

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

United States of America

v.

Richard Calvin Price

No. 12,907 - Criminal

FILED

NOV - 1 1957

NOBLE C. HOOD
Clerk, U.S. District Court

On this 19th day of December, 1957, the attorney for the government and the defendant appeared in person and without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel.

IT WAS ADJUDGED that the defendant had been convicted upon his plea of guilty

of the offense of having had in his possession two (2) gallons of non-taxpaid distilled spirits; concealed the same; carried on the business of a distiller without having given bond as required by law; and making and fermenting mash fit for distillation on premises other than a distillery duly authorized according to law, in violation of Title 26, U. S. C., Sections 5008(b), 5642, 7206(4), 5606, 5216(a) and 5608(a), as charged in Counts number One, Two, Three and Four of the information;

and the court having asked the defendant whether he had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT WAS ADJUDGED that the defendant is guilty as charged and convicted.

IT WAS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of Eighteen (18) Months from date.

NOW on this 1st day of November, 1957, came the attorney for the government and the defendant appeared in person and by counsel, Luther P. Lane.

It is adjudged that the probation of the defendant be and it is hereby revoked and the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of

Count One - Thirty (30) Days and a fine of Seventy-Five (\$75.00) Dollars.

It is adjudged that the defendant pay fines in the sum of Seventy-Five (\$75.00) Dollars on each of Counts Two, Three and Four; and that he be further imprisoned until payment of said fines, or until he is otherwise discharged as provided by law.

It is further adjudged that execution of sentence be stayed until November 19, 1957 at 9:00 A. M.

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

Approved as to form:

[Signature]

Ass't. U. S. Attorney

[Signature]
United States District Judge

Clerk.

A True Copy. Certified this \_\_\_ day of \_\_\_

(Signed)

Clerk

(By)

Deputy Clerk.

**United States District Court**

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Roy Ralph Springer

No. 13,071 - Criminal

**FILED**

NOV - 1 1957

NOBLE C. HOOD  
Clerk, U.S. District Court

On this **1st** day of **November**, 19**57**, came the attorney for the government and the defendant appeared in person, and by counsel, John L. Ward, Jr.

IT IS ADJUDGED that the defendant has been convicted upon his plea of **guilty**

of the offenses of **having had in his possession sixty (60) gallons of distilled spirits, the immediate containers thereof not having affixed thereto in such manner as to be broken on opening the containers a stamp or stamps evidencing the payment of all internal revenue taxes imposed on such distilled spirits or indicating compliance with the provisions of Chapter 51, Internal Revenue Code of 1954; and having concealed the same in a 1951 Mercury automobile, in violation of Title 26, U.S.C., Secs 5008(b), 5642 and 7206(4)** as charged in Counts 1 and 2 of the indictment; and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby placed on probation on each count for a period of **Eighteen (18) Months** from this date.

IT IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

IT IS FURTHER ORDERED that the clerk deliver two certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer.

Approved as to form:

John Moley  
Ass't. U. S. Attorney

Royce H. Brown  
United States District Judge.

Clerk.

A TRUE COPY. Certified this ..... day of ....., 19.....

(Signed) ..... (By) .....  
Clerk. Deputy Clerk.

**United States District Court**

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

**FILED**

NOV - 1 1957

NOBLE C. HOOD  
Clerk, U.S. District Court

UNITED STATES OF AMERICA

v.

Louis Essic Moore

No. 13,097 - Criminal

On this **1st** day of **November**, 19**57**, came the attorney for the government and the defendant appeared in person, and **by counsel, John L. Ward, Jr.**

IT IS ADJUDGED that the defendant has been convicted upon his plea of **guilty**

of the offense of having, on or about May 31, 1957, on premises located at 514 East Brady Street, Tulsa, Oklahoma, in the Northern Judicial District of Oklahoma, had in his possession 9.281 gallons of distilled spirits, the immediate containers thereof not having affixed thereto in such manner as to be broken on opening the containers a stamp or stamps evidencing the payment of all internal revenue taxes imposed on such distilled spirits or indicating compliance with the provisions of Chapter 51, Internal Revenue Code of 1954, in violation of Title 26, U.S.C., Secs. 5008(b) and 5642, as charged in Count one of the indictment; and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby placed on probation on Count One for a period of Eighteen (18) Months from this date.

It is further adjudged that Count Two be and it is hereby dismissed.

IT IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

IT IS FURTHER ORDERED that the clerk deliver two certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer.

Approved as to form:

Hubert A. Marlow  
Ass't. U. S. Attorney

Royal H. ...  
United States District Judge.

Clerk.

A TRUE COPY. Certified this ..... day of ....., 19.....

(Signed) ..... (By) .....  
Clerk. Deputy Clerk.

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

United States of America

v.

Eugene Paul Wilson

No. 13,111 - Criminal

FILED

NOV - 1 1957

NOBLE C. HOOD
Clerk, U.S. District Court

On this 1st day of November, 1957, came the attorney for the government and the defendant appeared in person and by counsel, Elmore A. Page.

IT IS ADJUDGED that the defendant has been convicted upon his plea of guilty

of the offense of having, during the fiscal year ending June 30, 1957, at Tulsa, Oklahoma, in the Northern Judicial District of Oklahoma, engaged in the business of accepting wagers and he did accept wagers on football parlay cards without first having paid the occupational tax required by Section 4411 of the Internal Revenue Code of 1954 and in violation of Section 7262 of that Code,

as charged in Count one of the information; and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment until said fine is paid, or until he is otherwise discharged as provided by law.

IT IS ADJUDGED that execution of sentence be stayed until December 2, 1957, at 9:00 A. M.

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

Approved as to form:

Hubert G. Marlow

Ass't. U. S. Attorney

Royce H. Savage
United States District Judge.

A True Copy. Certified this day of

(Signed) Clerk (By) Deputy Clerk.

