

IN THE DISTRICT COURT OF STEPHENS COUNTY
THE STATE OF OKLAHOMA

FILED DISTRICT COURT
Stephens County, Okla.

AUG 20 2013

MARGARET CUNNINGHAM
COURT CLERK

THE STATE OF OKLAHOMA,

Plaintiff,

vs.

ALAN JOSEPH HRUBY

ADDR: 1217 Bent Tree

Duncan, OK 73533

SSN: [REDACTED]

DOB: 05/08/95

Defendant(s).

Case No. CF-2013-

216

INFORMATION

FOR:

COUNT 1: TAKING CREDIT CARD OF ANOTHER ~ 21 O.S. § 1550.22, a FELONY

STATE OF OKLAHOMA, COUNTY OF STEPHENS:

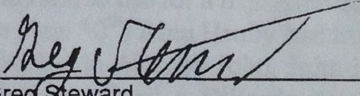
I, **Jason M. Hicks**, the undersigned District Attorney of said County, in the name and by the authority, and on behalf of the State of Oklahoma, give information that in said County of Stephens and in the State of Oklahoma, **ALAN JOSEPH HRUBY**, did then and there unlawfully, willfully, knowingly and wrongfully commit the crime(s) of:

COUNT 1: TAKING CREDIT CARD OF ANOTHER ~ a FELONY, on or about the 23rd day of June, 2013, by taking a credit card issued by Dillard's American Express to Janis Hruby without the consent of Janis Hruby, with the unlawful and felonious intent to use credit card.

This crime is punishable by imprisonment for up to 3 years or up to \$3,000 fine, or both.

JASON M. HICKS
DISTRICT ATTORNEY

By:


Greg Steward
Assistant District Attorney

WITNESSES ENDORSED FOR THE STATE OF OKLAHOMA

Justin Scott, DTF, 101 South 11th Street, Room #303, Duncan, OK 73533

John Hruby, 1217 Bent Tree, Duncan, OK 73533

Janis Hruby, c/o Justin Scott, DTF, Duncan, OK 73533

Dillard's American Express Records Custodian, c/o Justin Scott, DTF, Duncan, OK 73533

IN THE DISTRICT COURT IN AND FOR STEPHENS COUNTY
STATE OF OKLAHOMA

THE STATE OF OKLAHOMA,

Plaintiff,

vs.

Hruby, Alan Joseph

DOB: 05/08/1995

SSN: 446-06-9281

Defendant(s).

FILED DISTRICT COURT
Stephens County, Okla.

AUG 20 2013

MARGARET CUNNINGHAM
COURT CLERK

CF-2013-276

AFFIDAVIT

The undersigned upon oath deposes and states as follows, to-wit:

Your affiant is a certified and commissioned police officer in and for the State of Oklahoma and is currently employed as Chief Investigator for the Sixth District Attorney's Office and is currently assigned to the General Investigations Division and serves as the Director of the District Six District Attorney's Office Drug and Violent Crimes Task Force. Your affiant has been employed by the District Six District Attorney's Office for over 14 years. In addition, your affiant has conducted numerous investigations involving the illegal taking, removing and diverting funds that are found to have been embezzled by offenders in violation of The Oklahoma State Statutes.

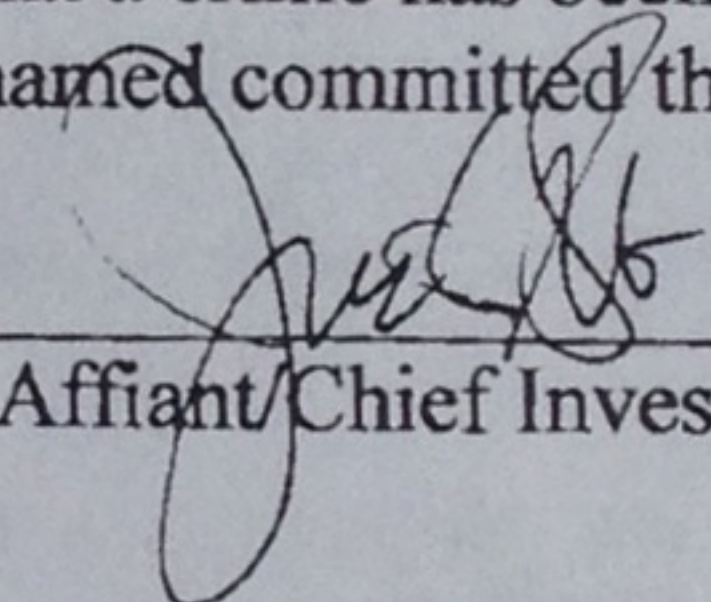
On August 9, 2013, your affiant met with John Hruby in reference to a possible misuse of a credit card by John Hrubys son, Alan Hruby. John Hruby advised that John had an airline voucher and that John and his wife were not going to utilize the voucher. John Hruby advised that he had given the airline voucher to his son to use for a trip. John advised that during the last week in June 2013 (either June 23 or June 30th) Alan Hruby had traveled to Europe by utilizing the airline voucher that was provided to Alan by John. John Hruby advised that shortly before Alan's trip to Europe, John received a Dillards American Express credit card in the mail addressed to his mother, Janis Hruby and listed an address of "1217 Dent Tree" in Duncan, Oklahoma. Upon receiving this credit card in the mail addressed to his mother, John Hruby advised that he believed that to be unusual but figured it was a replacement card and that his mother had the cards sent to Johns address instead of her own address.

