

# Marascio's case delayed again

In early 2023, Raphael Marascio, who is now 23 years old, was allegedly in a fight at Baycrest Apartments in Grove. Marascio, who was a standout wrestler at NEO, was charged with felony assault and battery.

After many delays, the case is set for a jury trial in early March. However, his attorney is now claiming that the District Attorney has not properly charged him. The woman he allegedly hit has not yet had her day in court. She testified that she had her jaw broken in two places and had dislocated teeth.

A hearing was set for Friday, Jan. 23, but it was postponed until Monday. Jan. 26. However, the courthouse was closed on Monday because of weather. The defense attorney requested that the hearing on the quash motion be held by teleconference for two witnesses for the defense. If the motion to quash is successful there will not be a trial. For now, the trial is set for March

3, but the filing by Marascio's attorney must be heard before the trial. The motion states, "The State's description does not plead any specific aggravating circumstance required... Because the charging language, as described by the State, lacks the essential element(s) and mental state required... the information fails to state facts constituting the charged offense and must be quashed..."

The Assistant District Attorney Christopher Garner countered the defense attorney by writing: "... aggravated Assault and Battery as an assault and battery that becomes aggravated when committed under certain circumstance, including when great bodily injury is inflicted... The Information sufficiently alleges the elements of Aggravated Assault and Battery under Oklahoma law... and has already been deemed sufficient at arraignment."

Gardner also stated at the



Raphael Marascio

preliminary hearing in August 2023, "... She testified she required medical treatment including two titanium plates in her jaw, having her jaw wired shut for six weeks, two surgeries, and a root canal."



## REPRESENTATIVE ADDRESSES UNINTENDED CONSEQUENCES IN OKLAHOMA'S NEW DUI STATUTE

Oklahoma Representative Andy Fugate (D-Del City) has introduced HB 3018, a piece of legislation he says will be a targeted fix to an oversight created in last year's DUI statute amendment, SB 54, which established a new "aggravated DUI" classification.

Fugate said that while SB 54 aimed to strengthen impaired-driving enforcement, it also removed the long-standing two-hour window for blood testing involving Schedule I substances. This change unintentionally created a legal conundrum for licensed medical marijuana patients, because THC can remain detectable in the bloodstream for up to 30 days.

With no legally defined blood-content threshold for marijuana impairment in Oklahoma, the absence of a time limit meant that lawful medical marijuana users could face DUI charges without any evidence of actual impairment.

### Fugate said HB 3018 addresses this gap by:

- Removing marijuana, marijuana derivatives, and cannabinoids from the blood-testing provisions of the aggravated DUI statute.
- Preserving all field sobriety testing tools used by law enforcement to identify real-time impairment.
- Ensuring that Oklahoma's DUI laws remain fair, enforceable, and focused on safety, rather than penalizing lawful medical marijuana use.

Fugate emphasized that the bill is a practical correction to ensure the law functions as intended.

"This issue was brought to my attention by a constituent, and I'm grateful for their help in identifying the problem," he said. "HB 3018 ensures that our DUI laws target impaired drivers and not patients who are following Oklahoma's medical marijuana laws."

# Ottawa County Court Report

## Marriages

Joseph Carlin Adkins and Samantha Cheyenne Birdsong  
Lester Kelby Gulley and Belinda Jo Holder  
Jacob Ryan Tolle and Amber Marie Johnson

## Divorces

Desirrae Lorraine Berryhill vs. David Wayne Berryhill  
Kambie Lynn Dainty vs. Wesley Ryan Dainty  
Phoebe Mitchell vs. Daniel Mitchell

## Protective Orders

Zacharee Nathaniel Brodrick vs. Jeremie Paul Forkner  
Dolores Sue Sapp vs. Terry Lewis Sapp

## Misdemeanors

State of Oklahoma vs. Brandon Bean for public intoxication

State of Oklahoma vs. Charles Fredrick Booth for failure to maintain insurance or security  
State of Oklahoma vs. Samuel Paul Lagore for failure to maintain insurance or security  
State of Oklahoma vs. Michael Todd Mahurin for driving without a driver's license  
State of Oklahoma vs. Matthew G. Monson for driving with license cancelled/suspended/revoked  
State of Oklahoma vs. Kristine Jeanette Rush for operate a motor vehicle without a valid driver's license  
State of Oklahoma vs. Nathan Vanhoose for driving without a valid driver's license  
State of Oklahoma vs. Justus Taylor Washburn for possession of controlled dangerous substance – methamphetamine and marijuana  
State of Oklahoma vs. Kevin

Andrew Williams for public intoxication and disturbing the peace  
State of Oklahoma vs. Brian Calvin Wolfenbarger for failure to maintain insurance or security

