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IN THE COURT OF CIVIL APPEALS OF THE STATE OF OKLAHOMA

DIVISION II

FILED
COURT OF CIVIL APPEALS
STATE OF OKLAHOMA

FEB 17 2026

SELDEN JONES
CLERK

IN RE THE MARRIAGE OF:

RYAN D. STRAHORN,
Petitioner/Appellee,

vs.

TERRI J. STRAHORN,
Respondent/Appellant.

Rec'd (date)	2-17-26
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Case No. 121,503

APPEAL FROM THE DISTRICT COURT OF
OKLAHOMA COUNTY, OKLAHOMA

HONORABLE BARRY L. HAFAR, SPECIAL JUDGE

AFFIRMED

Daniel R. Bays
BAYS LAW FIRM
Oklahoma City, Oklahoma

For Plaintiff/Appellee

Terri J. Strahorn
Midwest City, Oklahoma

Pro Se

OPINION BY GREGORY C. BLACKWELL, PRESIDING JUDGE:

This appeal arises from the divorce proceedings of Ryan and Terri Strahorn. Terri appeals from the parties' divorce decree, alleging that the court erred in ordering the sale of the parties' marital residence, in entering a default divorce decree after she failed to attend trial, in failing to disqualify Ryan's

counsel, and in entering a decree that is generally contrary to law. Based on our review, the decree is affirmed.¹

I.

On May 31, 2019, Ryan filed a petition for dissolution of marriage. The parties had two children, CRS and HDS. CRS reached majority prior to the entry of the parties' decree in May 2023, and HDS reached majority one year later. Per the agreed temporary order, the parties agreed to joint custody of the children, and Terri was permitted to live in the marital residence while Ryan was to continue making payments on the mortgage and utilities.

During pretrial proceedings, Ryan alleged that he was unable to continue making the mortgage payments on the house and also requested that Terri's custody with the children be modified. The court ordered that the marital residence was to be listed for sale with an agreed realtor within two weeks. However, Terri and Ryan could not agree on a realtor and the property was not listed for sale. Ryan filed a motion to enforce, requesting that Terri list the residence as previously ordered.

On January 21, 2022, the court held a hearing on Ryan's motion to enforce and subsequently ordered that Rebecca Field was to be appointed as the realtor for the sale of the property. Additionally, the court ordered that the parties were to accept an offer within five percent of the asking price. Terri apparently refused

¹ This appeal was assigned to these chambers December 16, 2025.

to sign the listing agreement, and Ryan filed an application for a contempt citation based on her failure to comply with the court's orders.

On March 22, a pretrial conference order was entered which set a trial date for May 16, 2022. On April 18, 2022, Terri filed her first motion to continue, which was ultimately granted, and the parties' pretrial conference date was continued to May 10, 2022. On May 10, 2022, Terri filed a second motion to continue pretrial and trial. On the same day, the court entered another pretrial conference order setting a trial date of August 29, 2022. On May 11, 2022, the court held a hearing on another motion to modify filed by Ryan because Terri was still not cooperating in selling the house. The court sustained his motion, ordering Terri to vacate the marital residence within fifteen days and authorizing Ryan to obtain a writ of assistance if Terri refused to vacate.

Terri ultimately refused to vacate the residence, and the court signed the writ of assistance allowing the Oklahoma County Sheriff's Office to evict her on July 7, 2022. The same day, Terri attempted to return to the residence but was ultimately persuaded to leave by the Midwest City Police Department.

On August 18, 2022, Terri filed a third motion to continue pretrial and trial, motion to reopen discovery, and motion for mediation of property issues. The court denied the motions the same day. On August 26, 2022, Terri filed her fourth motion to continue. On August 29, 2022, the parties appeared for trial. However, Terri made an informal request for the judge assigned to the case at the time, Judge Martha Oakes, to recuse. The court denied the request but allowed Terri to file a formal motion within ten days.

On September 8, 2022, Terri filed a motion for Rule 15 disqualification of Judge Oakes. The motion was sustained, and the matter was transferred to a different judge. The newly assigned judge, Judge Hafar, held a hearing on December 7, 2022, at which Terri claimed she wanted to buy the parties' marital residence. There was testimony presented that an investment company made an offer on the house and, if it went through, the company would then allow Terri to rent it back from them. In order to facilitate this sale and allow Terri to rent the property, the court ordered that Terri was to pay Ryan for his equity in the home within thirty days. Terri failed to do so.