John Hruby advised that he had taken the card to his mother and learned that his mother was unaware of the credit card. John Hruby advised that upon learning that his mother was unaware of the newly opened account, John advised that e believed that his son Alan could have opened this account without his mothers knowledge. John advised that he

was able to gain access to the account by internet and observed that there were numerous charges on the credit card ending in 6239 in Europe, specifically Paris. These charges on this Dillards American Express card totaled \$4,891.18 and were accumulated during the time that Alan was in Europe according to John Hruby. Your affiant asked John Hruby to call the credit card company back and see if they would be able to verify where the newly applied cards were sent. John Hruby made contact with your affiant and advised that both cards ending in 6239 were sent to John Hruby's address of 1217 Bent Tree in Duncan, Stephens County, Oklahoma and further advised that Alan was residing with John and his wife at the address on Bent Tree. Your affiant was able to observe one of the credit cards that was sent to John Hruby and observed that the owner and name of the 1 of 2 credit cards was Janis Hruby. Your affiant knows based upon the conversation with John Hruby that both the fraudulent credit cards were sent to the address of 1217 Bent Tree and that the card that was utilized in Europe was fraudulently obtained and taken from the address of 1217 Bent Tree and utilized in Europe.

Your affiant believes that based upon the issuing credit card in the name of Janis Hruby, that Alan Hruby had fraudulently created a credit in the name of Janis and used the credit card while on vacation in Europe.

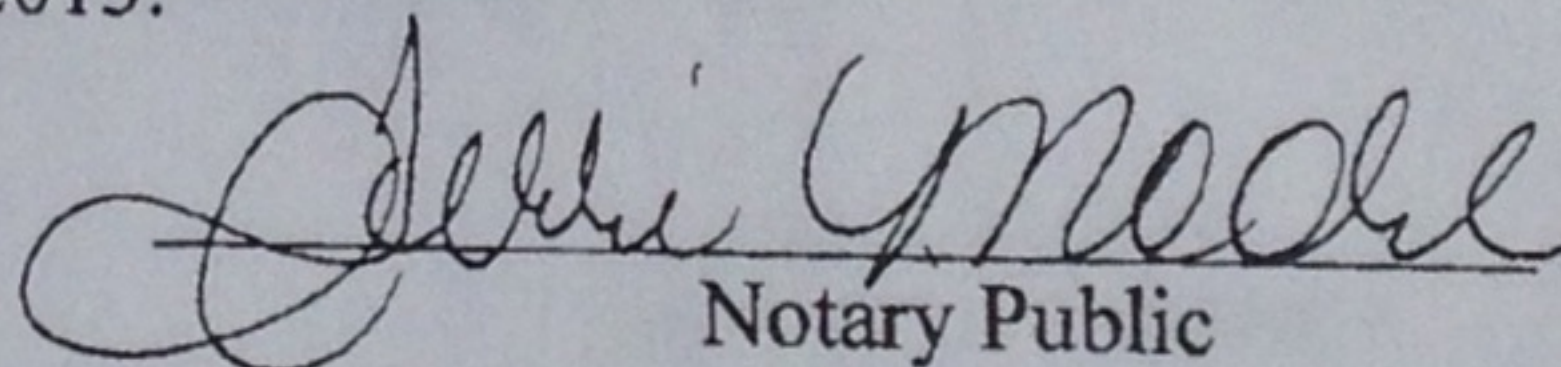
Based upon this information, the undersigned prays that this Honorable Court issue a finding of fact that probable cause exists to believe that a crime has been committed and that there is probable cause to believe the defendant(s) above named committed that crime.

