

**IN THE DISTRICT COURT OF STEPHENS COUNTY
STATE OF OKLAHOMA**

STATE OF OKLAHOMA,
Plaintiff,

vs.

HEATHER DAWN CHANDLER,
Defendant.

Case No. CF-2025-109

FILED DISTRICT COURT
Stephens County, Okla.

JUN 08 2026

MELODY HARPER
Court Clerk

**DEFENDANT'S MOTION TO SUPPRESS EVIDENCE
AND BRIEF IN SUPPORT**

COMES NOW the Defendant, Heather Dawn Chandler, appearing pro se, and respectfully moves this Court pursuant to the Fourth Amendment to the United States Constitution, Article II, Section 30 of the Oklahoma Constitution, and 22 O.S. § 1223, to suppress all evidence obtained as a result of the traffic stop conducted on May 6, 2025. In support thereof, Defendant states as follows:

I. STATEMENT OF FACTS

On May 6, 2025, at approximately 0127 hours, Officer Darius McReynolds of the Duncan Police Department initiated a traffic stop of Defendant's vehicle at or near the intersection of North 6th Street and Main Street in Duncan, Oklahoma. The stated basis for the stop, as set forth in Officer McReynolds' sworn probable cause affidavit, was that the front wheels of Defendant's vehicle came to rest past the posted stop sign on South 6th Street, which he characterized as a violation of Duncan Municipal Ordinance 15-711 A3.

However, Officer McReynolds' own body camera recording, captured at the time of the stop, contradicts the account set forth in his affidavit. At timestamp 00:00:38 through 00:00:50 of the McReynolds body camera recording, the officer stated to Defendant:

"One, when you were coming down here, you didn't come to a complete stop. Okay. No, you didn't. I watched you. Okay. Second one, you slow rolled it. You got to stop behind the stop sign."

The affidavit describes a positional violation — front wheels past the stop sign line. The officer's own contemporaneous verbal statement describes a rolling stop — failure to come to a complete stop. These are two distinct factual claims. The affidavit does not reflect what the officer contemporaneously reported observing.

Furthermore, the affidavit omits material facts concerning the physical conditions at the intersection of 6th Street and Main Street at the time of the alleged observation. Specifically, the affidavit fails to disclose: (1) the presence of vegetative overgrowth obstructing the sight line at that intersection, which materially limited Officer McReynolds' ability to observe wheel

placement relative to the stop sign; (2) the road profile and grade at that intersection, which causes a vehicle approaching the stop sign to appear to "nose dive" in a manner that can create a false visual impression of wheel placement; and (3) Officer McReynolds' own position at the time of the alleged observation — traveling in a moving patrol vehicle, crossing railroad tracks on Main Street at an angle, observing a vehicle also in motion.

Photographic documentation of the vegetative obstruction and road profile at the intersection of 6th Street and Main Street has been previously documented and is available as evidence.

II. ARGUMENT AND AUTHORITIES

A. The Probable Cause Affidavit Contains Material Omissions Warranting a Franks Hearing.

Under *Franks v. Delaware*, 438 U.S. 154 (1978), a defendant is entitled to challenge the truthfulness of statements made in a warrant affidavit — or, as courts have extended the rule, in a probable cause affidavit supporting a warrantless arrest. The Franks doctrine applies equally to material omissions. *United States v. Colkley*, 899 F.2d 297 (4th Cir. 1990); see also *Stewart v. State*, 2016 OK CR 9.

To obtain a Franks hearing, the defendant must make a substantial preliminary showing that (1) the affiant deliberately or recklessly omitted material information, and (2) the omitted information, if included, would have defeated probable cause. *Franks*, 438 U.S. at 155-56.

Here, Officer McReynolds' affidavit omits three categories of material facts: the vegetative obstruction at the intersection limiting visibility; the road grade creating a misleading visual impression; and his own observation position — moving, at an angle, crossing railroad tracks. Had the magistrate been informed that the officer's claimed observation was made through an obstructed sight line, from a moving vehicle crossing railroad tracks, at night, the probable cause determination would have been undermined. These omissions were at minimum reckless.

Additionally, the affidavit's description of the violation is directly contradicted by the officer's own body camera recording, in which he contemporaneously described a rolling stop rather than a positional violation past the stop line. This internal contradiction between the sworn affidavit and the officer's own recorded statement further supports a finding of reckless disregard for the truth.

B. The Traffic Stop Lacked Sufficient Reasonable Articulable Suspicion.

A traffic stop constitutes a seizure under the Fourth Amendment and must be supported by reasonable articulable suspicion that a traffic violation has occurred. *Terry v. Ohio*, 392 U.S. 1 (1968); *Delaware v. Prouse*, 440 U.S. 648 (1979). Where the factual basis for the stop is unsupported by the officer's own contemporaneous account, or where the officer's claimed observation was physically impaired by conditions not disclosed to the court, the stop fails the constitutional standard.

The contradictions between Officer McReynolds' affidavit and his body camera recording, combined with the undisclosed physical conditions at the intersection, demonstrate

that the stated basis for the stop is constitutionally insufficient. Evidence obtained as a result of an unlawful stop must be suppressed as fruit of the poisonous tree. *Wong Sun v. United States*, 371 U.S. 471 (1963).

III. RELIEF REQUESTED

WHEREFORE, Defendant respectfully requests that this Court:

1. Schedule a Franks hearing to examine the material omissions and contradictions in Officer McReynolds' probable cause affidavit;
2. Upon hearing, suppress all evidence obtained as a result of the May 6, 2025 traffic stop, including but not limited to observations made during the stop, statements, and any evidence derived therefrom; and
3. Grant such other and further relief as this Court deems just and proper.

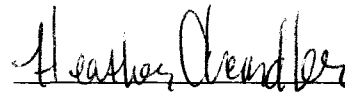
Respectfully submitted,



Heather Dawn Chandler, Pro Se Defendant
408 West Ash Avenue
Duncan, Oklahoma 73533

CERTIFICATE OF SERVICE

I hereby certify that on this 6 day of June, 2026, a true and correct copy of the foregoing Motion to Suppress was delivered to the Stephens County District Attorney's Office, 101 S. 11th Street, Room 303, Duncan, Oklahoma 73533.



Heather Dawn Chandler