On May 17, 2023, the court entered a third pretrial conference order and set a third trial date of July 24, 2023. On July 14, 2023, Terri filed a fifth motion to continue. Both Terri and Ryan attended pretrial conference on July 20, 2023. On the following day, Terri filed an original action in the Oklahoma Supreme Court, Case No. 121,471, seeking to require the trial court to certify the court's denial of Terri's motion to reconsider certain orders related to the sale of the home for immediate appeal.² On July 24, 2023, the parties' trial date, Ryan attended, but Terri did not. Ryan requested that the court enter a default divorce decree, which it did. A default decree of dissolution of marriage was entered on July 25, 2023. It is from this decree that Terri appeals.

² Terri voluntarily dismissed this proceeding on August 8, 2023, just after this appeal was filed.

II.

“An action for divorce, alimony and division of property is one of equitable cognizance, and the trial court’s judgment will be left undisturbed unless found to be clearly against the weight of the evidence.” *Johnson v. Johnson*, 1983 OK 117, ¶ 15, 674 P.2d 539, 544.

III.

A.

The first issue we will address is whether the trial court erred in executing a default decree of dissolution of marriage. Ryan filed his petition for dissolution of marriage in this case in May 2019. Over the next four years, the record reflects that Terri filed five motions to continue trial and pretrial. On July 20, 2023, the pretrial conference was finally held. Before proceeding with the conference, the court reminded the parties that they were set for trial the following Monday, July 24, 2023. Tr. (July 20, 2023), pg. 3. When asked by the court how many days they would need for trial, Terri did not answer the question and instead responded, “as soon as the last hearing is memorialized, I’ll be filing an interlocutory appeal.” *Id.* Later, she said, “I feel like taking an interlocutory is better than fighting a decree,” *id.* at 10, and “I’m not trying to go to trial.” *Id.* at 12. However, she later presented her preliminary exhibit list to counsel and the court. *Id.* at 13. One day later, Terri sent Ryan’s counsel an email which stated that she was seeking a writ of mandamus in the Oklahoma Supreme Court,

which she thought stayed the trial indefinitely.³ She explicitly stated that she would not be at the trial Monday because she thought the trial court's jurisdiction was suspended⁴ upon her filing with the Supreme Court. Despite being reminded about the upcoming trial and acknowledging that they were set to go to trial on Monday, Terri did not appear. Counsel for Ryan appeared, and he requested a default decree of dissolution of marriage with the court.

In its decree, the Court explicitly stated that it authorized the default decree pursuant to *Traitz v. Traitz*, 2023 OK CIV APP 1, ¶ 16, 524 P.3d 497. In *Traitz*, this court noted that District Court Rule 10 provides that notice of taking default judgment is not required in "any case that is at issue and has been regularly set on the trial docket in which neither the other party nor his or her attorney appears at the trial." Okla. Dist. Ct. R. 10; *Traitz*, 2023 OK CIV APP 1, ¶ 16, 524 P.3d 497, 500. This Court then noted that it was "undisputed" that

³ Terri's email to counsel is not contained in this record. However, the document was reviewed during this court's inquiry into its jurisdiction due to Terri's references in her brief to a motion to vacate that she purportedly filed. "It is the duty of this Court to inquire into its own jurisdiction and the jurisdiction of the court below." *City of Lawton v. International Union of Police Ass'n*, 2002 OK 1, ¶ 10, 41 P.3d 371, 376. Title 12 O.S. § 990.2(A) states that when a motion to vacate a decree or a final order is filed within ten days after the final order is filed "an appeal shall not be commenced until an order disposing of the motion is filed with the court clerk." Thus, this Court, *sua sponte*, conducted an inquiry into its jurisdiction to determine whether such a motion had indeed been filed and if it had been ruled upon by the trial court. We determined that Terri's motion was filed with the Supreme Court in regard to her mandamus action and was not before the trial court in the present case.

