The Supplemental Motion added additional facts and arguments but did not withdraw, replace, or supersede the original Motion for Franks Hearing.
3. Under Oklahoma District Court Rule 4(e) and 12 O.S. § 2006(D), the State had twenty (20) days to respond to each motion, plus three (3) days for mail service.
4. **The State's deadline to respond to the original Motion for Franks Hearing was February 1, 2026. That deadline has passed.**
5. **The State's deadline to respond to the Supplemental Motion for Franks Hearing was February 12, 2026. That deadline has passed.**
6. As of February 13, 2026, the State has failed to file any response to either the Motion for Franks Hearing or the Supplemental Motion for Franks Hearing. The State has not requested an extension of time for either motion.
7. Both motions are now in default. A supplemental motion does not reset or extend the deadline to respond to an earlier motion. Each motion carries its own response deadline, and both deadlines have now expired without any response from the State.

II. LEGAL STANDARD

8. Oklahoma District Court Rule 4(e) provides that if no response to a motion is filed within the time prescribed, the motion may be deemed confessed.

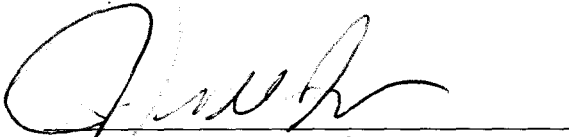
9. The State's complete failure to respond to either the Motion for Franks Hearing or the Supplemental Motion for Franks Hearing within the prescribed deadlines entitles Defendant to have both motions deemed confessed and granted.

III. PRAYER FOR RELIEF

WHEREFORE, Defendant respectfully requests this Court enter an Order deeming both Defendant's Motion for Franks Hearing and Supplemental Motion for Franks Hearing confessed and granting the relief requested therein.

Dated: February 13, 2026

Respectfully submitted,



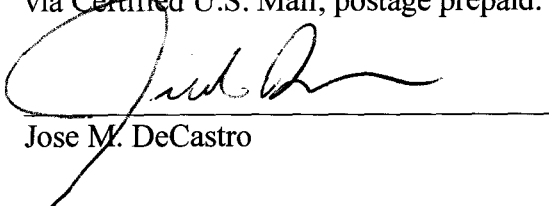
Jose M. DeCastro, Pro Se
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Los Angeles, CA 90036
Phone: (310) 963-2445
Email: Chille@situationcreator.com

CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2026, a true and correct copy of the foregoing Motion to Deem Motions Confessed and Proposed Order was served upon:

Dan Jacobsma, District Attorney
District 3 District Attorney's Office
101 N. Main Street, Suite 104
Altus, OK 73521

via Certified U.S. Mail, postage prepaid.



Jose M. DeCastro