**United States District Court**  
FOR THE  
**NORTHERN DISTRICT OF OKLAHOMA**

*United States of America*

v.

**Donald Herbert Parker**

No. **13,112 Criminal**

**FILED**

**NOV 25 1957**

**NOBLE C. HOOD**  
Clerk, U.S. District Court

On this **25th** day of **November**, 19**57** came the attorney for the government and the defendant appeared in person and<sup>1</sup> **without counsel**; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel.

IT IS ADJUDGED that the defendant has been convicted upon his plea of<sup>2</sup> **guilty**

of the offense of **having, on or about September 15, 1957, transported in interstate commerce from Hamilton, Ohio, to Nowata, Oklahoma, a stolen 1957 Ford Fairlane, Serial No. C7CT129681, he then knowing the automobile to have been stolen, in violation of Title 18, U.S.C., 2312,**

as charged<sup>3</sup> **in the Information;** and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of<sup>4</sup>

**Five (5) Years.**

~~IT IS ADJUDGED that~~

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

Approved as to form:

/s/ HUBERT A MARLOW

~~The Court recommends commitment to~~  
Ass't. U. S. Attorney

/s/ ROYCE H. SAVAGE

*United States District Judge.*

A True Copy. Certified this 25th day of November, 1957

*Clerk.*

(Signed)

*Clerk*

(By)

*Deputy Clerk.*

# United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

United States of America

v.

Russell Leo Bradley

No. 13,113 Criminal

**FILED**

NOV 25 1957

NOBLE C. HOOD  
Clerk, U.S. District Court

On this **25th** day of **November**, 19 **57** came the attorney for the government and the defendant appeared in person and <sup>1</sup> without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel.

IT IS ADJUDGED that the defendant has been convicted upon his plea of <sup>2</sup> **guilty**

of the offense of **having, on or about September 15, 1957, transported in interstate commerce from Hamilton, Ohio, to Nowata, Oklahoma, a stolen 1957 Ford Fairlane, Serial No. C7CT129681, he then knowing the automobile to have been stolen, in violation of Title 18, USC 2312,**

as charged <sup>3</sup> **in the Information;** and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of <sup>4</sup>

**Five (5) Years.**

~~IT IS ADJUDGED that~~

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

**Approved as to form:**

/s/ HUBERT A MARLOW

/s/ ROYCE H. SAVAGE

United States District Judge.

~~The Court recommends commitment to:~~  
**Ass't. U. S. Attorney**

A True Copy. Certified this 25th day of November, 1957

Clerk.

(Signed)

Clerk

(By)

Deputy Clerk.

# United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

United States of America

v.

Forrest Leroy Swanson

No. 13,115 Criminal

**FILED**

NOV 25 1957

NOBLE C. HOOD  
Clerk, U.S. District Court

On this 25th day of November, 19 57 came the attorney for the government and the defendant appeared in person and <sup>1</sup> without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel.

IT IS ADJUDGED that the defendant has been convicted upon his plea of <sup>2</sup> **guilty**

of the offense of having, from on or about September 15, 1957, to and including on or about October 26, 1957, unlawfully, wilfully and knowingly conspired to commit an offense in violation of Section 2314 of Title 18, USC, by wilfully transporting and causing to be transported in interstate commerce goods, wares and merchandise of the value of \$5,000.00 or more, knowing the same to have been stolen, (Title 18, U.S.C., Sec. 371),

as charged <sup>3</sup> **in the Information;** and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of <sup>4</sup>

**Two (2) Years, and a fine of Five Hundred (\$500.00) Dollars, and that he be further committed until payment of fine or until he is otherwise discharged as provided by law.**

~~It is Adjudged that the execution of sentence be stayed until Monday, December 2, 1957 at 9:00 o'clock A. M.~~

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

Approved as to form:

/s/ RUSSELL H. SMITH

/s/ ROYCE H. SAVAGE

United States District Judge.

A True Copy. Certified this 25th day of November, 1957

Clerk.

(Signed)

Clerk

(By)

Deputy Clerk.

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

United States of America

v.

Donald Ray Craig

No. 13,115 Criminal

FILED

NOV 25 1957

NOBLE C. HOOD
Clerk, U.S. District Court

On this 25th day of November, 1957 came the attorney for the government and the defendant appeared in person and without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel.

It IS ADJUDGED that the defendant has been convicted upon his plea of guilty

of the offense of having, from on or about September 15, 1957, to and including on or about October 26, 1957, unlawfully, willfully and knowingly conspired to commit an offense in violation of Section 2314 of Title 18, USC, by wilfully transporting and causing to be transported in interstate commerce goods, wares and merchandise of the value of \$5,000.00 or more, knowing the same to have been stolen, (Title 18, U.S.C., Sec. 371)

as charged in the Information;

and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

It IS ADJUDGED that the defendant is guilty as charged and convicted.

It IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for treatment and supervision until discharged by the Youth Correction Division as provided by Title 18, U.S.C., Section 5010(b).

IT IS ORDERED

It IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

Approved as to form:

/s/ RUSSELL H. SMITH

Ass't. U. S. Attorney

/s/ ROYCE H. SAVAGE

United States District Judge.

A True Copy. Certified this 25th day of November, 1957

(Signed)

Clerk

(By)

Deputy Clerk.

**United States District Court**

FOR THE

**NORTHERN DISTRICT OF OKLAHOMA**

*United States of America*

v.

**Donald Dan Morris**

No. **13,116 Criminal**

**FILED**

**NOV 25 1957**

**NOBLE C. HOOD**  
Clerk, U.S. District Court

On this **25th** day of **November**, 19**57** came the attorney for the government and the defendant appeared in person and<sup>1</sup> without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel.

