

IN THE DISTRICT COURT OF THE FIFTEENTH JUDICIAL DISTRICT OF THE STATE OF OKLAHOMA SITTING IN AND FOR WAGONER COUNTY

THE STATE OF OKLAHOMA,

Plaintiff,

vs.

ANTHONY SCOTT WALLEN
ADDR: 415 S Choctaw
Haskell, OK 74436
SSN: XXX-XX-1242
DOB: 01/16/84
Defendant(s).

Case No.

CF-2014-0269

WAGONER COUNTY, OKLA.
FILED
IN DISTRICT COURT
2014 JUN -3 AM 9:00
WAGONER COUNTY
JAMES E. HOYT
COURT CLERK

INFORMATION

FOR:

COUNT 1: MURDER FIRST DEGREE - MALICE AFORETHOUGHT ~ 21 O.S. § 701.7(A), a FELONY
STATE OF OKLAHOMA, COUNTY OF WAGONER:

I, **Brian J. Kuester**, the undersigned District Attorney of said County, in the name and by the authority, and on behalf of the State of Oklahoma, give information that in said County of Wagoner and in the State of Oklahoma, **ANTHONY SCOTT WALLEN**, did then and there unlawfully, willfully, knowingly and wrongfully commit the crime(s) of:

COUNT 1: MURDER FIRST DEGREE - MALICE AFORETHOUGHT, a FELONY, On or about May 13-14, 2006, in Wagoner County, Oklahoma, Anthony Wallen, with Brandon Hargrove, and Courtney Manzer, acting as a principal and as accomplices, one with the other did with malice aforethought, cause the death of Jarret Austin Clark, a human being, by beating Jarret Austin Clark, and putting him in the water, causing him to drown, languish, and die.

BRIAN J. KUESTER
DISTRICT ATTORNEY

By: Jay Pittman
Assistant District Attorney

I have examined the facts in this case and recommend that a warrant do issue.

By: Jay Pittman
Assistant District Attorney

WITNESSES ENDORSED FOR THE STATE OF OKLAHOMA

Vickie Lyons, OSBI, 1995 Airport Parkway, Tahlequah, OK 74464
Danny Mouttet, OSBI, 125 West 15th St. Suite 100, Tulsa, OK 74119
Danny Mouttet, 125 West 15th St. Suite 100, Tulsa, OK 74119
Bob Haley, Police Chief, Wagoner Police Department, Wagoner, OK 74467
Mark Day
Aungela Spurlock, OSBI, 1995 Airport Parkway, Tahlequah, OK 74464
Kevin Barth, 3509 E. NASHVILLE STREET, Broken Arrow, OK 74014
Steven Nutter, OSBI
John Smith
Shawn Ward, OSBI
Thomas Shipley, 305 South Mary, Wagoner, OK 74467
Brooke Martin, 1408 W OAKLAND, Broken Arrow, OK 74012
Tommy Yi, 2812 E. Memphis St., Broken Arrow, OK 74014
Joshua Schoenecke, 509A SW 6th St, Wagoner, OK 74467
Zachary Hudson, HC 68 Box 1245 A, Vian, OK 74962
Michael Boris, 7512 Shelby Lane, Broken Arrow, OK 74014
Robert Horton, Sheridan Point Apartment Complex 6316 E 32nd St, Tulsa, OK 74115
Steven Thomas
Cynthia Rutter
Tony Wallen, 12731 East 40th St. Apartment 4321, Tulsa, OK 74146
Judith Humphrey, 2045 N Garnett Rd, Broken Arrow, OK 74128
Wayne Humphrey, 2045 N Garnett Rd, Broken Arrow, OK 74128
Molly Miller
Robert Pettigrew, 6250 East Marshal, Tulsa, OK 74115
Chermaine Schuerman, 222 N G Street, Muskogee, OK 74403
James Crosslin
John Crosslin, 226 North G Street, Muskogee, OK 74403
Lindsey Allen, 1720 West Delmar St, Broken Arrow, OK 74014
Janet Crosslin
Zachary Walker, 4012 South Birch Place, Broken Arrow, OK 74014
Kevin Mykeloff, 617 West Garfield, Sapulpa, OK 74066
Ashley Smithson
Donovan Bilbry, 11241 E 45th St Apt., Tulsa, OK 74115
Earnest Hargrove
Leona Bilbry, 6318 E32nd Apt A, Tulsa, OK 74115
Eugene Hargrove
Fawn Woodfin, 2314 S 82nd E Ave, Tulsa, OK 74115
James Woodfin, 7904 East 11th St, Tulsa, OK 74115
Susan Woodfin, 2314 S 82nd E Ave, Tulsa, OK 74115
Steven Thomas, 1151 South Albany Street Apt B2, Broken Arrow, OK 74014
Sean Schwegler
Bobby Hudson, 1151 South Albany Street Apt B2, Broken Arrow, OK 74014
Mitchell Shed, Route 1 Box 960, Hakell, OK 74436
Loren Manzer
Jason Maples, 1604 South Pine Avenue, Broken Arrow, OK 74014
Laura Beeler
Ray Mitchell
Darvin McClellan
Kurt Curell
Eric Shaleen
John Forhan
Ashley Oneal
Kristen Neal
Holly Taylor

