

**IN THE DISTRICT COURT IN AND FOR WASHINGTON COUNTY  
STATE OF OKLAHOMA**

MISTY ARMITAGE, and )  
GLEND A MARTIN, )  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
THE CITY OF BARTLESVILLE, )  
OKLAHOMA, a political subdivision of the )  
STATE OF OKLAHOMA; )  
REED BLACKARD; LEVI JOHNSON; )  
OFFICER JOHN DOE; OFFICER )  
JANE DOE; )  
 )  
Defendants. )

Case No. *CS-25-82*

DISTRICT COURT WASHINGTON CO OK  
JEAN DAVIS, COURT CLERK  
APR 4 1 2025  
BY *[Signature]* DEPUTY

**PETITION**

Come now the Plaintiffs, Misty Armitage and Glenda Martin, through their attorney, Mark D. Lyons of Lyons & Clark, Inc., and for their claims against the Defendants, hereby state and allege as follows:

1. The Plaintiff, Misty Armitage, is a resident of Washington County, Oklahoma, and was at the time the facts occurred for the claims alleged.
2. The Plaintiff, Glenda Martin, is a resident of Washington County, Oklahoma, and was at the time the facts occurred for the claims alleged.
3. The Defendant, The City of Bartlesville, Oklahoma, is a political subdivision located in Washington, County, Oklahoma.
4. The Defendant, Reed Blackard, was a police officer for the City of Bartlesville, Oklahoma, at the time the facts occurred for the claims alleged.

5. The Defendant, Levi Johnson, was a police officer for the City of Bartlesville, Oklahoma, at the time the facts occurred for the claims alleged.

6. The incident alleged for Misty Armitage occurred on April 14<sup>th</sup>, 2024. She filed a tort claim with the City of Bartlesville, which denied her claim.

7. The incident alleged for Glenda Martin occurred on May 16<sup>th</sup>, 2024. She filed a tort claim with the City of Bartlesville, which denied her claim.

8. Upon service of process upon the Defendants, this Court will have subject matter jurisdiction over the claims alleged and personal jurisdiction over the Defendants.

### **FIRST CLAIM FOR RELIEF**

#### **MISTY ARMITAGE - FALSE ARREST AND ASSAULT AND BATTERY**

9. On Sunday afternoon, April 14<sup>th</sup>, 2024, Misty Armitage was driving with her granddaughter when her granddaughter developed a severe nose bleed in the back seat of the Plaintiff's SUV.

10. Believing her granddaughter was suffering from a serious medical condition, the Plaintiff started driving through Bartlesville towards Jane Phillips Memorial Hospital.

11. The Defendants, Reed Blackard and Levi Johnson, initially acting within the scope of the employment as police officers for the City of Bartlesville, put on the red lights on their patrol cars and the Plaintiff pulled over and stopped her car in downtown Bartlesville.

12. When Defendants Blackard and Johnson came to the driver's side window, Ms. Armitage immediately advised them her granddaughter in the back seat was having a nose bleed and she needed to get emergency medical attention for her.

13. The officers then accused Ms. Armitage of having been at the casino (west of town), and either accused or asked her if she had been drinking or taking drugs. She absolutely denied this and again told the Defendants she needed emergency medical care for her granddaughter.

14. The Defendants Blackard and Johnson insisted Ms. Armitage immediately get out of her vehicle and, when she hesitated, the Defendants opened the car door, pulled Ms. Armitage out of the car, wrestled her face down to the pavement, forced her hands behind her and handcuffed her while placing their body weights on her. At best, the only crimes for which the officers had any probable cause to detain Ms. Armitage, were speeding and running a stop sign.

15. Ms. Armitage was assaulted and battered and taken to the Washington County jail where she was strip searched.

16. She was arrested for the misdemeanor crimes of eluding, resisting arrest and escape. The escape allegation is that one hand came out of her handcuffs while secured in the back seat of a City of Bartlesville police car.

17. Ms. Armitage was falsely arrested (by being taken into custody) and at best, she should have been issued warning tickets or tickets. During the course of the arrest, she was subjected to the unnecessary use of force by being drug out of her vehicle, wrestled to the pavement and assaulted and battered while being handcuffed.

18. As a result of the false arrest and assault and battery, she was taken to the Washington County jail; subjected to a strip search; forced to post bond; and, had meritless criminal charges filed against her.

19. As a direct result of the Defendants actions, she has suffered physical injuries and emotional distress for the amount allowed under the limits of the Oklahoma Governmental Tort Claims Act. The City of Bartlesville is liable for the tortious acts of its police officers.