IT IS ADJUDGED that the defendant has been convicted upon his plea of<sup>2</sup> **guilty** of the offense of having violated Title 18, U.S.C., 2113(a), in that on or about November 10, 1957, in the City of Tulsa, Oklahoma, he unlawfully entered the Brookside State Bank, Tulsa, Oklahoma, a state banking association, whose deposits were insured by the Federal Deposit Insurance Corporation, with intent to commit larceny in the bank building,

as charged<sup>3</sup> in the Information; and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for ~~imprisonment~~ treatment and supervision until discharged by the Youth Correction Division as provided by Title 18 U. S. C., Section 5010(b).

~~IT IS ORDERED that~~

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

Approved as to form:

/s/ JOHN MORLEY

~~The Court is authorized to sign this judgment~~  
Ass't. U. S. Attorney

/s/ ROYCE H. SAVAGE

*United States District Judge.*

A True Copy. Certified this **25th** day of **November, 1957**

Clerk.

(Signed)

Clerk

(By)

Deputy Clerk.

**United States District Court**

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Esther Mae Clary

}  
}  
}

No. 13,117 Criminal

**FILED**

NOV 25 1957

NOBLE C. HOOD  
Clerk, U.S. District C

On this 25th day of November, 1957, came the attorney for the government and the defendant appeared in person, and without counsel; the court advised the defendant of her right to counsel and asked her whether she desired to have counsel appointed by the court, and the defendant thereupon stated that she waived the right to the assistance of counsel.

IT IS ADJUDGED that the defendant has been convicted upon <sup>her</sup> ~~his~~ plea of guilty

of the offense of having, on or about February 8, 1957, at Tulsa, Oklahoma, for the purpose of obtaining from the United States a sum of money, falsely forged the endorsement of the name of the payee to U. S. Treasury Check No. 36,790,155, dated Feb. 7, 1957, in the amount of \$107.40, payable to Mary L. Hardin; and uttered and published as true said U. S. Treasury Check containing the forged endorsement, she then knowing the endorsement to be forged, (Title 18, U.S.C., Sec. 495) as charged in Cts. 1 & 2 of the Informatic and the court having asked the defendant whether she has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby placed on probation on each count for a period of Six (6) Months from this date.

IT IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

IT IS FURTHER ORDERED that the clerk deliver two certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer.

Approved as to form:

/s/ HUBERT A. MARLOW  
Ass't. U. S. Attorney

/s/ ROYCE H. SAVAGE  
United States District Judge.

Clerk.

A TRUE COPY. Certified this 25th day of November, 19 57  
(Signed) NOBLE C. HOOD (By) \_\_\_\_\_  
Clerk. Deputy Clerk.

**United States District Court**

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Roy J. Morris

No. 13,118 Criminal

**FILED**

NOV 25 1957

NOBLE C. HOOD  
Clerk, U.S. District Court

On this 25th day of November, 1957, came the attorney for the government and the defendant appeared in person, and without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel.

It IS ADJUDGED that the defendant has been convicted upon his plea of guilty

of the offense of on or about October 31, 1957, at Tulsa, Oklahoma, having had in his possession \$100.00 in currency, which was stolen from Carl J. Metz, a passenger on a Greyhound Bus moving in interstate commerce, knowing the money to have been stolen, in violation of Title 18, U.S.C., Sec. 659,

as charged in the Information; and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court,

It IS ADJUDGED that the defendant is guilty as charged and convicted.

It IS ADJUDGED that the defendant is hereby placed on probation for a period of One (1) year from this date.

It IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

It IS FURTHER ORDERED that the clerk deliver two certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer.  
Approved as to form:

/s/ RUSSELL H. SMITH

Ass't. U. S. Attorney

/s/ ROYCE H. SAVAGE

United States District Judge.

Clerk.

A TRUE COPY. Certified this 25th day of November, 1957

(Signed) NOBLE C. HOOD

Clerk.

(By)

Deputy Clerk.

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Henderson Richardson,

Defendant.

Criminal No. 12697

**FILED**

NOV 29 1957

ORDER

NOBLE C. HOOD  
Clerk, U. S. District Court

The motion of Henderson Richardson, dated November 23, 1957, and filed of record on November 29, 1957, being a Motion for Correction of Sentence, pursuant to Title 28, U.S.C., Section 2255, having been considered this date, and the court being advised in the premises finds that the motion should be denied for the reason that there is nothing to indicate that the sentence was arbitrarily or illegally rendered. The mere fact that co-defendant received a lesser sentence for the same crime is not grounds for correction of sentence.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Motion for Correction of Sentence filed November 29, 1957, be and the same is hereby denied.

Dated this 29th day of November, 1957.

  
U. S. District Judge

**United States District Court**

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

**FILED**

DEC 14 1957

NOBLE C. HOOD  
Clerk, U.S. District Court

UNITED STATES OF AMERICA

v.

Edna Lorraine Garrett

No. 13,120 - Criminal

On this **2nd** day of **December**, 19**57**, came the attorney for the government and the defendant appeared in person, and without counsel; the court advised the defendant of her right to counsel and asked her whether she desired to have counsel appointed by the court, and the defendant thereupon stated that she waived the right to the assistance of counsel.

IT IS ADJUDGED that the defendant has been convicted upon <sup>her</sup> ~~his~~ plea of ' guilty

of the offense of having taken a letter containing a United States Treasury Check No. 77,990,804, in the amount of \$78.30, addressed to Mrs. Laura E. Felton, 336 North Greenwood, Tulsa, Oklahoma, from an authorized depository for mail matter before it had been delivered to the person to whom it was directed, with design to obstruct the correspondence of said addressee; and she did, for the purpose of obtaining from the United States a sum of money, falsely forge the endorsement of the name of the payee on said check, in violation of Title 18, U. S. C., Sections 1702 and 495, as charged in Counts ~~xxxxxxx~~ One and Two of the information; and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is placed on probation on each count for a period of Eighteen (18) Months from this date, on condition restitution is made.

