

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

Chuck Briay Sanders v. Charles Jeff Sifers, Daphne Wheat, Kori
Brewer, Gina Lowe, and Kory Kirkland

Sanders · No. CIV-25-01571-JD · Decided January 28, 2026

SUMMARY

The court grants Plaintiff Chuck Briay Sanders’s motion to recuse and disqualify the assigned judge under 28 U.S.C. § 455(a). Although the court found no actual bias, it concluded that recusal was appropriate to avoid the appearance of impropriety because the judge’s husband was involved in a related state-court proceeding involving the plaintiff, and it directed the Clerk to reassign the case.

CASE DETAILS

COURT	United States District Court for the Western District of Oklahoma
JURISDICTION	United States District Court for the Western District of Oklahoma
DECIDED	January 28, 2026
DOCKET	CIV-25-01571-JD
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to recuse and disqualify the undersigned judge after the Court ordered him to cure pleading deficiencies in his amended complaint. The Court granted the motion to the extent it sought recusal under 28 U.S.C. § 455(a) and directed reassignment to another district judge.
STANDARD OF REVIEW	Under 28 U.S.C. § 455(a), recusal is required when a judge's impartiality might reasonably be questioned; the relevant inquiry concerns the appearance of bias or prejudice rather than actual bias or prejudice.
PRECEDENTIAL VALUE	Unknown

TOPICS

civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the circumstances surrounding the undersigned judge's husband's representation of Plaintiff in a related state-court proceeding required recusal under 28 U.S.C. § 455(a).

HOLDINGS

1. Recusal was appropriate because the undersigned judge's husband's representation of Plaintiff in a related and procedurally advanced state-court action created an appearance of impropriety, even though the judge found no actual bias or prejudice.

KEY QUOTATIONS

“Under § 455(a), what “matters is not the reality of bias or prejudice but its appearance.””

FACTUAL BACKGROUND

Plaintiff had a pending state-court action, *Chuck Sanders v. Park Manor Apartments*, in which the undersigned judge's husband served as counsel. That state action was filed nearly eleven months before the federal action, was procedurally more developed, and had dispositive summary-judgment motions pending with a hearing scheduled. The district judge stated that the judge had no actual bias or prejudice but concluded that recusal was appropriate to avoid an appearance of impropriety.

PROCEDURAL HISTORY

After Plaintiff filed this federal action and an amended complaint, the Court ordered him to cure pleading deficiencies. Plaintiff then moved for recusal, asserting that the undersigned judge's husband represented him in a related pending state-court case. The Court took judicial notice of the state-court docket, found that the circumstances created an appearance of impropriety, granted recusal, and ordered the Clerk to reassign the case.

DISPOSITION

other

CASES CITED

- *Barnett v. Hall, Estill, Hardwick, Gable, Golden & Nelson, P.C.*, 956 F.3d 1228, 1239 (10th Cir. 2020)
- *Liteky v. United States*, 510 U.S. 540, 548 (1994)