

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

TERRY BAYLES;	)	
KERRY WELBORN;	)	
AUSTIN CLAYLON;	)	
TONY BLAKE;	)	
MISTY CAMPBELL;	)	
BILLY CHASE;	)	
JEREMIAH COLBERT;	)	No. CIV-25-370
GEORGE DAVENPORT;	)	
CHRISTOPHER GRAY;	)	
JAMES HENSON;	)	
PEYTON JONES;	)	
JAMES GEOFFREY;	)	
ADELBY MARTINEZ;	)	
JAMES MCKIBBEN;	)	
Petitioners	)	
	)	
-vs-	)	
	)	
THE CHOCTAW NATION OF	)	
OKLAHOMA; CHOCTAW COUNTY	)	
SHERIFF, TERRY PARK, EX. REL.	)	
COUNTY JAIL	)	
Respondents	)	

**PETITIONERS' REPLY TO CHOCTAW COUNTY JAIL'S RESPONSE IN OPPOSITION
TO PETITIONERS' MOTION FOR LEAVE TO AMEND**

COMES NOW, the Petitioners, individually and collectively by and through their attorneys of record and in support of their Reply to Defendant Choctaw County Jail's Response in Opposition to Petitioners' Opposed Motion for Leave to Amend Complaint to Add Defendants [Doc 37], jointly and severally, and allege and state the following:

I. INTRODUCTION

The Choctaw Jail's opposition [Doc. 39] simply adopts the Nation's Opposition [Doc 37] and arguments without independent analysis. Therefore, Petitioners incorporate by reference their Response to [Doc. 37] and Reply to [Doc 42] as though fully set forth herein. Collectively, Defendants fail to rebut Petitioners' showing that they remain in tribal custody and fail to show that amendment to add individual officials is either futile or prejudicial.

IV. CONCLUSION

For the foregoing reasons set forth in detail in Petitioners Reply to [Doc 37], Petitioners respectfully request that this Court grant their Motion for Leave to Amend, accept the Proposed Second Amended Petition (attached to Petitioners Reply to [Doc 37]) and deny both the Co-Defendant's Motions in Opposition [Doc 37 and Doc 39], in addition to permitting this matter to proceed to discovery, and along with any other relief this Court finds necessary and just.

Respectfully Submitted,

/s/ Tiffani J. Shipman

Tiffani J. Shipman, OBA #34261
405-312-2231
P.O. Box 67
Durant, Oklahoma 74702
tiffanijshipman@gmail.com

and

Dale Ellis, OBA #12280
918-557-5415
P.O. Box 67

Durant, Oklahoma 74702
insurancelaw@msn.com

and

Garrett Eller, OBA #33501
Eller Legal
539 W Commerce St, STE 1386
Dallas, Texas 75208
garrett@ellerlegal.com

ATTORNEYS FOR PETITIONERS

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the Clerk of the Court for the United States District Court, Eastern District of Oklahoma, by using the Court's Case Management/Electronic Case Filing (CM/ECF) system, on February 3, 2026.

I hereby attest that concurrence in the content of the attached document and authorization to file the attached document has been obtained from the other signatory indicated by a conformed signature (/s/) within the attached e-filed document.

Dated: February 3, 2026

/s/ Tiffani J. Shipman
Tiffani J. Shipman, OBA #34261