IT IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

IT IS FURTHER ORDERED that the clerk deliver two certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer.

G. K. as to form:

John Morley  
Ass't. U. S. Attorney

Proyce H. Lewis  
United States District Judge.

Clerk.

A TRUE COPY. Certified this ..... day of ....., 19.....

(Signed) ..... (By) .....  
Clerk. Deputy Clerk.

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Frederick Gordon Williams, Jr.,

Defendant.

Criminal Nos. 12764 and 12774

**FILED**

DEC 11 1957

NOBLE C. HOOD  
Clerk, U.S. District Court

ORDER VACATING JUDGMENT AND SENTENCE

The motion of Frederick Gordon Williams, Jr., filed of record on January 14, 1957, being a Motion to Vacate Sentence and Judgment, pursuant to Title 28, U.S.C., Section 2255, coming on for hearing this date, and the defendant being represented by counsel, William Rutledge, and the United States of America being represented by Russell H. Smith, Assistant United States Attorney for the Northern District of Oklahoma, and the court having heard evidence presented by Dr. E. C. Rinck, Chief, Neuropsychiatric Services, U. S. Medical Center, Springfield, Missouri, finds that the motion should be sustained for the reason that at the time of plea and sentence in these causes the defendant was mentally incompetent to assist counsel in his defense and did not fully understand the nature of the charges against him.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Motion to Vacate Sentence and Judgment filed January 14, 1957, be and the same is hereby granted.

Dated this 11th day of December, 1957.

*Royce H. Savage*  
U. S. District Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

United States of America,  
Plaintiff,  
vs.  
Clarence Whittier Irons,  
Defendant.

Criminal No. 12426

FILED

DEC 13 1957

ORDER

NOBLE C. HOOD  
Clerk, U. S. District Court

Petition for Writ of Habeas Corpus Ad Testificandum and Motion to Correct Sentence filed October 18, 1957, are without merit and should be overruled, as the court clearly has the power under the law to impose consecutive sentences on separate pleas of guilty to separate counts in a single information. Rule 8 of the Federal Rules of Criminal Procedure provides for joinder of two or more offenses of the same or similar character in the same information. The cases cited by petitioner in his brief in support of the Motion to Correct do not support his contention that the court is without power to impose a consecutive sentence on a single information. The cases cited are part of the law well established by the courts permitting such practice. The record clearly shows that petitioner entered separate pleas of guilty to each of the two counts in the information.

IT IS THEREFORE ORDERED that the aforementioned Writ of Habeas Corpus Ad Testificandum and Motion to Correct Sentence filed by petitioner be and the same are hereby overruled.

Dated this 13th day of December, 1957.

W. Peyton Savage  
United States District Judge

**United States District Court**

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

**Darold Nathaniel Hart**

No. 13,057 - Criminal

FILED

NOV 1957

RECEIVED  
CLERK'S OFFICE

On this **13th** day of **December**, 19**57**, came the attorney for the government and the defendant appeared in person, and by counsel, Kavanaugh Bush.

IT IS ADJUDGED that the defendant has been convicted upon his plea of **not guilty**, and a **verdict of guilty** of the offense of **having on or about May 15, 1957, knowingly transported for the purpose of sale and distribution from Eugene, Oregon, to Tulsa, Oklahoma, in the Northern Judicial District of Oklahoma, one hundred ninety-seven (197) obscene, lewd, and lascivious pictures, in violation of Title 18, U. S. C., Section 1465, as charged in Count number One of the indictment;**

~~and the court~~ and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the imposition of sentence is hereby deferred and the defendant is placed on probation for a period of Three (3) years from this date.

IT IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

IT IS FURTHER ORDERED that the clerk deliver two certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer.

Approved as to form:

*101 Russell H. Smith*  
 \_\_\_\_\_  
 Ass't. U. S. Attorney

*181 W. P. Waller*  
 \_\_\_\_\_  
 United States District Judge.

\_\_\_\_\_  
 Clerk.

A TRUE COPY. Certified this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_

(Signed) \_\_\_\_\_ (By) \_\_\_\_\_  
 Clerk. Deputy Clerk.

**United States District Court**  
FOR THE

**NORTHERN DISTRICT OF OKLAHOMA**

**FILED**

DEC 13 1957

United States of America

v.

**Orville Z. L. Carter**

No. **13,085 Criminal**

**NOBLE C. HOOD**  
Clerk, U.S. District Court

On this **13th** day of **December**, 19 **57** came the attorney for the government and the defendant appeared in person and <sup>1</sup>without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel.

IT IS ADJUDGED that the defendant has been convicted upon his plea of <sup>2</sup> **guilty**

of the offense of **having, on or about March 6, 1957, transported in interstate commerce from Wichita, Kansas, to Broken Arrow, Oklahoma, a stolen 1955 Ford Tudor Sedan, Motor No. A 5 K T 148 397 knowing the automobile to have been stolen, in violation of Title 18, U.S.C., 2312**

as charged <sup>3</sup> **in the indictment;** and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of <sup>4</sup>

**Two Years. The sentence of imprisonment to commence upon his release by the authorities of the State of Oklahoma from the sentence he is now serving.**

~~IT IS ADJUDGED THAT THE DEFENDANT IS GUILTY AS CHARGED AND CONVICTED.~~

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

**Approved as to form:**

/s/ JOHN MORLEY  
~~THE COURT RECOMMENDS COMMITMENT TO THE~~  
**Ass't. U. S. Attorney**

/s/ ROYCE H. SAVAGE

*United States District Judge.*

A True Copy. Certified this 13th day of December, 1957

(Signed) NOBLE C. HOOD

*Clerk*

(By) \_\_\_\_\_

*Deputy Clerk.*



United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

DEC 13 1957

United States of America

v.

