

**IN THE DISTRICT COURT OF THE CHEROKEE NATION  
CRIMINAL DIVISION**

2026 FEB 12 AM 8:49  
FILED  
CHEROKEE NATION  
DISTRICT COURT  
KRISTY MONCOOYEA  
CLERK

**CHEROKEE NATION,** )  
Plaintiff, )  
v. )  
Elizabeth Potete, )  
Defendant. ~~\_\_\_\_\_~~ )

Case No.: CF-26-85

**PROBABLE CAUSE DETERMINATION MINUTE**

NOW on this 6 day of Feb, 2026, the Court reviews the Probable Cause Affidavit for Arrest without Warrant on the above named defendant and finds as follows:

1. That there was sufficient probable cause for the warrantless arrest.
2. That bond is set at \$ NO BOND FOR ALL CHARGES.
3. Conditions of bond (if any): \_\_\_\_\_.
4. That the defendant is set and recognized back for Initial Appearance on Tuesday, March 3, 2026 at 10:00 a.m. in the District Court of the Cherokee Nation, located on the 2<sup>nd</sup> floor of the WW Keeler Complex at 17675 S. Muskogee Avenue, Tahlequah, Oklahoma.

IT IS SO ORDERED.

J. Luke Bortea  
JUDGE OF THE DISTRICT COURT



# Cherokee Nation Probable Cause Affidavit



LOCATION OF OCCURRENCE:	LOCATION OF ARREST:
[REDACTED]	[REDACTED]

OCCURRED: <u>02/06/2026</u> ; TIME: <u>1136</u>	ARRESTED: <u>02/06/2026</u> ; TIME: <u>0330</u>
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ARRESTEE NAME (LAST, FIRST, MIDDLE): <u>Poteete, Elizabeth</u>	TRIBE: <u>Cherokee</u>		
STREET ADDRESS, CITY, STATE: <u>[REDACTED]</u>			
DOB: <u>[REDACTED]</u>	SSN: <u>[REDACTED]</u>	PHONE #: <u>[REDACTED]</u>	OLN: <u>[REDACTED]</u>

VEHICLE INVOLVED:			
TAG #:	STATE:	VEHICLE YEAR:	
MAKE:	MODEL:	STYLE:	COLOR:
WRECKER: _____			

ARRESTING DEPUTY MARSHAL: <u>Patrick Hunter</u>	BADGE#: <u>N18</u>
ARRESTING AGENCY: <u>Cherokee Nation</u>	

### PROBABLE CAUSE:

On February 5, 2026, the Sequoyah County Sheriff' s Office was dispatched to the residence because of a call for service regarding a shooting made at approximately 2317 in reference to a shooting. Elizabeth POTEETE stated that she had shot her husband with a handgun multiple times and that she would be waiting for deputies on the porch of the residence.

Upon arrival at the residence, deputies came into contact with POTEETE. POTEETE again stated she shot her husband, T.P. Law enforcement entered the residence and located T.P sitting on the couch, with apparent gunshot wounds to his body.

Deputies attempted lifesaving measures, but T.P was pronounced dead at 2336 hours.

Prior to this call, the Sequoyah County Sheriff' s Office was contacted by POTEETE at approximately 1800 hours, stating she had seen a male walking outside of her residence. Deputies arrived at the residence, made contact with POTEETE, and searched the residence and surrounding area. Deputies did not observe anything suspicious. Deputies then contacted T.P as he was not present at the residence and advised him of the call for service. Deputies told T.P that they believed POTEETE was having a mental episode.

PROBABLE CAUSE CONTINUED:

Affiant spoke to POTEETE after she waived her Miranda rights. POTEETE stated she was afraid for her life after her husband, T.P, stated his girlfriend and another individual were going to come shoot her. POTEETE said that prior to the shooting she retrieved a handgun from a filing cabinet in their residence and stood approximately four to five feet away from T.P, who was sitting in his chair. T.P had his CPAP machine on and at first POTEETE stated T.P. was snoring but then POTEETE stated she could not recall if in fact he was snoring. POTEETE stated she shot him and saw him go back in the chair. POTEETE was unsure how many times she shot but believed it was multiple times. POTEETE then said she called 911 and placed the handgun on the floor under the couch in the residence.

Anticipated Charges:

Homicide

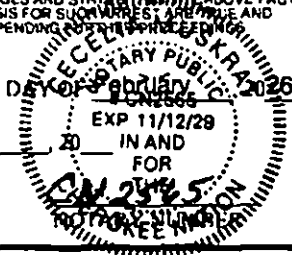
COMES NOW THE UNDERSIGNED AFFIANT, OF LAWFUL AGE AND BEING DULY SWORN, UPON OATH, ALLEGES AND STATES THAT THE ABOVE FACTS WHICH THE PROBABLE CAUSE WERE BASED ON SUCH ARREST ARE TRUE AND CORRECT AND WERE BASIS FOR SUCH ARREST, AFFIANT IS TRUE AND CORRECT AND PRAYS THIS HONORABLE COURT TO FIND PROBABLE CAUSE TO DETAIN THE ARRESTEE PENDING FURTHER PROCEEDINGS.

FURTHER YOUR AFFIANT SAYETH NOT, Patrick Hunter THIS 6 DAY OF February, 2026

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

Cecelia Muskrat  
NOTARY PUBLIC

11-12-29  
MY COMMISSION EXPIRES



PC Found.

*J. Hunter*

2-6-26

NO BOND