⁴ Upon review of Terri's application to assume original jurisdiction and petition for writ of mandamus, it is unclear which of the court's orders she was seeking to have certified and appeal. Regardless, Supreme Court Rule 1.37(a)(5) dictates that even after a petition in error has been filed, in "matrimonial litigation" the court retains its jurisdiction to "issue orders affecting the custody of the children or the property of the parties pending the appeal." See also *Jones v. Jones*, 1980 OK 85, 612 P.2d 266. Because a divorce decree undoubtedly constitutes an order affecting the custody of the children and the property of the parties, we find that the trial court's jurisdiction was not suspended as Terri suggests.

the case was “at issue” as an answer and counterclaim had been filed and the case had been set on the trial docket for May 14, 2020. *Id.* ¶ 17. The wife in *Traitz* had notice of both the pretrial conference and trial and failed to appear for both. Additionally, the wife represented herself and this court noted that “[a] party proceeding *pro se* in a civil action or appeal is held to the same standards as an attorney.” *Id.* at ¶ 20, (quoting *L’ggrke v. Sherman*, 2009 OK 80, ¶ 8, 223 P.3d 383). The *Traitz* Court ultimately held that the husband was not required to file a motion for default because the case was at issue and had been regularly set on the trial docket. *Id.* ¶ 21.

The circumstances in the present case are strikingly similar. This case began in 2019. Since then, Terri has filed five motions to continue pretrial and trial dates. Trial was originally set for May 16, 2022, and was continued various times until July 2023. ROA 746-750. Thus, this case was “at issue” and “regularly set on the trial docket.” Okla. Dist. Ct. R. 10. Additionally, Terri’s participation in the parties’ pretrial conference, at which the court reminded her of the upcoming trial the following Monday, shows that she had notice of the trial and deliberately did not attend. Terri has been represented by several different attorneys at varying times in this case. However, at the pretrial conference she represented herself. As the Court in *Traitz* noted, “[a] party proceeding *pro se* in a civil action or appeal is held to the same standards as an attorney.” *L’ggrke v. Sherman*, 2009 OK 80, ¶ 8, 223 P.3d 383. Terri is held to that standard, and we find that she purposefully did not attend trial despite having notice of the same. Thus, we hold that the court did not err in granting a default divorce decree in

this case pursuant to this Court's prior holding in *Traitz v. Traitz*, 2023 OK CIV APP 1, 524 P.3d 497.

B.

Terri also alleges that the court erred in ordering the sale of the marital home, which inevitably resulted in her no longer being able to live at the residence.⁵ Additionally, Terri claims that the court ordered that the home be sold *sua sponte*. The record reflects that both parties agreed that Terri should remain in the marital residence; however, Ryan requested that she also pay the mortgage and utilities, and Terri requested that Ryan pay the mortgage and

⁵ Intermixed with Terri's arguments regarding the sale of the home are various arguments regarding alleged due process violations. For example, she states, "there were serious due process issues that Appellant will demonstrate in this brief, prior to and during pre-trial conference." *Brief-in-Chief*, pg. 13. She also claims that "the record before this Court strongly suggests that the district court after Judge Oakes recused, engaged in willful and deceptive obstruction in depriving constitutional due process to Appellant" *Id.* According to Terri, she moved the district court to certify an order and the record "clearly reflects that the district court went so far as neglecting or reusing to memorialize its May 17, 2023, ruling into a journal entry and final order" *Id.* at 14. Terri also accuses the court of backdating the memorialization of an order.

Although Terri does not cite to the record or otherwise point us to where the court neglected to or refused to memorialize an order, she could be referencing the court's statement during the proceedings on May 17, 2023. At the hearing the court denied Terri's "motion for reconsideration, or in the alternative, motion to certify the court's dispositive ruling of March 1, 2023," and in doing so, stated "[i]f you wish to take something up to the Supreme Court, you can certainly do that, but I don't think that they'll take certification at this point in the case." Tr. (May 17, 2023), pg. 4. Terri did not press the matter. It is unclear how this interaction constitutes a violation of Terri's constitutional rights and Terri does not further explain her argument. Additionally, Terri does not explain how her citation to the record "ROA 783-788" proves that the court altered dates. *Brief-in-Chief*, pg. 14. "This court will not search the record for some error on which to reverse the trial court, the rule being that even where plausible argument is submitted in the brief if unsupported by citation of authorities it will not overcome the presumption indulged in favor of the judgment." *Gaines Bros. Co. v. Phillips*, 1944 OK 254, ¶ 11, 151 P.2d 933, 935. Additionally, this Court has held that, consistent with Okla.Sup.Ct.R.1.11(e)(1), we are not required to search multiple volumes of a record on appeal to find where facts the appellant alleges were demonstrated in evidence. *Patzkowsky v. State ex rel. Oklahoma Bd. of Agric.*, 2009 OK CIV APP 18, ¶ 3, 217 P.3d 146, 147.

utilities. ROA 13, 16. The court ordered that Ryan continue to pay the mortgage on the home as well as all then-existing utilities. ROA 36. Terri later filed an application for indirect contempt citation alleging that Ryan had failed to pay the mortgage in accordance with the court's prior order. ROA 42-43. Both parties then subsequently filed motions to modify the temporary order in place. The court heard the motions after a hearing on April 30, 2021, after which, the court determined that the marital property should be sold with an agreed realtor within two weeks. ROA 68. A transcript of this hearing is not contained in this record.