Isaiah Carey
Shelly Banks
David Gallegos, 304 N Camden Place, Muskogee, OK 74401
Donald Branchcomb, 1209 Jefferson, Muskogee, OK 74401
Jeff Washington
Pablo Gallegos
John Sequoyah
Mary Frazier, 505 SW 5th St Apartment C, Wagoner, OK 74467
William Larson, 31085 E 687th Rd, Wagoner, OK 74467
Santiago Castro Perez, 1217 North C Street, Muskogee, OK 74401
Nathaniel Perez
Randy Shipman, Shipman Funeral Home 2809 S Hwy 69, Wagoner, OK 74467
Dana Higginbotham, 3809 South Walnut, Tulsa, OK 74115
Tom Gann
Shawn Sanderson
John Johnson, P.O. Box 192 , Okay, OK 74434
Anthony Arroya
Kathy Arroya
Anthony Cruzen
Sherri Dixson
Jeremy Engel, OSBI, OSBI
Eric Slater
Jim Nickles, 7509 S 70th E Ave, Tulsa, OK 74115
Jamie Woodfin
Stacey Gray, 1757 S Poplar Ave, Broken Arrow, OK 74014
Andrea Raym, 37256 E 241 St S, Porter, OK 74454
U.s. Cellular Rep
Sprint Communications Rep



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STATE OF OKLAHOMA

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DISTRICT COURT

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WAGONER COUNTY
JAMES E. NIGHT
COURT CLERK

CF-2014-0269

STATE OF OKLAHOMA)	
Plaintiff,)	
)	
vs.)	Case No. 06-0572
)	
WALLEN, ANTHONY SCOTT)	
Defendant.)	

AFFIDAVIT FOR ISSUANCE OF ARREST WARRANT

Comes now the undersigned Affiant, and states upon Oath or Affirmation that the following information and facts are correct to the best of the Affiant's knowledge and belief. The undersigned believes that probable cause exists for the detention of the below named ARRESTEE for the below listed crimes committed on the below listed date, in Wagoner County, Oklahoma.

Subject Name	WALLEN, ANTHONY SCOTT	DOB	01/16/1984
SSN	442901242		
Sex	Male	Race	Unknown
Hair	Brown	Eye	Hazel
Ethnicity	Not Hispanic Origin	Build	Medium Build
HGT	5 Ft. 11 In.	WGT	160 lbs.
Address	415 S CHOCTAW		
City	HASKELL		
State	Oklahoma 74436		

Date Of Arrest	Time Of Arrest
Arrest Location	
Arrest City	
Offense Location	WAHOO BAY
Offense City	WAGONER

Offense(s) Committed / Anticipated Charge(s)
 21 O.S. § 701.7(A) • Homicide-Murder in first degree - Unlawfully and with malice aforethought causes the death of another human being.

Facts & Circumstance that support probable cause to arrest the above named person are
 On the evening of May 13, 2006, Anthony Scott Wallen, AKA Tony Wallen (Suspect), Jarret Clark (Victim), and others went camping at Ft. Gibson Lake, in the Wahoo Bay area. During the course of the evening, a physical altercation occurs between Clark and other campers in the party. On May 18, 2006 Clark's



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STATE OF OKLAHOMA

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Case No. : 06-0572

Defendant : WALLEN, ANTHONY SCOTT

Facts & Circumstance that support probable cause to arrest the above named person are

body was recovered approximately 300 yards off the point of Wahoo Bay. According to the Tulsa Medical Examiner's Office, the cause of death to Clark was drowning.

