

IN THE DISTRICT COURT OF OKFUSKEE COUNTY
STATE OF OKLAHOMA

Thlopthlocco Tribal Town, a)
federally-recognized Indian Tribe,)

Plaintiff,)

 -vs-)

 (Group 1))
Brent Smith, Tim Cheek, Cole)
Trickey, Tim Wolf, Miranda Kelough,)
David Haney, Mike Harjochee, and)
other unknown individuals acting in)
concert and joint participation with)
Group 1 Defendants;)

 and)

et al., (Group 2))
Nathan Anderson, et al., and other)
unknown individuals acting in concert)
and joint participation with Group 2)
Defendants,)

Defendants.)

NO. CJ-2025- 79
(Action in Trespass)

FILED
 IN DISTRICT COURT
 OKFUSKEE COUNTY, OKLA.

OCT 27 2025

SHERRIL L. EPPHIMAN, COURT CLERK
 BY JB DEPUTY

ORDER GRANTING EMERGENCY
TEMPORARY RESTRAINING ORDER

This matter is before the Court on an emergency hearing on Plaintiff's verified Petition for a temporary restraining order. Plaintiff Thlopthlocco Tribal Town appears by counsel, Jerry Colclazier, and defendants appear [in person/by counsel/does not appear].

The Court, having considered the pleadings, verified Petition, other evidence and arguments of counsel, and being fully advised in the premises, finds as follows:

1. Plaintiff Thlopthlocco Tribal Town has certain Indian trust land located in Okfuskee County at the Clearview Exit on I-40 where its governmental offices and commercial business operations are conducted. Plaintiff's governing body, the Thlopthlocco Tribal Town Business Committee, has consented to the jurisdiction of this Court to adjudicate this matter under a limited waiver of sovereign immunity.

2. Defendant Brent Smith and other Defendants identified as Group 2 in the style of this case, without lawful authority, have trespassed onto tribal property and harassed tribal officials and employees and disrupted tribal governmental functions and these Defendants have refused to leave when instructed to do so by tribal officials.

3. The apparent refusal of the Creek Nation Lighthorse to return to Thlopthlocco tribal properties to help keep the peace and the lack of sufficient security guards to maintain control of tribal property has created a "No Man's Land" on Thlopthlocco tribal property constituting an emergency within the judgment of this Court.

4. Upon consideration of these and the other facts alleges in the Petition, the Court concludes at this stage of the proceedings that Plaintiff Thlopthlocco has demonstrated a substantial likelihood of success on the merits,

further demonstrated substantial irreparable harms without injunctive relief, and the balance of harms weigh in favor of Plaintiff, and the public interest would be served by the entry of an emergency temporary restraining order and injunction until a full hearing may be held and a permanent injunction be considered and ordered.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED:

1. Defendants **Brent Smith, Tim Cheek, Cole Trickey, Tim Wolf, Miranda Kelough, David Haney, Mike Harjochee**, and other unknown individuals acting in concert and joint participation with Group 1 Defendants are hereby enjoined and restrained from:

- A. Coming onto Thlopthlocco Tribal lands or any Thlopthlocco governmental offices until a hearing in this matter and further order of this Court.
- B. Engaging in any harassing, threatening, or disruptive behavior toward any Thlopthlocco tribal official or employee.
- C. Any other unknown individual acting in concern and joint participation with Group 1 Defendants, or acting separately, who comes onto Thlopthlocco Tribal lands and who engages in any harassing, threatening, or disruptive behavior may be served a copy of this Temporary Restraining Order by any Thlopthlocco tribal official as a trespass notice and such person should immediately cease and desist such behavior and leave the premises. Any such


person shall be entitled to contest such exclusion and may apply to this Court for relief.

D. Thlopthlocco tribal officials may contact the Sheriff's department for the purposes of enforcement of this order.

E. This Temporary Restraining Order shall remain in effect until further order of this Court.

F. A hearing on a temporary injunction at Plaintiff's request is set for 18th day of November, 2025 at 1:30 P.M.

IT IS SO ORDERED this 27th day of October, 2025 at 1:25 AM/PM


Lawrence Parish
Judge of the District Court
Okfuskee County, State of Oklahoma


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