

5465

IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

CF - 2022 - 5465

STATE OF OKLAHOMA

Plaintiff,

FILED IN DISTRICT COURT  
OKLAHOMA COUNTY

vs.

DEC 22 2022

RYAN LEE MARTINEZ

RICK WARREN  
COURT CLERK

Defendant.

19 \_\_\_\_\_

*David W. Prater*  
INFORMATION

David W. Prater, the District Attorney of Oklahoma County, Oklahoma, informs the District Court, that:

Count 1: On or about October 26, 2022, in Oklahoma County, Oklahoma, RYAN LEE MARTINEZ, did commit the crime of Actual Physical Control Of Vehicle While Intoxicated, a Felony, by unlawfully, willfully and wrongfully be in actual physical control of a certain motor vehicle, to-wit: 2018 Toyota, at a location of 9 E. Edwards, in the City of Edmond, Oklahoma County, Oklahoma, while the said RYAN LEE MARTINEZ was under the influence of intoxicating liquor, contrary to the provisions of 47 O.S. 11-902 C2 of the Oklahoma statutes, and against the peace and dignity of the State of Oklahoma.

Respectfully Submitted,  
DAVID W. PRATER  
DISTRICT ATTORNEY

*Storm Wilson*

STORM WILSON, OBA #35263  
ASSISTANT DISTRICT ATTORNEY

SB 12/20/22

SB 12/20/22

I have examined the facts in this case and recommend that a warrant do issue, (22 O.S.: 231).

**DAVID W. PRATER**  
DISTRICT ATTORNEY, DISTRICT NO. 7  
OKLAHOMA COUNTY, OKLAHOMA

By:   
**STORM WILSON, OBA #35263**  
**ASSISTANT DISTRICT ATTORNEY**

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WITNESSES

Timothy Ivy, #432  
Edmond Police Dept  
23 E. First Street  
Edmond, OK 73034

Roger Shortt, #533  
Edmond Police Dept  
100 EAST 1ST ST.  
Edmond, OK 73034

Maria Serafin, #SERAFIN  
Edmond Police Dept  
100 EAST 1ST ST.  
Edmond, OK 73034

Cheryl Lee Spencer  
4107 Sooner Place  
Edmond, OK 73034

ORIGINAL

IN THE DISTRICT COURT OF OKLAHOMA COUNTY)  
STATE OF OKLAHOMA)

VS.

Martinez, Ryan Levi )  
2412 Golden Lane )  
Edmond, OK, 73012 )  
S.S.N.:521-47-4716 )  
D.O.B.:4/17/1985 )  
HGT:509 WGT:200 )  
HAIR:BROWN EYES:BROWN )

AFFIDAVIT OF  
PROBABLE CAUSE

STATE OF OKLAHOMA )  
COUNTY OF OKLAHOMA )

ss. \_\_\_\_\_

I, Maria Serafin, being duly sworn Police Officer for the City of Edmond do swear the following statements to be true:

On 10/26/2022 at approximately 2341 hours, I was dispatched to a possible Drunk Driver in the parking lot of the Patriarch located at 9 E Edwards Street, Edmond, OK, Oklahoma County.

Dispatch advised the business refused to serve the Defendant after he arrived intoxicated. They also advised the Defendant was last seen stumbling while getting into a white SUV. When I arrived on scene, I observed the vehicle (OK TAG H39) was running and the Defendant was sitting inside the driver's seat.

I observed The Defendant had difficulty stepping out of the vehicle. I asked the Defendant how much he had to drink tonight, and he stated, "A couple beers in the Patriarch". I then asked the Defendant what his plan was right now, and he stated, "I was going to head to my house right across". The Defendant stated he started drinking around 2200 hours and he believed the current time was 1 in the morning. The actual time was approximately 2347 hours. He then stated he had about 3 to 4 drinks and now believed it was around 0130 to 0200 hours.

As I continued questioning the Defendant, I observed his speech was slurred and he was unsteady on his feet. The Defendant then stated he had two single Vodka-Tonics in the Patriarch, and they were approximately 8 oz each.

I asked the Defendant if he would be willing to take Standardized Field Sobriety tests and he agreed to take the tests. During the tests I observed multiple clues of intoxication.

Based on my observations of the Defendant, I then placed the Defendant under arrest at approximately 0023 hours (10/27/2022). The car keys were located in the ignition of the vehicle. Sergeant Shortt, drove the vehicle forward and backwards to ensure it was operable. I read the Defendant Implied Consent Test request (dated 11/1/2019) and offered him a breath test at 0042 hours. The Defendant refused to take the States Test by stating "I do not submit". I hand delivered a copy of the IDAP and Officer's Affidavit to the Defendant.

Based on these facts and circumstances that occurred in the State of Oklahoma, Oklahoma County, I believe Probable Cause exists for the filing of criminal charges for: Actual Physical Control of A Motor Vehicle Under the Influence of Alcohol (47-11.902.A.2).

Ng 645  
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS 27<sup>th</sup> DAY OF October, 2022



[Signature]  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 5-15-23  
NOTARY NUMBER: 19004980

This court having conducted a probable cause determination for the above named person's arrest without a warrant finds:

- Probable cause for the person's arrest existed at the time of the arrest.  
Arraignment before a Magistrate is ordered.
- Probable cause for the person's arrest did NOT exist at the time of the arrest. The person is ordered released from custody immediately.

Done this \_\_\_ day of \_\_\_\_\_, 20\_\_\_, at \_\_\_\_\_.

\_\_\_\_\_  
Judge of the District Court