

## NOTICE OF TORT CLAIM

STATE OF OKLAHOMA  
MUSKOGEE COUNTY  
FILED OR RECORDED

A. CLAIMANT REPORT TO :

Muskogee County Court Clerk's Office  
(Name of county you are filing claim against.)

2025 MAY 23 PM 3:49

FOLLY IRVING  
COUNTY CLERK

**IMPORTANT NOTICE:** The filing of this notice in the County Clerk's office is only the initial step in the claim process and does not indicate in any manner the acceptance of responsibility by the County and or its related entities. Written notice is required by law and shall be filed with the County Clerk within one (1) year from the date of occurrence. It will then be sent to the County Claims of Oklahoma Claims Department located at 429 N.E. 50<sup>th</sup> Street in Oklahoma City, Oklahoma (Ph # 800-982-6212) for further investigation. Failure to file your claim within such time frame may result in the claim being barred in its entirety. Other limitations to your claim may also apply (See Oklahoma Statutes, Title # 51, Section 151-172).

CLAIMANT(S) INFORMATION: (Each person making a claim must file a separate notice of tort claim)

Last Name: Hickman First Name: Lisa Middle Initial: R

Address: [REDACTED] City: Muskogee State: OK Zip Code: 74401

Home Phone: [REDACTED] Cell Phone: [REDACTED] Email Address: [REDACTED]

Date/Time of Accident: 5-15-2025 at 2:00 A.M. / P.M.

Location of Accident: 220 State Street Muskogee, OK 74401

Description of Accident:

Court Clerk Dee Dee Brown told me I could not file a document in my case PB-2014-157, unless I paid a fee or filled out a paupers affidavit. This is illegal, a court clerk employee is not authorized to determine this matter regarding my request

Please identify any witnesses to the accident along with their respective addresses and or phone numbers if available.

- All court clerk employees at work on 5-15-2025
- All court clerk employees at work on 5-16-2025
- 

VEHICLE INSURANCE INFORMATION:

1. Have you filed a collision damage claim with your insurance company for these damages? Yes  No

**E-MAILED**  
3:52 PM  
5/23/25

PJ

**E-MAILED**  
5/28 9:44

Rayne Dee Dee

2. Do you expect to be compensated for your vehicle damages from your insurance company? Yes      No     

3. If you have received payment from your insurance company what was the amount received \$                     

MEDICARE/MEDICAID INFORMATION:

1. Are you currently receiving Medicare? Yes ☐ No ☒

2. Has any medical bill incurred as a result of this accident been paid by Medicare/Medicaid? Yes \_\_\_ No \_\_\_

3. If so, please list your Medicare/Medicaid file number: \_\_\_\_\_

I understand that the Medicare/Medicaid information requested is to accurately coordinate benefits with Medicare/Medicaid and to meet it's mandatory reporting obligations under the Medicare Secondary Payer Act 42 U.S.C, Section # 1395Y.

Medicare/Medicaid Beneficiary Name (Please Print)

Medicare/Medicaid Beneficiary Name ( Signiture)

BODILY INJURY:

List all injuries that you incurred as a result of the above described accident along with the total cost of medical expenses you have incurred to date along with any anticipated future medical expenses and or lost wages you may incur:

Dee Dee Brown purposely denied my request to file a document, instead she insisted that I pay a fee or complete a perjury affidavit which is illegal

Were you on the job at the time of the accident/injury? Yes    No   

If you were on the job please list the name/address of your employer: \_\_\_\_\_

## VEHICLE DAMAGE:

Please outline all vehicle related damages that you incurred as a result of this accident along with attaching copies of any paid repair bills and estimates for the cost of all repairs:



PERSONAL PROPERTY DAMAGE (Other than vehicle damage):

List all personal items that were damaged in the above described accident along with the age of the item along with the original cost. Also, include the costs to repair and or replace the items you have listed. Attach all receipts and or estimates to verify the amounts claimed along with any photograph's you may have of the damaged personal property.