Leonard Donald Vernon

No. 13,121 - Criminal

NOBLE C. HOOD  
Clerk, U.S. District Court

On this 13th day of December, 1957, the attorney for the government and the defendant appeared in person and without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel.

IT IS ADJUDGED that the defendant has been convicted upon his plea of guilty

of the offense of having on or about November 14, 1957, transported in interstate commerce from Needles, California, to Owasso, Oklahoma, in the Northern Judicial District of Oklahoma, a stolen 1956 Ford Thunderbird, Serial No. M 6FH 202194, he then knowing such automobile to have been stolen, in violation of Title 18, U. S. C., Section 2312, as charged in Count number one of the information;

~~XXXXXXXXXX~~

and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for ~~XXXXXXXXXXXXXXXXXXXX~~ treatment and supervision until discharged by the Youth Correction Division as provided by Title 18, U. S. C., Section 5010(b).

~~XXXXXXXXXXXXXXXXXXXX~~

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

Approved as to form:

*Hubert A. Marlow*

~~XXXXXXXXXXXXXXXXXXXX~~  
Ass't. U. S. Attorney

*15/ Royce H. Savage*

United States District Judge.

Clerk.

A True Copy. Certified this \_\_\_\_\_ day of \_\_\_\_\_

(Signed) \_\_\_\_\_  
Clerk

(By) \_\_\_\_\_  
Deputy Clerk.

**United States District Court**

FOR THE

-----NORTHERN DISTRICT OF OKLAHOMA-----

UNITED STATES OF AMERICA

v.

Karl Fredrick Yust

No. 13,122 - Criminal

FILED  
DEC 18 1957  
U.S. DISTRICT COURT  
TULSA, OKLAHOMA

On this 13th day of December, 19 57, came the attorney for the government and the defendant appeared in person, and without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel.

IT IS ADJUDGED that the defendant has been convicted upon his plea of guilty

of the offense of having, while at the time an employee of the Postal Service, to wit, a substitute mail carrier at Tulsa, Oklahoma, unlawfully detained and delayed mail matter; and embezzled letters, intrusted to him and which was intended to be delivered by him, in violation of Title 18, U. S. C., Sections 1703 and 1709, as charged in Counts number one, two, three and four, as charged in the information;

~~as charged;~~

and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is placed on probation on each count for a period of Two (2) Years, on the condition restitution is made.

IT IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

IT IS FURTHER ORDERED that the clerk deliver two certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer.

Approved as to form:

Hubert A. Marlow  
Ass't. U. S. Attorney

ROYCE H. SAVAGE  
United States District Judge.

-----  
Clerk.

A TRUE COPY. Certified this 13th day of December, 19 57.

(Signed) NOBLE C. HOOD Clerk. (By) \_\_\_\_\_ Deputy Clerk.

**United States District Court**

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED  
 1957  
 DEC 13  
 10:30 AM

UNITED STATES OF AMERICA

v.

Henry Wallace

No. 13,123 - Criminal

On this 13th day of December, 1957, came the attorney for the government and the defendant appeared in person, and without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel.

IT IS ADJUDGED that the defendant has been convicted upon his plea of guilty

of the offense of having on or about November 25, 1957, had in his possession and did conceal in a 1950 Oldsmobile eight (8) gallons of distilled spirits, the immediate containers thereof not having affixed thereto in such manner as to be broken on opening the containers a stamp or stamps evidencing the payment of all internal revenue taxes imposed on such distilled spirits, in violation of Title 26, U. S. C., Sections 5008(b), 5642 and 7206(4) as charged in Counts number one and two of the ~~indorsed~~ information;

and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is placed on probation on each count for a period of Eighteen (18) Months from this date.

IT IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

IT IS FURTHER ORDERED that the clerk deliver two certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer.

Approved as to form:

Hubert A. Manlow  
 Ass't. U. S. Attorney

ROYCE H. SAVAGE  
 United States District Judge.

Clerk.

A TRUE COPY. Certified this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_

(Signed) \_\_\_\_\_ (By) \_\_\_\_\_  
 Clerk. Deputy Clerk.

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA )

v. )

Thomas Bunder Miller )

Criminal No. 12,882

FILED

JAN 11 1958

NOBLE C. HOOD  
Clerk, U. S. District Court

On the 20th day of September, 1956, came the attorney for the government and the defendant appeared in person and by counsel, S. S. Lawrence.

IT WAS ADJUDGED that the defendant had been convicted upon his plea of guilty of the offense of having violated Title 26, U.S.C, Sections 5008(b) and 5642, by having had in his possession eleven gallons of distilled spirits, the immediate containers thereof not having affixed thereto a stamp or stamps evidencing the payment of all internal revenue taxes imposed on such distilled spirits, as charged in the Information.

IT WAS ADJUDGED that the defendant was guilty as charged and convicted.

IT WAS ADJUDGED that the defendant be placed on probation for a period of Eighteen (18) Months from that date.

NOW, on this 6th day of January, 1958, came the attorney for the government and the defendant appeared in person and without counsel. The Court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant stated that he waived the right to the assistance of counsel. And it being shown to the court that the defendant has violated the terms and conditions of probation,

IT IS ORDERED that the order of probation entered on September 20, 1956, be and it is hereby revoked and the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of

Ninety (90) Days.

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

Approved as to form:

/s/ JOHN MORLEY <sup>m</sup>  
Ass't. U. S. Attorney

/s/ ROYCE H. SAVAGE  
United States District Judge

A TRUE COPY. Certified this 6th day of January, 1958.

NOBLE C. HOOD, CLERK

By \_\_\_\_\_ Deputy Clerk



United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

United States of America

v.

St. Louis-San Francisco Railway Company

No. 13,124 Criminal

FILED

JAN - 6 1958

NOBLE C. HOOD Clerk, U.S. District Court

On this 6th day of January, 1958 came the attorney for the government and the defendant appeared in person and by counsel, Dickson Saunders.

IT IS ADJUDGED that the defendant has been convicted upon his plea of guilty having of the offense of /violated regulations by the Interstate Commerce Commission governing the transportation of explosives and combustibles, (Title 18, U.S.C., 835) as charged in Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 of the Information;

~~IT IS ORDERED that the defendant is committed to the custody of the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.~~

~~IT IS ORDERED that the defendant is committed to the custody of the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.~~  
IT IS ADJUDGED that the defendant ~~is committed to the custody of the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.~~ pay unto the United States of America fines in the sum of Fifty (\$50.00) Dollars on each of Counts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14, and that it is granted ten (10) days within which to pay the fines.

~~IT IS ORDERED that the defendant is committed to the custody of the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.~~

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

Approved as to form:  
/s/ Hubert A. Marlow  
Ass't. U. S. Atty.

/s/ Royce H. Lanyon  
United States District Judge.

A True Copy. Certified this \_\_\_\_\_ day of \_\_\_\_\_  
(Signed) \_\_\_\_\_ Clerk (By) \_\_\_\_\_ Deputy Clerk.



# United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

United States of America

v.

Jon Bill Edwards

No. 13,127 Criminal

**FILED**

JAN - 6 1958

NOBLE C. HOOD  
Clerk, U.S. District Court

On this 6th day of January, 19 58 came the attorney for the government and the defendant appeared in person and <sup>1</sup> without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel.

IT IS ADJUDGED that the defendant has been convicted upon his plea of <sup>2</sup> **guilty**

of the offense of on or about November 15, 1957, imported approximately 174.45 wine gallons of assorted taxpaid liquor containing more than 4 per cent of alcohol by volume, such liquor not being accompanied by a permit or license as required by the laws of the State of Oklahoma, from the State of Missouri, to a point about 12 miles east of Miami, Oklahoma, otherwise than in the course of continuous interstate transportation through the State of Oklahoma, said State being one in which all sales, except for scientific, sacramental, medicinal or mechanical purposes, of such intoxicating liquor are prohibited by law, in violation of Title 18, U.S.C., 1262)

as charged <sup>3</sup> in the Information; and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of <sup>4</sup>

**Six (6) Months.**

IT IS ADJUDGED that <sup>5</sup> execution of sentence be and it is hereby stayed until January 13, 1958 at 9 :00oA. M.

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

Approved as to form:

~~/s/ HAYDEN GRAEFORD~~  
United States Attorney

/s/ ROYCE H. SAVAGE  
United States District Judge.

to be committed to: <sup>6</sup>

United States Attorney

Clerk.

A True Copy. Certified this 6th day of January, 1958

(Signed) NOBLE C. HOOD  
Clerk

(By) \_\_\_\_\_  
Deputy Clerk.

**United States District Court**

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

JAN 11 1958

NOBLE S. MOOD  
Clerk, U.S. District Court

UNITED STATES OF AMERICA

v.

Joe Alvin Tolley

No. 13,128 Criminal

On this 6th day of January, 1958, came the attorney for the government and the defendant appeared in person, and without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel.

IT IS ADJUDGED that the defendant has been convicted upon his plea of guilty

of the offense of having, on or about August 7, 1957, at Tulsa, Oklahoma, taken a letter containing a D-K Sunray Oil Company credit card, mailed by the D-K Sun-ray Oil Company of Tulsa, Oklahoma, addressed to Charles R. Johnson at his former address, 1219 North Knoxville Tulsa, Oklahoma, and forwarded to his then current address at 5305 East Admiral Place, Tulsa, Oklahoma, said letter having been in the custody of a mail carrier and which had not been delivered to the person to whom it was directed, with design to obstruct its delivery, (T.18, USC 1702) as charged in the Information, and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby placed on probation for a period of Eighteen (18) Months from this date, on the condition restitution is made.

IT IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

IT IS FURTHER ORDERED that the clerk deliver two certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer. Approved as to form:

*15/ John Morley*  
\_\_\_\_\_  
ASS. U. S. ATTY.

*Royce W. L...*  
\_\_\_\_\_  
United States District Judge.

Clerk.

A TRUE COPY. Certified this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_

(Signed) \_\_\_\_\_ (By) \_\_\_\_\_  
Clerk. Deputy Clerk.

**United States District Court**

FOR THE

**NORTHERN DISTRICT OF OKLAHOMA**

**FILED**

*United States of America*

v.

**Jim Manford Smith**

No. **13,130 Criminal**

JAN - 6 1958

**NOBLE C. HOOD**  
Clerk, U.S. District Court

On this **6th** day of **January**, 19 **58** came the attorney for the government and the defendant appeared in person and <sup>1</sup> by counsel, **Gordon L. Patten.**

IT IS ADJUDGED that the defendant has been convicted upon his plea of <sup>2</sup> **guilty** of the offense of **having, on or about September 30, 1957, transported in interstate commerce from Compton, California, to Tulsa, Oklahoma, a stolen 1955 Chevrolet Bel Air, Motor No. V C 55 J-02 5228, he then knowing the automobile to have been stolen, in violation of Title 18, U.S.C., 2312,**

as charged <sup>3</sup> **in the Information;** and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of <sup>4</sup>

**Six (6) Months.**

~~IT IS ADJUDGED that~~

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

Approved as to form:

/s/ JOHN MORLEY

/s/ ROYCE H. SAVAGE

*United States District Judge.*

~~IT IS ORDERED that~~ Ass't. U. S. Attorney

A True Copy. Certified this **6th** day of **January, 1958**

*Clerk.*

(Signed)

*Clerk*

(By)

*Deputy Clerk.*

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Clarence W. Irons,  
Petitioner,  
vs.  
United States of America,  
Respondent.