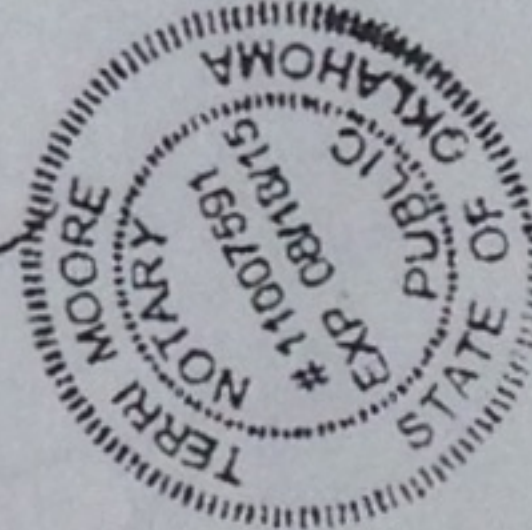

Affiant/Chief Investigator, Justin Scott

Subscribed and sworn to before me this 19 day of

August, 2013.

My Commission expires:

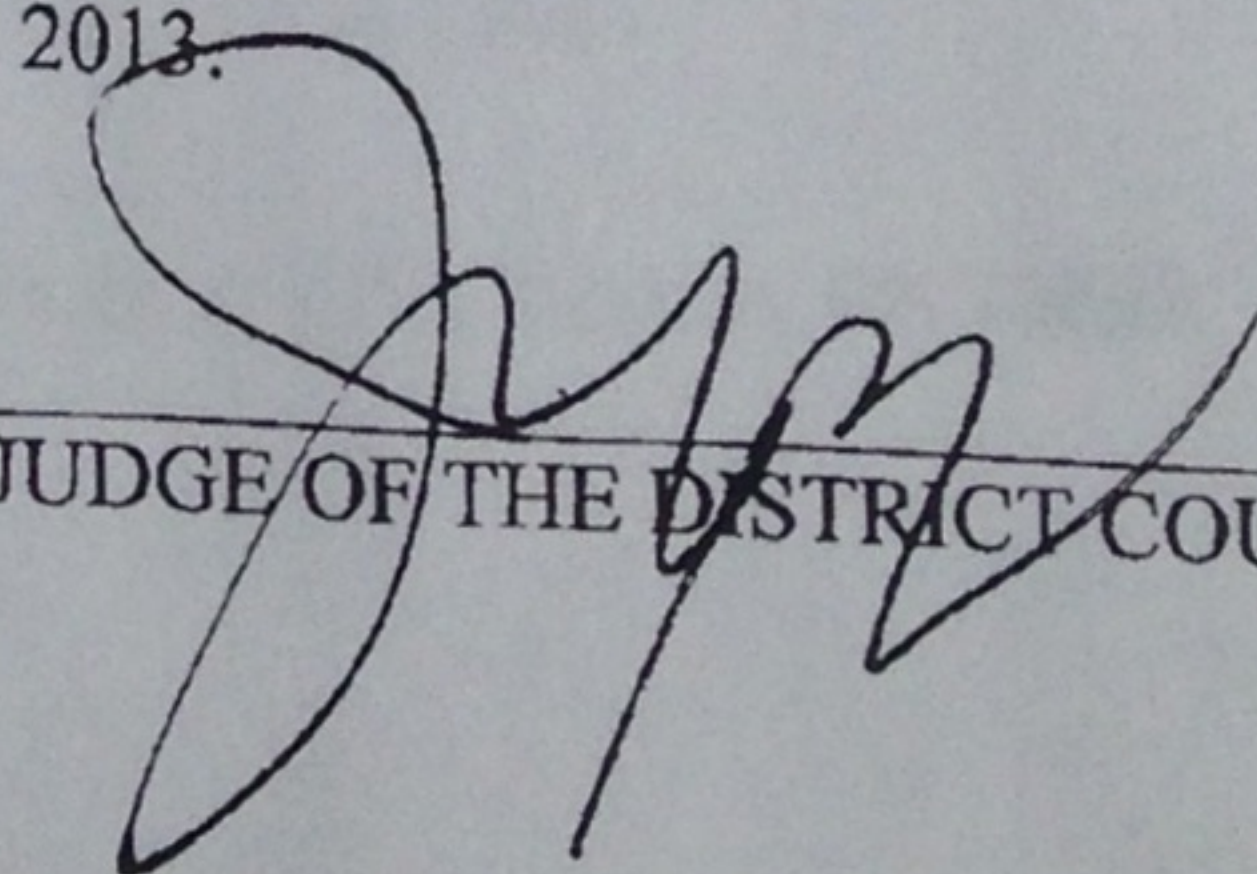

Notary Public



FINDING OF PROBABLE CAUSE

The undersigned Judge of this Court, upon sworn testimony and/or affidavit, hereby determines there to be probable cause to detain/issue warrant for the defendant(s).

Dated this 20 day of Aug, 2013.


JUDGE OF THE DISTRICT COURT