20. The Defendants Reed Blackard and Levi Johnson are individually liable as a jury can believe that at some point during the arrest of Ms. Armitage they acted with malice and/or exceeded the scope of their authority as police officers acting in good faith. See *Decorte v. Robinson*, 1998 OK 87, 969 P.2d 358, *Nail v. City of Henryetta*, 1996 OK 12, 911 P.2d 914, and *Holman By & Through Holman v. Wheeler*, 1983 OK 72, 677 P.2d 645. Reed and Johnson, at some point during their encounter with Ms. Armitage, acted maliciously and in bad faith and used more force than was necessary against her. As such, she is entitled to a judgment individually against Blackard and Johnson for actual damages and for punitive damages for all limits allowed pursuant to Okla.Stat. tit. 23, §9.1.

WHEREFORE, PREMISES CONSIDERED, the Plaintiff Misty Armitage prays she be granted judgment against the City of Bartlesville for the sums allowed under the Oklahoma Governmental Tort Claims Act for false arrest and assault and battery; that she be granted judgment against Reed Blackard individually for false arrest and assault and battery in the amount of \$50,000.00 in actual damages and all punitive damages allowed under Okla.Stat. tit. 23, §9.1; that she be granted judgment against Levi Johnson individually for false arrest and assault and battery in the amount of \$50,000.00 in actual damages and all punitive damages allowed under Okla.Stat. tit. 23, §9.1; and, that she be awarded prejudgment and post-judgment interest, costs of the action, and all other relief to which she may be entitled.

**SECOND CLAIM FOR RELIEF**  
**GLENDAMARTIN - FALSE ARREST,**  
**ASSAULT AND BATTERY, DEFAMATION/FALSE LIGHT**

21. On May 16<sup>th</sup>, 2024, at about 3:15 in the afternoon, the Plaintiff Glenda Martin had just left from a routine visit at her doctor's office, near the intersection of Adams Road and Adams Boulevard. A pickup truck with engine or mechanical problems was stopped in the intersection and blocked her way to turn onto Adams Road. She pulled around the truck and turned west bound onto Adams Road.

22. Officer Reed Blackard turned on his emergency lights and pulled her over. When he approached her driver's side window, he immediately ordered her out of her car. Off. Blackard, and/or other Bartlesville Police Officers, directed Ms. Martin to perform field sobriety tests, which she did and passed. Yet Blackard and other officers falsely accused her of slurring her speech, having slow uncoordinated movements and that she performed "poorly on SFST's" (standard field sobriety tests). She was arrested for driving under the influence and taken to jail where she stayed overnight because she was not allowed to post bond that day. During the course of the arrest, Blackard used unnecessary force to arrest Ms. Martin and assaulted and battered her.

23. Before being taken to jail, she was taken to Jane Phillips emergency room and submitted to a blood test. The test was NEGATIVE for ALCOHOL and CONTROLLED DRUGS.

24. As a result of her false arrest, Ms. Martin's photograph appeared in local newspaper in Washington County, as being arrested for "DUI - LIQUOR OR DRUGS/APCV". She was also shown on the paper's website at Jailbirds.com.

25. Ms. Martin is entitled to actual damages for false arrest, assault and battery and false light in the amount allowed up to the limits of the Oklahoma Governmental Tort Claims Act.

26. The Defendants Reed Blackard and Officers John Doe and Jane Does are individually liable, as a jury can believe that at some point during the arrest of Ms. Martin, they acted with malice and/or exceeded the scope of their authority as police officers acting in good faith. See *Decorte v. Robinson*, 1998 OK 87, 969 P.2d 358, *Nail v. City of Henryetta*, 1996 OK 12, 911 P.2d 914, and *Holman By & Through Holman v. Wheeler*, 1983 OK 72, 677 P.2d 645. At some point during their encounter with Ms. Martin, Blackard and Officers John Doe and Jane Doe acted maliciously and in bad faith by falsely claiming she exhibited signs of intoxication and driving under the influence, when such claims are utterly and provably false and not supported by probable cause. As such she is entitled to a judgment individually against Blackard and Defendants John Doe and Jane Doe for actual damages and for punitive damages for all limits allowed pursuant to Okla.Stat. tit. 23, §9.1.

WHEREFORE, PREMISES CONSIDERED, the Plaintiff Glenda Martin prays she be granted judgment against the City of Bartlesville for all damages allowed under the Oklahoma Governmental Tort Claims Act for false arrest, assault and battery and false light; that she be granted judgment against Reed Blackard in the amount of \$50,000.00 for actual damages and for all punitive damages allowed under Okla.Stat. tit. 32, § 9.1; that she be granted judgment against Defendants John Doe and Jane Doe in the amount of \$50,000.00 for actual damages and for all punitive damages allowed under Okla.Stat. tit. 32, § 9.1; and, that she be awarded prejudgment and post-judgment interest, costs of the action and all other relief to which she may be entitled.

Respectfully submitted,



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**Attorney for the Plaintiffs**

Jury Trial Demanded  
Attorney's Lien Claimed