

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

STATE OF OKLAHOMA,

Plaintiff,

vs.

CRAIG S. KEY,

DOB 06-19-1965, SSN: [REDACTED]

Defendant.

Case No. _____

INDICTMENT

FOR:

DELIVERY OF A FORGED NOTE OR INSTRUMENT, 21 O.S. § 1577 [1 Count being Count 1]

EMBEZZLEMENT, 21 O.S. § 1451 [1 Count being Count 2]

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF OKLAHOMA:

By the order of the Supreme Court of Oklahoma, the Fourteenth Multicounty Grand Jury was convened with its principal site to be in Oklahoma City, Oklahoma County, Oklahoma, to serve from February 25, 2013 until August 25, 2014, or until the designated presiding judge determines the Fourteenth Multicounty Grand Jury has reached reasonable completion of its investigations, but, in any event, no more than twenty-four (24) months from the commencement of its term. That the said Multicounty Grand Jury of the State of Oklahoma, being composed of good and lawful men and woman, legally drawn and summoned according to law, and then and there examined, impaneled, sworn, and charged according to law to diligently inquire into and true presentment make of all public offenses against the State of Oklahoma committed and triable within the State of Oklahoma, upon their oath and in the name and by the authority of the State of Oklahoma, do present and find that:

COUNT 1: DELIVERY OF A FORGED NOTE OR INSTRUMENT

On or about the 3rd day September, 2010, the crime of **DELIVERY OF A FORGED NOTE OR INSTRUMENT** was committed in Lincoln County, Oklahoma, by the Defendant **CRAIG S. KEY**. That is to say, on and before said date, Defendant **CRAIG S. KEY** was an attorney engaged by James and Judy Morningstar to negotiate and pay OU Physicians and OU Medical Center for medical bills incurred by James Morningstar at OU Physicians and OU Medical Center as a result of a severe leg injury sustained by Mr. Morningstar. At this time, the Defendant **CRAIG S. KEY**, maintained his IOLTA Attorney Trust Account with the First Bank of Chandler, Account Number 143477. The only signatory on this IOLTA Attorney Trust Account for purposes of signing checks and making deposits and/or transfers was **CRAIG S. KEY**. The Defendant **CRAIG S. KEY** maintained exclusive possession and control of the checkbook and deposit slips of the aforesaid IOLTA Attorney Trust Account. On or about August of 2010, Judy Morningstar provided Defendant **CRAIG S. KEY** Check Number 86264635 issued by American First Insurance on March 30, 2010 on Account Number 86264635/042200910 in the amount of Fifty Seven Thousand Two Hundred and Thirty Eight Dollars and Three Cents (\$57,238.03) and made out to "James Morningstar, OU Physicians and OU Medical Center." Judy Morningstar provided Defendant **CRAIG S. KEY** with American First Insurance Check Number 86264635 in the amount of Fifty Seven Thousand Two Hundred and Thirty Eight Dollars and Three Cents (\$57,238.03) Check Number 86264635 for the purpose of, and with the understanding that, Defendant **CRAIG S. KEY** would lawfully obtain the endorsements of OU Medical Center and OU Physicians on American First Insurance Check Number 86264635, and then use the entire sum to pay any and all medical bills owed by James

Morningstar to OU Medical Center and OU Physicians. On or about September 3, 2010, the American First Insurance Check Number 86264635 in the amount of Fifty Seven Thousand Two Hundred and Thirty Eight Dollars and Three Cents (\$57,238.03) was deposited into the IOLTA Attorney Trust Account Number 143477. On the back of the American First Insurance Check Number 86264635 there contained the following signature endorsements: "Tim OU Physicians" and "OU Medical Center - LeeAnn." OU Physicians and OU Medical Center did not sign these endorsement signatures, and have denied giving anyone permission to do so on their behalf. The Defendant **CRAIG S. KEY** knowingly delivered and uttered for deposit American First Insurance Check Number 86264635 in the amount of Fifty Seven Thousand Two Hundred and Thirty Eight Dollars and Three Cents (\$57,238.03) to his aforementioned IOLTA Attorney Trust Account Number 143477 with the knowledge that it contained the false signatures of OU Physicians and OU Medical Center, without their consent and knowledge, with the knowledge that said check was false, with the intent to defraud America First Insurance, James Morningstar, Judy Morningstar, OU Physicians and OU Medical Center. All of said acts being contrary to the provisions of Sections 1577 of Title 21 of the Oklahoma Statutes, and against the Peace and Dignity of the State of Oklahoma.