In October 2021, Ryan filed a motion to enforce the temporary order, alleging that Terri refused to list the marital residence for sale and would not agree on a realtor. ROA 73. The court held another hearing on January 21, 2022, after which the court sustained Ryan's motion to enforce the temporary order, finding that "Rebecca Field shall be appointed as the realtor for the sale of this property. [Terri] shall cooperate with said realtor. The parties shall accept any offer within five (5) percent of the asking price." ROA 81. In February 2022, Ryan filed an application seeking a contempt citation alleging that Terri still had not complied with the court's orders regarding the sale of the home. ROA 85. Ryan filed another motion to modify the court's temporary order in May 2022, specifically stating that his counsel "immediately contacted Rebecca Field and she made contact with [Terri] and [Terri] refused to sign the listing agreement and the house remains off the market due wholly and completely to [Terri's] conduct." ROA 137. Ryan also requested that the court order Terri to vacate the marital residence within ten days of the hearing on the matter and that if she

refused to do so, that he be authorized to obtain a writ of assistance. *Id.* The court sustained his motion. ROA 209.

The record reflects that Terri still refused to vacate the marital residence and the sheriff's office used the writ of assistance to evict her from the home on July 7, 2022. However, Terri immediately returned to the home until the Midwest City police department eventually persuaded her to leave. ROA 217. It appears that Terri did not want to leave the home or cooperate in selling the home because she wanted to buy it from Ryan herself. At a hearing on December 7, 2022, counsel for Terri stated that one of the offers received for the home was from an investment company called Berry-Rock that would purchase the home on her behalf and then rent it back to her. Tr. (Dec. 7, 2022), pg. 16. The court orally ruled that in order for Ryan to accept this offer, Terri had to pay Ryan's equity in the home within thirty days, and, if she was unable to do so, Ryan had authority to sell the house to another buyer. *Id.* at 29. At the hearing on March 1, 2023, Terri still had not paid the equity, so the court ordered that Ryan was authorized to sell the property. ROA 561. The parties' divorce decree states that Ryan was awarded the residence, Terri was ordered to execute a quit claim deed upon the entry of the decree, and, if Terri failed to execute a quit claim deed, the decree would serve to divest her of her interest in the property. The court also ruled that any proceeds from the sale of the marital residence should be placed in an IOLTA Trust Account for future division. The home was sold on September 12, 2023.

First, Terri contends that it was error for the trial court to *sua sponte* rule that the home should be sold in April 2021. We have no record of what transpired at that hearing; thus, we have no way of determining the basis for the court's ruling. "It is the duty of the appealing party to procure a record that is sufficient to obtain the corrective relief sought." *Chamberlin v. Chamberlin*, 1986 OK 30, ¶ 7, 720 P.2d 721, 724. Even without a transcript of the hearing, we find that the record reflects that almost immediately after the petition for dissolution of marriage was filed in 2019 the parties could not agree on who should be making the mortgage payments, or anything else related to the marital residence, at any point, for the last four years. Thus, we find that even if neither party specifically filed a motion stating that they wanted the house sold, the parties' inability to agree regarding key aspects of the marital home undoubtedly put the issue before the court since nearly the inception of this case.

Regarding whether the court should have ordered the sale of the marital residence in the first instance, we note that our Supreme Court has held the following regarding property division in divorce cases:

A divorce suit is one of equitable cognizance in which the trial court has discretionary power to divide the marital estate. The trial court must follow the provisions of 43 O.S. 2006 § 121 which require a fair and equitable division of property acquired during the marriage by the joint industry of the husband and wife. The trial court has wide latitude in determining what part of jointly-acquired property shall be awarded to each party. However, a marital estate need not necessarily be equally divided to be an equitable division because the words just and reasonable in § 121 are not synonymous with equal. An appellate court will not disturb the trial court's property division absent a finding of abuse of discretion or a finding that the decision is clearly contrary to the weight of the evidence.

