

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 [2 Counts, being Counts 1 and 2]

EMBEZZLEMENT, 21 O.S. § 1451 [1 Count, being Count 3]

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 and before the 13th day October, 2011, 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 retained to represent Brian Sullivan in resolving Mr. Sullivan's personal injury claim arising from an automobile accident with a Douglas Kennedy. 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. The final resolution of the matter resulted in Equity Insurance Company issuing Check Number 439160 on October 10, 2011 on Account Number 810041121 at the Bank of Oklahoma, Tulsa in the amount of Twenty-Five Thousand Dollars (\$25,000.00) and made out to "Brian Sullivan & Scott Mitchell, DO & Southwest OK MRI, Inc. & Ronald Hopkins, DO & Craig S. Key, Atty." The final resolution of this matter also resulted in American National Property and Casualty Company issuing Check Number 000002627035 on November 21, 2011 on Account Number 1032859 at Empire Bank, Springfield, MO, in the amount of Twenty-Seven Thousand Dollars (\$27,000.00) and made out to "Brian Sullivan and Craig S. Key Attorney at Law." On October 13, 2011, the Equity Insurance Company Check Number 439160 in the amount of Twenty-five thousand dollars (\$25,000.00) was deposited into the IOLTA Attorney Trust Account Number 143477. On the back of the Equity Insurance Company Check Number 439160 contained signature

endorsements of "Brian Sullivan, Scot Mitchell, D.O., R. Hopkins, Southwest M.R.I., Inc., and C.S. Key." Brian Sullivan, Dr. Scott Mitchell, D.O., Southwest OK M.R.I. and Dr. Ronald Hopkins, D.O. 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 Equity Insurance Company Check Number 439160 in the amount of twenty-five thousand dollars (\$25,000.00) to his aforementioned IOLTA Attorney Trust Account Number 143477 with the knowledge that it contained the false signatures of Brian Sullivan, Dr. Scott Mitchell, D.O., Southwest OK MRI, Inc., and Dr. Ronald Hopkins, D.O. without their consent and knowledge, with the knowledge that said check was false, with the intent to defraud Equity Insurance Company, Brian Sullivan, Dr. Scott Mitchell, D.O., Southwest OK MRI, Inc., and Dr. Ronald Hopkins, D.O. 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: DELIVERY OF A FORGED NOTE OR INSTRUMENT

On and before the 23rd day November, 2011, 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 retained to represent Brian Sullivan in resolving Mr. Sullivan's personal injury claim arising from an automobile accident with a Douglas Kennedy. 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. The final resolution of the matter resulted in Equity Insurance Company issuing Check Number 439160 on October 10, 2011 on Account Number 103900036/810041121 at the Bank of Oklahoma, Tulsa in the amount of Twenty-Five Thousand Dollars (\$25,000.00) and made out to "Brian Sullivan & Scott Mitchell, DO & Southwest OK MRI, Inc. & Ronald Hopkins, DO & Craig S. Key, Atty." The final resolution of this matter also resulted in American National Property and Casualty Company issuing Check Number 000002627035 on November 21, 2011 on Account Number 1032859 at Empire Bank, Springfield, MO, in the amount of Twenty-Seven Thousand Dollars (\$27,000.00) and made out to "Brian Sullivan and Craig S. Key Attorney at Law." On November 23, 2011, the American National Property and Casualty Company Check Number 000002627035 in the amount of Twenty-seven thousand dollars (\$27,000.00) was deposited into the IOLTA Attorney Trust Account Number 143477. On the back of the American National Property and Casualty Company Check Number 000002627035 contained signature endorsements of "Brian Sullivan , and C.S. Key, Attorney at Law." Brian Sullivan did not sign this endorsement signature and has denied giving anyone permission to do so on their behalf. The Defendant **CRAIG S. KEY** knowingly delivered and uttered for deposit American National Property and Casualty Company Check Number 000002627035 in the amount of twenty-seven thousand dollars (\$27,000.00) to his aforementioned IOLTA Attorney Trust Account Number 143477 with the knowledge that it contained the false signature of Brian Sullivan without his consent and knowledge, with the knowledge that said check was false, with the intent to defraud American National Property and Casualty Company, Brian Sullivan, Dr. Scott Mitchell, D.O., Southwest

OK MRI, Inc., and Dr. Ronald Hopkins, D.O. 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 3: EMBEZZLEMENT

On and before the inclusive dates from the 13th day October, 2011 through the 23rd day of November, 2011, 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 retained to represent Brian Sullivan in resolving Mr. Sullivan's personal injury claim arising from an automobile accident with Douglas Kennedy. 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 Brian Sullivan and the client Brian Sullivan. 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. The final resolution of the matter resulted in Equity Insurance Company issuing Check Number 439160 on October 10, 2011 on Account Number 810041121 at the Bank of Oklahoma, Tulsa in the amount of Twenty-Five Thousand Dollars (\$25,000.00) and made out to "Brian Sullivan & Scott Mitchell, DO & Southwest OK MRI, Inc. & Ronald Hopkins, DO & Craig S. Key, Atty." The final resolution of this matter also resulted in American National Property and Casualty Company issuing Check

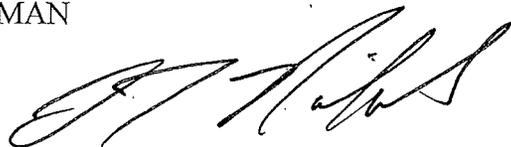
Number 000002627035 on November 21, 2011 on Account Number 1032859 at Empire Bank, Springfield, MO, in the amount of Twenty-Seven Thousand Dollars (\$27,000.00) and made out to "Brian Sullivan and Craig S. Key Attorney at Law." On October 13, 2011, the Equity Insurance Company Check Number 439160 in the amount of Twenty-Five thousand dollars (\$25,000.00) was deposited into the IOLTA Attorney Trust Account Number 143477. On November 23, 2011, the American National Property and Casualty Company Check Number 1032859 in the amount of Twenty-Seven Thousand Dollars (\$27,000.00) was deposited into the IOLTA Attorney Trust Account Number 143477 in the name of the Defendant **CRAIG S. KEY**. The Defendant **CRAIG S. KEY** knowingly, fraudulently appropriated to a use or purpose not intended or authorized in the course of his legal representation of Brian Sullivan an amount in excess of Fourteen-Thousand Three-Hundred and Forty-Five Dollars (\$14,345.00) 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 Brian Sullivan, 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

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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 five (5) years and a fine of up to five-thousand dollars (\$5,000.00).

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