COUNT 2: EMBEZZLEMENT

Between the 3rd day of September, 2010 and the 29th day October, 2010, the crime of **EMBEZZLEMENT** was committed in Lincoln County, Oklahoma, by the Defendant **CRAIG S. KEY**. That is to say, on and before said date, Defendant **CRAIG S. KEY** was an attorney engaged by James and Judy Morningstar to negotiate and pay OU Physicians and OU Medical Center for medical bills incurred by James Morningstar at OU Physicans and OU Medical

Center as a result of a severe leg injury sustained by James Morningstar. This representation required the Defendant **CRAIG S. KEY** to deposit settlement proceeds into his IOLTA Attorney Trust Account and to pay medical providers for medical treatment of James Morningstar. At this time, the Defendant **CRAIG S. KEY**, maintained his IOLTA Attorney Trust Account, with the First Bank of Chandler, Account Number 143477. The only signatory on this IOLTA Attorney Trust Account for purposes of signing checks and making deposits and/or transfers was **CRAIG S. KEY**. The Defendant **CRAIG S. KEY** maintained exclusive possession and control of the checkbook and deposit slips of the aforesaid IOLTA Attorney Trust Account. On or about August of 2010, Judy Morningstar provided Defendant **CRAIG S. KEY** Check Number 86264635 issued by American First Insurance on March 30, 2010 on Account Number 86264635/ 042200910 in the amount of Fifty Seven Thousand Two Hundred and Thirty Eight Dollars and Three Cents (\$57,238.03), and made out to "James Morningstar, OU Physicians and OU Medical Center." Judy Morningstar provided Defendant **CRAIG S. KEY** with American First Insurance Check Number 86264635 in the amount of Fifty Seven Thousand Two Hundred and Thirty Eight Dollars and Three Cents (\$57,238.03) for the purpose of, and with the understanding that, Defendant **CRAIG S. KEY** would lawfully obtain the endorsements of OU Medical Center and OU Physicians on American First Insurance Check Number 86264635, and then use the entire sum to pay any and all medical bills owed by James Morningstar to OU Medical Center and OU Physicians. On September 3, 2010, the American First Insurance Check Number 86264635 in the amount of Fifty Seven Thousand Two Hundred and Thirty Eight Dollars and Three Cents (\$57,238.03) was deposited into the IOLTA Attorney Trust Account Number 143477. The Defendant **CRAIG S. KEY** knowingly

and fraudulently appropriated to a use or purpose not intended or authorized in the course of his legal representation of James Morningstar Fifty Seven Thousand Two Hundred and Thirty Eight Dollars and Three Cents (\$57,238.03) of these monies, where these monies had been entrusted to the Defendant for a specific purpose, use, and/or disposition, to wit: to pay the medical providers who had provided medical treatment to James Morningstar, but were instead used by the Defendant, **CRAIG S. KEY** for other purposes. All of said acts being contrary to the provisions of Sections 1451 of Title 21 of the Oklahoma Statutes, and against the Peace and Dignity of the State of Oklahoma.

TRUE BILL ()

NO BILL ()

FOREMAN
OKLAHOMA MULTICOUNTY GRAND JURY

Penalties: 

Delivery of a Forged Note or Instrument. By imprisonment in the State Penitentiary for a period not exceeding seven (7) years.

Embezzlement. By imprisonment in the State Penitentiary for a period not exceeding ten (10) years and a fine of up to ten-thousand dollars (\$10,000.00).

WITNESSES (Before the Grand Jury):

Agent Kent Dowell c/o Oklahoma Department of Agriculture

Investigator David Driscoll c/o Oklahoma Attorney General Office, 313 N.E. 21st Street,
Oklahoma City, Oklahoma 73105

Harold Lowe, 818 South Dungan Road, Cushing, Oklahoma 74023

Deputy Larry Stover c/o Lincoln Co. Sheriff's Department, 14 Courthouse, 811 Manvel
Avenue, Chandler, Oklahoma 74834

James Reaves, 870333 South 3300 Road, Wellston, Oklahoma 74881

Rebecca Alley, 870333 South 3300 Road, Wellston, Oklahoma 74881

Judy Morningstar c/o James Hodgens, Esq., 301 West Main Street, Stroud, Oklahoma 74079

James Morningstar c/o James Hodgens, Esq., 301 West Main Street, Stroud, Oklahoma 74079

Anita Martin, Waurika Livestock Commission Co., S. Hwy 81, Waurika, Oklahoma 73573

Brandon Dawson c/o Lincoln Co. Sheriff's Department, 14 Courthouse, 811 Manvel Avenue,
Chandler, Oklahoma 74834

Shanda Chastain. 1731 N. Louisa Avenue, Shawnee, Oklahoma 74804

Evelyn Beaman, 910 E. 1st Street, Chandler, Oklahoma 74834

Sena Prible, 341215 880 Road E, Chandler, Oklahoma 74834

Leslie Bottger, 345944 E. 760 Road, Agra, Oklahoma 74824

Josh Anderson, 344180 E. 930 Road, Agra, Oklahoma 74824

Pam Hammers, Lincoln Co. District Attorney's Office, 811 Manvel Ave., Suite B, Chandler,
Oklahoma 74834

Pete Newsom, 333675 Timber Trail, Wellston, Oklahoma 74881

Edna Melson, 910030 S. 3470 Road, Chandler, Oklahoma 74834

Brian Sullivan, 2420 N.W. 161st Terrace, Edmond, Oklahoma 73013

Shawna Cruz 4131 N.W. 122nd Street, Oklahoma City, OK

John Eyman, OU Medical Center, 1200 Everett Drive, Oklahoma City, OK 73104

Joyce Hopkins, 210 S.W. 89th Street, Oklahoma City, OK 73139

Shirley Kritz, OCOM Imaging (SW MRI), 401 SW 80th Street, Building D, Oklahoma City, OK

Dorinda Eaton, OU Physicians, University of Oklahoma, 660 Parrington Oval Room 119,
Norman Oklahoma 73019