## Felonies

State of Oklahoma vs. Vincent M. Capriglione for trafficking in illegal drugs – marijuana  
State of Oklahoma vs. Jasmine Renay Edgar for endangering others while eluding/attempting to elude police officer  
State of Oklahoma vs. Christina Ann Madrigal for trafficking in controlled dangerous substance – methamphetamine  
State of Oklahoma vs. Christopher Lee Parrett for trafficking in controlled dangerous substance – methamphetamine

# LEGALS

## NOTICE OF INTENTION TO APPLY FOR, OR RELOCATION OF, A CHARITY GAMES LICENSE

In accordance with Title 3A, Section 411(A) and ABLE Commission Rule 45:50-1-11, Miami Seniors' Center hereby publishes notice of their intention to apply, or relocate, their premises within sixty days from this date to the Oklahoma Alcoholic Beverage Laws Enforcement Commission for a Charity Games Organization licensed under authority of and in compliance with the said Act: That they intend, if granted such license, to operate as a Charity Games Organization with business premises to be located at, 2104 Denver Harner Drive, in Miami, Ottawa County, Oklahoma under the business name of Miami Seniors' Center.

Dated this 12<sup>th</sup> day of December, 2025.  
/s/ Mark McDowell  
State of Oklahoma County of Ottawa.

Before me, the undersigned notary public, personally appeared Mark McDowell to me known to be the person described in and who executed the foregoing application this 12<sup>th</sup> day of December, 2025.

/s/ Cindy Vanover, Notary Public  
My Commission Expires: 11-15-2029

(Published in the Miami News Record January 27 and February 3, 2026)  
LPXLP

Crossland Construction Company is accepting bids for both the NEO Student Union Galley Renovation as well as the Harrill-Dobson Interior Restroom Upgrades. A pre-bid walk of the renovation space is scheduled on February 3rd, 2026, at 2 PM Central and will be held starting at the NEO Student Union, 200 I Street NE, Miami, Oklahoma. Attendance at the pre-bid meeting is highly recommended. Bids are due by 2:00PM on Tuesday, February 17, 2026 at the NEO Student Union, Blue & Gold Room. Only hand delivered bids accepted, no email bids. The scope of work consists of demo and remodel of the NEO Student Union Galley as well as the Harrill-Dobson Restroom Upgrades.

Plans, Specifications, and all other project specific information will be available through the Crossland Construction Columbus Office at 620-429-1414. If you are interested in bidding on this project, please contact Nick Humble at nhumble@crossland.com.

(Published in the Miami News Record February 3, 6, 10, and 13, 2026)  
LPXLP

## PEORIA TRIBE TO HOLD ANNUAL ELECTIONS

The Election Committee of the Peoria Tribe of Indians of Oklahoma announces the Tribal Election for the positions of Chief, and two seats on the Grievance Committee. The term of office for both positions is four (4) years.

Candidates who have filed for the office of Chief are:

**Sammy Beets**  
**Rosanna E. Dobbs**  
**Charla K. EchoHawk**

Candidates who have filed for the Grievance Committee are:

**James Beets**  
**Mary Lembcke Davey**  
**Patrick W. Morris**  
**Sarah Randolph**

## Dakota Sixkiller

The annual election will be held on Saturday, March 7, 2026, at the Peoria Tribal Administration Building Conference Room, 118 South Eight Tribes Trail, Miami, Oklahoma, from 7:00 a.m. to Noon. Any member of the Peoria Tribe of Indians of Oklahoma shall be eligible to vote, provided the member is eighteen (18) years of age or over on the date of the election. Each member will be required to show proof of identification at each election in the form of a government-issued photo identification showing their name to match the Official Voters' List provided by the Tribal Enrollment Office. The ballots will be counted and tabulated, and the results will be announced at the Annual General Council Meeting on Saturday, March 7, 2026, convening at 1:00 p.m.

(Published in the Miami News Record February 3, 2026)  
LPXLP

Cellco Partnership and its controlled affiliates doing business as Verizon Wireless (Verizon Wireless) is proposing to collocate antennas on an existing 232.86-foot self-support tower located at 1551 South 696 Road in Quapaw, Ottawa County, Oklahoma 74363 (36° 59' 28.748" North and 94° 37' 25.889" West) with the proposed antennas being collocated at a maximum height of 230 feet. Modification plans also include modifying the lightning rod on top of the tower to meet FAA requirements in the area. Public comments regarding potential effects from this site on historic properties may be submitted within 30-days from the date of this publication to: Jenny Guest, Terracon, 5111 Commerce Crossings Drive Suite 120, Louisville, KY 40229, 502-365-9702 or jenny.guest@terracon.com

(Published in the Miami News Record February 3, 2026)  
LPXLP

## THE DISTRICT COURT OF OTTAWA COUNTY STATE OF OKLAHOMA

IN RE THE MATTER OF J. E. S., a minor child, FOR CHANGE OF NAME

### Case No.: CV-2026-5 NOTICE OF PETITION FOR NAME CHANGE AND HEARING DATE

TO: VICTOR STRENA AND ALL OTHER INTERESTED PARTIES:

YOU ARE HEREBY provided NOTICE OF FILING a Petition for Change of Name of J.E.S. on the 14th day of January, 2026, in the Matter of J.E.S. for Change of Name, Case No. CV-2026-5, in the District Court of Ottawa County, State of Oklahoma.