	Amount Claimed
1. <u>Dee Dee Brown Court Clerk employee</u>	\$ <u>50,000.00</u>
2. _____	\$ _____
3. _____	\$ _____
4. _____	\$ _____
TOTAL AMOUNT CLAIMED \$ _____	

  
Signature of Claimant

5-23-2025  
Date

FILED BY ROBYN BOSWELL  
DISTRICT COURT CLERK

**RE: Jurisdictional Challenge and Objection to Filing Fee – Case No. PB-2014-157 (Estate of Loretta Myers Hickman)**

MAY 16 2025

Dear Clerk of Court,

MUSKOGEE COUNTY, OK

S YR44

This correspondence, and the previously submitted document dated May 15, 2025, are submitted **strictly under protest** and shall not be construed as consent to this Court's jurisdiction over any trust assets or as a waiver of any rights preserved under Oklahoma or federal law.

This correspondence is submitted to respectfully assert that I, Lisa R. Hickman, should not be required to pay a filing fee or submit a pauper's affidavit for the attached letter and hearing request. I am not initiating a probate action or seeking relief under this Court's jurisdiction. Rather, I am formally **challenging the Court's jurisdiction** over my private trust property, which was wrongfully included in the estate of Loretta Myers Hickman without legal authority or consent.

The trust created by my mother, Loretta Myers Hickman, was never revoked, nor was any valid petition filed to dissolve or administer trust property through the probate process. There is no court order placing this trust under the Court's supervision. In **First Nat. Bank & Trust Co. of Tulsa v. Bassett**, 1992 OK 14, ¶ 8, the Oklahoma Supreme Court held that probate courts do not have jurisdiction over trust property unless the trust is lawfully revoked or invalidated through due process.

To require me to pay a filing fee or submit a financial affidavit in order to **challenge unlawful probate jurisdiction over a private trust** would violate my due process rights. I am not invoking the Court's power—I am contesting it. It would be unjust and constitutionally improper to require payment or financial disclosure for exercising my right to challenge judicial overreach. To impose such a condition on an heir simply for objecting to court overreach undermines not only statutory procedure, but also the **due process protections guaranteed by Article II, § 7 of the Oklahoma Constitution and the Fourteenth Amendment of the U.S. Constitution**.

Moreover, enforcement of a filing fee in this context is inconsistent with Oklahoma law. Under **12 O.S. § 66**, fees are not required where a party is not affirmatively invoking judicial relief but instead opposing improper jurisdiction. Requiring payment to merely object to a court's authority violates the principle that access to justice, especially to challenge jurisdiction, cannot be conditioned on financial contribution.

Furthermore, I must respectfully raise a legal inconsistency: **a personal representative may not lawfully transfer estate property into their own name prior to probate, then later include that same property in the estate inventory**. Doing so presents a conflict of interest and undermines the legitimacy of the probate process.

In **Matter of Estate of Bartlett**, 1984 OK 9, ¶ 17, the Oklahoma Supreme Court held that estate property must be transparently and lawfully accounted for. Unauthorized asset transfers that precede probate filings without disclosure or court approval suggest concealment or conversion. The inclusion of such property in this case raises a direct challenge to the **Court's jurisdiction and the lawful basis of these proceedings**.

The role of the district court clerk is ministerial, and Oklahoma law does not authorize the clerk to determine whether a personal representative may file pleadings or whether jurisdictional challenges must be accompanied by fees. As held in **State ex rel. Bailey v. Rakestraw**, 1986 OK 59, a clerk must accept filings when properly submitted, and questions of jurisdiction or fee applicability must be referred to a judge. Additionally, in **Vance v. Federal Nat. Mortgage Ass'n**, 1999 OK CIV APP 71, the court clarified that only a judge may evaluate jurisdictional objections—not a clerk screening documents at the counter.

Accordingly, I request that this filing be received **without any demand for payment or submission of a pauper's affidavit**, and that the enclosed request for hearing be docketed and file date stamped as submitted.

Respectfully,

Lisa R. Hickman



Amended

Date on first page  
from 5-15-2023

5-16-2025  
to 5-15-2025



COUNTY CLERK

---

**Re: Tort Claim**

1 message

---

**Dusty Birdsong**

To: COUNTY CLERK

Fri, May 23, 2025 at 5:06 PM

Received

Dusty Birdsong

On Fri, May 23, 2025 at 3:54 PM COUNTY CLERK wrote: