

**IN THE DISTRICT COURT IN AND FOR OKFUSKEE COUNTY,
STATE OF OKLAHOMA
AFFIDAVIT OF PROBABLE CAUSE
TO MAKE WARRANTLESS CUSTODIAL ARREST**

ARRESTED SUBJECT: Pelley, Billie
LAST NAME FIRST NAME

[REDACTED]

OFFENSE COMMITTED: (1) Rape

Facts and circumstances, which support probable cause to arrest the above named person, are (Explain what happened leading to the arrest).

On January 6, 2008 Billie Pelley [REDACTED] came to the Sheriff's Office for an interview concerning the incident with her and Inmate Bobby Mann [REDACTED]. I advised Ms. Pelley I needed to clear some things up concerning what happened with Mr. Mann. Ms. Pelley stated she would talk to me.

I had Ms. Pelley read, initial and sign the Miranda Warning. The Miranda Warning is attached to the report. After Ms. Pelley signed the Miranda I asked her if anything more happened between her and Mr. Mann. Ms. Pelley looked away and said, "what did Bobby say." I advised Ms. Pelley Mr. Mann stated there was oral sex involved. Ms. Pelley stated there was (oral sex). I asked Ms. Pelley if she would write a statement. Ms. Pelley stated she would write a statement.

Ms. Pelley wrote in her statement, she entered cell 10 with Bobby Mann. Ms. Pelley stated the two of them kissed for a while. Ms. Pelley stated she then performed oral sex on Mr. Mann. Ms. Pelley stated she stopped after thinking about what she was doing. Ms. Pelley stated after she stopped Andrea (Million-dispatcher) came into cell 10. Ms. Pelley stated when Ms. Million entered cell 10 she was sitting on the side of the bed. Ms. Pelley stated she left with Ms. Million.

Opon oath, I declare the information is true and correct to the best of my knowledge and belief.

Daniel Samner
SIGNATURE OF AFFIANT

Signed and sworn to before me this 14 day of Jan., 2008

My Commission Expires:

11-24-08

ORDER

Kimberly S. Whelace
NOTARY PUBLIC

This Court having conducted a probable cause determination for the subject's arrest without a warrant finds:

That probable cause for the subject's arrest does exist and did at the time of the arrest. Probable cause did not exist for the subject's arrest and the subject is ordered released immediately.

Done this 17 day of JANUARY, 2008 at _____ o'clock _____ m.

[Signature]
JUDGE OF THE DISTRICT COURT