

EXHIBIT 1

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

OCT 26 2026

JOAN KANE, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY naa, DEPUTY

JOSE MARIA DeCASTRO,

Plaintiff,

v.

CITY OF DUNCAN, OKLAHOMA,
et al.,

Defendants.

Case No. CIV-26-27-G

DECLARATION OF JOSE MARIA DeCASTRO

I, Jose Maria DeCastro, declare as follows:

1. I am the Plaintiff in this action. I am over eighteen years of age. I have personal knowledge of the facts in this declaration and could testify to them.

2. Since this case was filed, my mailing address has been 5350 Wilshire Blvd., PO Box 36143, Los Angeles, CA 90036. That is the address on the Clerk's envelope docketed as Doc. 20.

3. I did not receive the Court's April 15, 2026 Order (Doc. 19) by mail or by any other means.

4. I did not know the Court had set a June 15, 2026 deadline to serve the Defendants and file proof of service until October 16, 2026, when I learned of the Moving Defendants' Motion to Dismiss (Doc. 33).

5. Had I known of the June 15, 2026 deadline, I would have completed service or asked the Court for more time before it passed, as I did in March 2026 when I moved to extend the original deadline two days before it expired (Doc. 12).

6. While Defendant Smith's Motion to Dismiss (Doc. 24) was being briefed, it was my personal understanding that the case was waiting on the Court's ruling on that motion. I do not claim that the Court stayed this case or suspended the service deadline. I now understand that a pending motion to dismiss did not change my obligation to serve the Defendants.

7. I am prepared to serve every Defendant now. On October 20, 2026, I am submitting a Request for Issuance of Summons for each Defendant named in the First Amended Complaint. I have arranged for Steve Konkler and Heather Chandler, adults in Oklahoma who are not parties to this action, to personally deliver the summonses and the First Amended Complaint to the Defendants. I will have the summons and First Amended Complaint served on each Defendant by a person who is at least eighteen years old and not a party, as Rule 4(c)(2) provides, using a method Rule 4 authorizes, and I will file proof of service within 14 days after service, as LCvR4.2 requires.

8. In this case, I moved to extend the original service deadline on March 16, 2026, two days before it expired (Doc. 12). I submitted a corrected summons request for Dan Jacobsma after the first one was not issued (Docs. 15, 17). I filed my opposition to Defendant Smith's Motion to Dismiss on May 4, 2026, twelve days after it was filed (Docs. 24, 25).

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on October 20, 2026, in Los Angeles, California.



Jose Maria DeCastro