

IN THE DISTRICT COURT WITHIN AND FOR ROGERS COUNTY, OKLAHOMA

STATE OF OKLAHOMA

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DISTRICT COURT CLERK

Various parties in the cases listed, including but not limited to:

Crystal Hall,

Jeffery A. Hall

Melba Hall, et al.,

the five minor children of James and Crystal Hall,

Plaintiffs,

-vs-

James A. Hall

Defendant.

Cases Numbered:

PO 2005-242

PO 2005-539

PO 2005-540

PO 2006-12

PO 2006-297

ORDER TO EXPUNGE AND SEAL RECORDS

NOW, on this 16th day of January, 2008, comes on for hearing in the above captioned cases the Motion of the Defendant to Expunge, and for damages and other relief. The Petitioner/Defendant James A. Hall, appears in person, pro se, Jeffrey Arnold Hall, and Melba Jo Hall appear by Counsel, Brendan M. McHugh, who also appears for Mr. Bill Shaw, attorney for Donna Grabow a subpoenaed witness seeking to quash subpoena, and Gene Haynes, District Attorney appears by Patrick Abitbol. Crystal Hall although served with notice does not appear.

Mr. Abitbol announces that the District Attorney has no objection to granting the expungements requested, but moves to quash the subpoenas issued to his staff members, Ray Hasselman, Jenny Sanbrano. Mr. McHugh likewise moves to quash the subpoena for Ms. Grabow. WHEREUPON the Court inquired of the petitioner Hall as to the nature of the testimony he would seek to elicit from said witnesses, and finds the same to not be relevant to the issues properly before the Court. The Court therefore sustains the motions to quash and excuses the witnesses from further testimony.

The Court then upon its own motion finds that it has no proper jurisdiction to hear the allegations of the petition of James A. Hall seeking damages, attorney fees, and matters other than expungement of protective orders pursuant to the provisions of 22 OS §60.18. Mr. McHugh then presents his *Motion to Quash for Insufficiency of Service and Motion to Dismiss*; The Court then heard the sworn testimony of James A. Hall, and finds based upon said sworn testimony that the petitioner is not in violation of any of the provisions of 22 OS 60.18 (c)(1) which would disqualify from seeking expungement, and orders the pleadings amended to conform to the proof. The Court file indicate that Jeffrey and Melba Hall were served with notice of this hearing by mailing by the Bailiff

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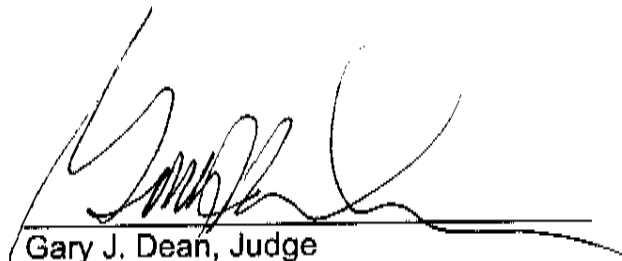
for the Court on the on December 7, 2007. Based upon the foregoing rulings, and Mr. McHugh having no further objection to proceeding, his Motion is deemed moot and overruled.

The Court then advised it had examined the files, dockets, and pleadings in this matter and that it appeared that the petitioner met the statutory requirements for the expungements sought, and inquired if anyone had any further objection or cause why the expungement should not be granted, and there being no further objection;

THE COURT FINDS, ORDERS, ADJUDGED, DECREES, AND DECLARES AS FOLLOWS:

1. That James A. Hall has met all the statutory requirements for expungement and sealing of the files and records in each of the cases set forth in the caption above which are incorporated herein by reference.
2. That in all of the captioned cases there were only extended *ex parte* or continued orders and there was never issued a final protective order based on testimony presented at a full hearing. In one case however, a full hearing was held, and the protective order was denied.
3. That the harm to the privacy of the petitioner, James A. Hall, and his five minor children now in his custody but who were previously named and dismissed as parties in some of the captioned cases and dangers of unwarranted consequences outweigh the public and safety interests of the parties to the protective order in retaining the records.
4. That the court record, files, indexes, and all parts of each of the above captioned cases are ordered expunged and sealed from public view by the Clerk as authorized by 22 OS §60.18. Copies of this Order shall be filed in each of the above cases to the same effect as an original.

IT IS SO ORDERED.


Gary J. Dean, Judge

I, Candl Czapanek, Court Clerk for Rogers County, Oklahoma hereby certify that the foregoing is a true and correct and full copy of the instrument herewith set out as appears of record in the Court Clerk's Office of Rogers County.

Oklahoma this 17 day of Jan 2008
By Candl Czapanek Deputy
DEPUTY COURT CLERK