Colclasure v. Colclasure, 2012 OK 97, ¶ 16, 295 P.3d 1123, 1128–29 (footnotes omitted). Here, the record reflects that Terri was given ample time to purchase the marital residence for herself and failed to do so. Due to the tumultuous relationship of the parties, the parties’ failure to come to an agreement regarding the marital residence over the span of four years, the parties’ financial situations, and the overall length of the case, we find that the court did not abuse its discretion in ordering the sale of the home.

C.

Terri also generally alleges that the divorce decree is grossly adverse to her and contrary to Oklahoma law. Under this proposition of error, she generally complains that the court improperly imputed back child support, improperly imputed the repayment of business debts to her, did not divide all of the parties’ assets, and that she has “recently discovered evidence” that Ryan was a shareholder in a leasing company. *Brief-in-Chief*, pgs. 22-23. First, we note that this Court “may not consider as part of an appellate record any instrument or material which has not been incorporated into the assembled record by a certificate of the clerk of the trial court.” *Hart v. McVay*, 1992 OK 47, ¶ 14, 832 P.2d 822, 825. Thus, any newly discovered evidence regarding Ryan’s alleged involvement in any company is not reviewable by this Court.

This case began in 2019 and at least three trial court judges presided at different times. The various trial court judges involved in this case reviewed a litany of documents related to child support, the parties’ finances, custody of the children, and the parties’ assets. Terri does not explain how the child support

computation is incorrect, what assets the court did not divide, and how the decree is otherwise contrary to law. “This court will not search the record for some error on which to reverse the trial court, the rule being that even where plausible argument is submitted in the brief if unsupported by citation of authorities it will not overcome the presumption indulged in favor of the judgment.” *Gaines Bros. Co. v. Phillips*, 1944 OK 254, ¶ 11, 151 P.2d 933, 935. The record reflects that the trial court urged Terri to proceed with trial so she could present evidence regarding her finances, assets, debts, and any other evidence she deemed relevant to their divorce. However, Terri deliberately refused to attend trial and thereby delayed the resolution of the case further. “An action for divorce, alimony and division of property is one of equitable cognizance, and the trial court’s judgment will be left undisturbed unless found to be clearly against the weight of the evidence.” *Johnson v. Johnson*, 1983 OK 117, ¶ 15, 674 P.2d 539, 544. Here, we find that the divorce decree was not clearly against the weight of the evidence and, therefore, we decline to disturb any aspects of the parties’ divorce decree.

D.

For Terri’s final proposition of error, she contends that the trial court erred in not disqualifying Ryan’s counsel. The only order Terri appealed, however, is the divorce decree. The record reflects that the court denied Terri’s motion to disqualify counsel on March 1, 2023. A journal entry reflecting that ruling was filed on May 18, 2023. In this appeal, which was filed on August 4, 2023

(seventy-eight days later), Terri attached only the divorce decree in which the court did not make any findings regarding the motion to disqualify.

The Oklahoma Supreme Court has held that a grant or denial of a motion to disqualify counsel is a final order that is immediately appealable pursuant to 12 O.S. § 953. *Miami Bus. Servs., LLC v. Davis*, 2013 OK 20, ¶ 10, 299 P.3d 477, 483. The filing of a petition in error within thirty days of a final, appealable order is required. 12 O.S. § 990A (“An appeal to the Supreme Court of Oklahoma, if taken, must be commenced by filing a petition in error with the Clerk of the Supreme Court of Oklahoma within thirty (30) days from the date a judgment, decree, or appealable order prepared in conformance with Section 696.3 of this title is filed with the clerk of the trial court.”). Terri cites to no authority altering this rule for orders denying disqualification. As such, we find her complaint regarding the denial her request to disqualify opposing counsel is not reviewable in this appeal.

* * *

Ultimately, we hold that the trial court did not err in entering a default divorce decree when Terri had notice of the trial and chose not to attend. Additionally, the trial court did not abuse its discretion in ordering the sale of the parties’ marital residence, and the divorce decree is not grossly adverse to Terri or contrary to law. Finally, Terri’s efforts to undo the trial court’s denial of her efforts to disqualify Ryan’s chosen counsel are not reviewable in this appeal. The appealed decree is thus affirmed in all respects.

AFFIRMED.

BARNES, J., and HUBER, J., concur.

February 17, 2026