YOU ARE HEREBY also provided NOTICE OF HEARING on the Petition for Change of Name. Hearing is set in the District Court of Ottawa County before the Honorable Matt Whalen, Judge of the District Court, at 10:00 a.m. on the 26th day of February, 2026, at 102 E. Central, Miami, Oklahoma 74354.

YOU ARE HEREBY also provided NOTICE that any person may file a written protest in the case prior to the date set for the hearing.

/s/ R. Matt Whalen  
JUDGE OF THE DISTRICT COURT

Submitted by:  
/s/ J. Wayne Kennon  
**J. Wayne Kennon OBA #18950**  
**J. Wayne Kennon Law Office**  
**211 East Central**  
**P. O. Box 1460**  
**Miami, Oklahoma 74355**  
**Telephone (918) 542-9191**  
**Fax (918) 542-9192**  
**Attorney for Petitioner**

(Published in the Miami News Record January 20 and 27, and February 3, 2026)  
LPXLP

## IN THE DISTRICT COURT IN AND FOR OTTAWA COUNTY STATE OF OKLAHOMA

MCKENNA ANN NEESMITH  
Petitioner,

- vs -

STEVEN PAUL DUFFIELD II,  
Respondent,

### No. FP-2025-37 SERVICE OF SUMMONS & NOTICE OF HEARING

State of Oklahoma To: STEVEN PAUL DUFFIELD II, Natural Father of P.A.D. DOB 8/2/2024.

TAKE NOTICE that a Petition has been filed in the District Court of Ottawa County, Oklahoma, requesting that Petitioner, McKenna Ann Neesmith be granted custody of the minor child P.A.D.

YOU ARE NOTIFIED that you must file an Answer to the Petition on or before March 19, 2026, which is 41 days after date of first publication, or the allegations contained in the Petition will be taken as true and judgment will be entered against you and in favor of Petitioner as prayed for in the Petition.

YOU ARE FURTHER NOTIFIED that a hearing has been set at 10:00 am on March 26, 2026, before the Honorable Matt Whalen in the District Court of Ottawa County, 102 East Central Avenue, Miami, Oklahoma, at which time you should appear and show cause why Petitioner should not be granted judgment requested in the Petition.

Given under my hand and seal on the 28th day of January, 2026.

**Cassie Key, Court Clerk**  
By \_\_\_\_\_  
**Deputy Court Clerk**

[SEAL]

Prepared by:  
**Johnathan Preston**  
**Preston Law, PLLC**

**103 E Central Ave. Ste 500**  
**Miami, Oklahoma 74354**  
**918-238-2202**  
**jpreston@jprestonlaw.net**  
**Attorney for Petitioner**

(Published in the Miami News Record February 3, 10, and 17, 2026)  
LPXLP

Wyandotte Fire Department is seeking sealed bids on a 1994 Ford F 8000 cab and Chassis sealed bids begin February 9-2026 to February 27-2026 all bids can be mailed attention:

Wyandotte Fire Department  
212 S Main Street  
Wyandotte Ok 74370  
918-678-2211

(Published in the Miami News Record February 3 and 6, 2026)  
LPXLP

## OKLAHOMA CLASSIFIED AD NETWORK

FOR MORE INFO CALL  
**1-888-815-2672**  
**WANT TO BUY**

**OLD GUITARS WANTED!** LARRY BRING\$ CASH for vintage USA guitars, tube amps, banjos, mandolins, etc. Fender, Gibson, Martin, Gretsch, others. Call or text 918-288-2222. www.stringswest.com

## ONLINE AUCTION

**ONLINE AUCTION- 2/19:** 3 BDRM, 2 BA Home w/Detached Garage/Shop on 0.8 Acres, Mustang, OK | '64 Buick Wildcat 455 | Cargo Trailer | Sound & Lighting Equip. | Zero Turn Lawn Mower Tools & Household Items & More! WigginsAuctioneers.com 580-233-3066

## ADVERTISE STATEWIDE

Put your message where it matters most – **IN OKLAHOMA NEWSPAPERS.** We can place your ad in 134 newspapers. For more information or to place an ad, contact Landon Cobb at (405) 499-0022 or toll-free in OK at 1-888-815-2672.