During the course of the investigation into the manner of Clark's death, it was learned that Clark was victim to an assault and battery, which included several blows to Clark's head. Wallen has admitted to beating Clark, by striking Clark in the head several times, as well as, hitting Clark in the head while Clark was being held down. During the course of the investigation it was discovered through physical evidence, Clark was dragged a significant distance. During the course of the investigation it was discovered that Clark was unconscious when he entered the lake, and ultimately drowned.

During the early stages of the investigation, Wallen, in an attempt to distance his involvement, lied to investigators about the assault and battery on Clark. During an interview with investigators in 2012, Wallen admitted to beating Clark, by striking and kicking Clark in the head several times. Wallen admitted to investigators in 2012 that while another witness held Clark from behind, Wallen hit and kicked Clark in the head. According to the witness that was holding Clark from behind, Wallen hit Clark "as hard as he could."

During the interview with investigators in 2012, Wallen stated that Clark got on his nerves that evening of May 13, 2006. Wallen stated that he built resentment towards Clark during the course of the evening. Wallen stated that he thought Clark had stolen his (Wallen's) marijuana that evening. Wallen stated that he witnessed an altercation between Brandon Hargrove (Suspect) and Jarret Clark. Wallen included himself into the argument, by yelling at Clark. Wallen stated that he wanted to fight Clark. Wallen stated that he wanted to "kick Clark's ass." Wallen stated that when Clark ran away from the campsite, Wallen pursued Clark out of the camp. Wallen stated that when he caught up with Clark by the woods, the physical altercation began, and that is where Wallen stated that he committed the assault and battery on Clark. Wallen stated that was the last time he saw Clark.

Wallen stated that he and the remaining suspects left the campsite together. An independent eyewitness stated that they observed Brandon Hargrove's truck back into the woods, pull out on to the main road, then back down into the water. Witness states that Wallen was on and around Hargrove's truck, by the water, and after Clark was missing. The independent witness stated that when the truck backed into the water, they heard a "thud" sound. The independent witness stated that after the truck left the water, the truck and the red car (2nd suspect vehicle) exited Wahoo bay together. The following day, according to a



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Defendant : WALLEN, ANTHONY SCOTT

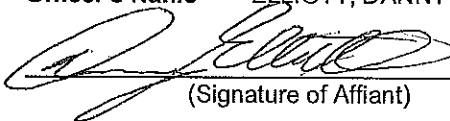
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witness, Wallen instructed and helped Brandon Hargrove wash his truck.

A witness will testify that Wallen told the witness a short time later "I hit him too hard. I killed him." (Meaning Clark) The witness stated Wallen was crying when he stated that he had killed Clark. A witness stated that Wallen became angry, when the witness stated they were going to speak with law enforcement. Wallen stated to a witness, when the witness was going to talk to law enforcement, "don't tell them about the fight."

Based on physical evidence, witness statements, motive, ability, proximity, as well as, Wallen's own statements, I, Investigator Elliott, have probable cause to believe Anthony Scott Wallen, AKA Tony Wallen is guilty of unlawfully causing the death of another human being, Jarret Clark, with malice and aforethought.

AFCF: No / Yes Times (1) (2) or _____

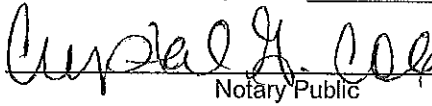
Upon oath, I declare that the above information is true and correct to the best of my knowledge and belief.
Officer's Name ELLIOTT, DANNY **Badge No.** 7317



(Signature of Affiant)

Subscribed and sworn before me this 2nd day of June, 2014.

My commission number _____
My commission expires _____



Notary Public



FINDING OF PROBABLE CAUSE

The Undersigned Judge of this Court, upon sworn affidavit, hereby determines there to be probable cause for issuance of an arrest warrant.

Dated this 30th day of May, 2014



JUDGE OF THE DISTRICT COURT