Criminal No. 12426

FILED

JAN 17 1958

ORDER

NOBLE C. HOOD  
Clerk, U. S. District Court

The Notice of Appeal with Affidavit of Forma Pauperis attached, filed January 13, 1958, pursuant to Title 28, U.S.C., Section 1915; 18 U.S.C., Section 3732; 28 U.S.C., Section 2253; 28 U.S.C., Section 2255; and Rule 37a of the Federal Rules of Criminal Procedure, having been considered this date, and the court being advised in the premises finds that the request to appeal as a pauper should be denied for the reason that this appeal from the order of this court, dated December 13, 1957, overruling the motion to correct sentence and petition for writ of habeas corpus ad testificandum is not taken in good faith.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the request for an appeal in forma pauperis as attached to the Notice of Appeal filed January 13, 1958, be and the same is hereby denied.

FURTHERMORE, IT IS HEREBY CERTIFIED by the court that the appeal may not be taken in forma pauperis since it is not taken in good faith.

Roy A. Savage  
United States District Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Henderson Richardson )

vs. )

United States of America )

Criminal No. 12697

**FILED**

JAN 17 1958

ORDER

NOBLE C. HOOD  
Clerk, U. S. District Court

Motion for correction of sentence and set aside conviction and vacate sentence and Petition for Writ of Habeas Corpus Ad "Prosequendum", filed January 15, 1958, are without merit and should be overruled as, in accordance with Rule 35 of the Federal Rules of Criminal Procedure, the court is without power to alter sentence herein as sixty (60) days having elapsed since imposition of sentence, and the record does not reflect any illegality in imposition thereof. Further, the record clearly shows that petitioner was advised of his rights under the Constitution <sup>and</sup> ~~in~~ that he was represented by counsel. Petitioner's contention that sentence is improper because a co-defendant received a lesser sentence for his part in the same crimes is not well taken. The court is not bound to give the same sentence to all defendants, but must take into consideration defendant's attitude, background, prior record, and part in the offense, to name a few of the factors to be considered. The sentence is proper and justified, and the aforementioned motion and Petition for Writ of Habeas Corpus Ad "Prosequendum" are without merit.

IT IS THEREFORE ORDERED that the aforementioned motion for correction of sentence and set aside conviction and vacate sentence herein and Petition for Writ of Habeas Corpus Ad "Prosequendum" filed by petitioner be and the same are hereby overruled.

Dated this 17th day of January, 1958.

Raymond S. Savage  
United States District Judge

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

United States of America

v.

Lew Herbert McVey

FILED

No. 13,129 - Criminal JAN 20 1958

NOBLE C. HOOD
Clerk, U.S. District Court

On this 20th day of January, 19 58 came the attorney for the government and the defendant appeared in person and without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel.

IT IS ADJUDGED that the defendant has been convicted upon his plea of guilty

of the offense of having on or about November 15, 1956, transported in interstate commerce from Bentonville, Arkansas, to Pawhuska, Oklahoma, in the Northern Judicial District of Oklahoma, a stolen 1951 Ford Pickup Truck, Motor No. F1R1RC21448, he then knowing such truck to have been stolen, in violation of Title 18, U. S. C., Section 2312,

as charged in count number one and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of

Six (6) Months.

IT IS ~~ADJUDGED~~

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

Approved as to form:

John Morley
Ass't. U. S. Attorney

Royce H. Savage
United States District Judge

Clerk.

A True Copy. Certified this day of

(Signed) Clerk (By) Deputy Clerk.

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

United States of America

v.

John I. Swyden

No. 13,132 - Criminal

FILED

JAN 20 1958

NOBLE C. HOOD
Clerk, U.S. District Court

On this 20th day of January, 1958 came the attorney for the government and the defendant appeared in person and by counsel, Jack E. Naifeh and H. G. "Bill" Dickey.

IT IS ADJUDGED that the defendant has been convicted upon his plea of guilty

of the offense of having on or about July 25, 1956, to on or about October 31, 1957, in the Northern Judicial District of Oklahoma, while employed by the Post Office Department of the United States as a Clerk at the Walker Station of the Tulsa Post Office, he did embezzle and convert to his own use the sum of \$9,160.31, such funds being funds of the Post Office Department of the United States; and while charged with the duty of issuing Postal Money Orders, with intent to defraud, he made a false entry on the record stub of Postal Money Order No. 10-5,081,015 which was issued in the amount of \$100.00 and recorded on the record stub as issued in the amount of \$1.00, which was a record connected with his duties and he knowing such record to have been falsely made, in violation of Title 18, U. S. C., Sections 1711 and 2073, as charged in Counts number one and two of the information;

and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of 4

Count One - Eighteen (18) Months.
Count Two - Eighteen (18) Months. Said sentence of confinement in Count Two shall run concurrently with the sentence in Count One.

IT IS ADJUDGED that the execution of sentence be stayed until January 27, 1958 at 9:00 A. M.

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

Approved as to form:

John D. Morley
Ass't. U. S. Attorney

Royce H. Savage
United States District Judge.

A True Copy. Certified this day of Clerk.

(Signed) Clerk (By) Deputy Clerk.





United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

JAN 27 1958

NOBLE D. HOOD  
Clerk, U.S. District Court

UNITED STATES OF AMERICA

v.

Jim Manford Smith

No. 13,130 - Criminal

On this <sup>27th</sup> day of January, 19 58, came the attorney for the government and the defendant appeared ~~in person and~~ by counsel, Gordon L. Patten.

IT IS ADJUDGED that the ~~defendant's sentence~~ sentence heretofore imposed against the defendant on January 6, 1958, be and it is hereby vacated and set aside. ~~with costs~~

~~and the court having asked the defendant whether he has anything to say why judgment should not be pronounced and no sufficient cause to the contrary being shown or appearing to the court;~~

~~it is adjudged that the defendant is guilty as charged and convicted;~~

IT IS ADJUDGED that the defendant is hereby placed on probation for a period of Eighteen (18) Months from this date.

IT IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

IT IS FURTHER ORDERED that the clerk deliver two certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer.

Approved as to form:

John Morley  
Ass't. U. S. Attorney

Boyce H. Savage  
United States District Judge.

Clerk.

A TRUE COPY. Certified this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_

(Signed) \_\_\_\_\_ (By) \_\_\_\_\_  
Clerk. Deputy Clerk.

United States District Court  
FOR THE

NORTHERN DISTRICT OF OKLAHOMA

United States of America

v.

Oscar Herbert Alsip

No. 13,131 - Criminal

FILED

JAN 24 1958

NOBLE C. HOOD  
Clerk, U.S. District Court

On this 24th day of January 1958, the attorney for the government and the defendant appeared in person and without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel.

IT IS ADJUDGED that the defendant has been convicted upon his plea of: guilty

of the offense of having on or about December 27, 1957, transported in interstate commerce from Pennington Gap, Virginia, to Chelsea, Oklahoma, in the Northern Judicial District of Oklahoma, a stolen 1955 Chevrolet, Motor No. 02B 1445 F 55z, he then knowing such automobile to have been stolen, in violation of Title 18, U. S. C., Section 2312; as charged in count number one of the information;

~~XXXXXXXXXX~~  
~~as charged~~

and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for ~~XXXXXXXXXXXXXXXXXXXX~~ treatment and supervision until discharged by the Youth Correction Division as provided by Title 18, U. S. C., Section 5010(b).

~~XXXXXXXXXXXXXXXXXXXX~~  
IT IS ADJUDGED that

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

Approved as to form:

*John Morley*

~~XXXXXXXXXXXXXXXXXXXX~~  
Ass't. U. S. Attorney

*Boyd H. Swase*

United States District Judge.

Clerk.

A True Copy. Certified this \_\_\_\_\_ day of \_\_\_\_\_

(Signed) \_\_\_\_\_

Clerk

(By) \_\_\_\_\_

Deputy Clerk.

**United States District Court**

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

**FILED**

JAN 21 1958

UNITED STATES OF AMERICA

v.

Corrienne Sylvia White

No. 13,134 - Criminal

On this 24th day of January, 1958, came the attorney for the government and the defendant appeared in person, and without counsel; the court advised the defendant of her right to counsel and asked her whether she desired to have counsel appointed by the court, and the defendant thereupon stated that she waived the right to the assistance of counsel.

It IS ADJUDGED that the defendant has been convicted upon <sup>her</sup>~~his~~ plea of guilty

of the offense of having on or about April 10, 1957, in the District of Kansas, taken a letter stamped and postmarked by a United States Post Office from an authorized depository for mail matter before it was delivered to Gloria M. Teague, with design to obstruct the correspondence and pry into the business or secrets of Gloria M. Teague, to whom said letter was directed, and did open said letter which contained a U. S. Treasury check number 12,388,729, dated 4-8-57, in the sum of \$61.30, in violation of Title 18, U.S.C. Sec. 1702, and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court,

It IS ADJUDGED that the defendant is guilty as charged and convicted.

It IS ADJUDGED that the defendant is placed on probation for a period of Twelve (12) Months from this date.

It IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

It IS FURTHER ORDERED that the clerk deliver two certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer.

Approved as to form:

John Morley  
Ass't. U. S. Attorney

Rayce H. Savage  
United States District Judge.

Clerk.

A TRUE COPY. Certified this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_

(Signed) \_\_\_\_\_ (By) \_\_\_\_\_  
Clerk. Deputy Clerk.

# United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

United States of America

v.

Tom Carroll

No. 13,135 - Criminal

**FILED**

JAN 24 1958

NORBLE C. HOOD  
Clerk, U. S. District Court

On this **24th** day of **January**, 1958 came the attorney for the government and the defendant appeared in person and **without counsel**.

It Is ADJUDGED that the defendant has ~~pleaded guilty to the offense~~ upon his plea of ~~guilty~~ **nolo contendere**

of the offense of **having knowingly and unlawfully transported in a private conveyance, from Vinita, Oklahoma, within the Northern District of Oklahoma, to the State of Missouri, to wit, to the Kansas City Stock Yards, a number of domestic animals, to wit, three or more head of cattle, knowing that said animals were affected with the communicable disease known as brucellosis, contrary to the provisions of Sections 6 and 7 of the Act of Congress approved May 29, 1884, as amended (23 Stat. 32, 44 Stat. 774, 45 Stat. 59) in violation of Title 21, U. S. C., Sections 115 and 117, as charged in count number one of the indictment;**

~~and that the defendant is not guilty of the offense charged in the indictment and that the indictment should be dismissed and the defendant discharged and his bond exonerated.~~

~~It is further adjudged that the defendant is not guilty of the offense charged in the indictment and that the indictment should be dismissed and the defendant discharged and his bond exonerated.~~

It Is ADJUDGED that the defendant is ~~not guilty of the offense charged in the indictment and that the indictment should be dismissed and the defendant discharged and his bond exonerated.~~ **not guilty as charged and the indictment is hereby dismissed and he is discharged and his bond is exonerated.**

It ~~is further adjudged that the defendant is not guilty of the offense charged in the indictment and that the indictment should be dismissed and the defendant discharged and his bond exonerated.~~

~~Approved as to form:~~  
Approved as to form:

*Garrett H. Smith*  
Ass't. U. S. Attorney

*Goyce H. Savage*  
United States District Judge.

Clerk.

A True Copy. Certified this \_\_\_\_\_ day of \_\_\_\_\_

(Signed) \_\_\_\_\_  
Clerk

(By) \_\_\_\_\_  
Deputy Clerk.