

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

SEP 11 1962

UNITED STATES OF AMERICA

v.

Omer Beeler

No. 13,874-Criminal

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

On this 11th day of September, 1962, came the attorney for the government and the defendant appeared in person, and by counsel, C. Billy Rodgers.

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

of the offense of having violated Title 18, U.S.C., Section 1707, in that on or about September 5, 1962, at Turley, Oklahoma, he did steal gasoline of a value less than \$100.00 from a United States Post Office Department truck located at the United States Turley Branch Post Office

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/ Phillips Breckinridge
Phillips Breckinridge, Ass't. U.S. Atty. /s/ Allen E. Barrow
United States District Judge.

Clerk.

A TRUE COPY. Certified this 11th day of September, 1962

(Signed) Noble C. Hood (By) Clerk Deputy Clerk.

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

SEP 11 1962

UNITED STATES OF AMERICA

v.

Leon Girdner

No. 13,874-Criminal

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

On this 11th day of September, 19 62, came the attorney for the government and the defendant appeared in person, and by counsel, C. Billy Rodgers.

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

of the offense of having violated Title 18, U.S.C., Section 1707, in that on or about September 5, 1962, at Turley, Oklahoma, he did steal gasoline of a value less than \$100.00 from a United States Post Office Department truck located at the United States Turley Branch Post Office

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/ Phillips Breckinridge
Phillips Breckinridge, Ass't. U.S. Atty. /s/ Allen E. Barrow
United States District Judge.

Clerk.

A TRUE COPY. Certified this 11th day of September, 19 62

(Signed) Noble C. Hood (By) Deputy Clerk.
Clerk.

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

SEP 11 1962

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

UNITED STATES OF AMERICA

v.

Freddie Monroe Bennett

No. 13,875 - Criminal

On this 11th day of September, 1962, came the attorney for the government and the defendant appeared in person, and by counsel, C. Billy Rodgers; and having consented in writing to prosecution under the juvenile delinquency act and having been fully apprised of his rights and of the consequences of such consent.

It IS ADJUDGED that the defendant ~~is hereby convicted of the offense of~~ juvenile became a delinquent by committing ~~the offense of~~ the offense of having on or about the 5th day of September, 1962, at Turley, within Tulsa County, Oklahoma, within the Northern Judicial District of Oklahoma, stole from the United States Post Office Department certain property, to-wit, a quantity of gasoline of a value less than \$100.00, and did appropriate such property to other than its proper use in that he stole said gasoline from a United States Post Office Department Truck located at the Turley Branch Post Office, in violation of Title 18, U. S. C., Sections 5031 to 5037, as charged in Count number one of the ~~information;~~ 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:

Phillips Breckinridge
Assistant U. S. Attorney

..... ALLEN E. BARROW
United States District Judge.

.....
Clerk.

A TRUE COPY. Certified this 11th day of September, 1962.
(Signed) NOBLE C. HOOD (By)
Clerk. Deputy Clerk.

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

SEP 11 1962

UNITED STATES OF AMERICA

v.

Tommy Lee Lewis

No. 13,876 - Criminal

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

On this 11th day of September, 1962, came the attorney for the government and the defendant appeared in person, and by counsel, Phillip K. Blough.

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

of the offense of having violated Title 18, U.S.C., Section 2117, in that on or about August 26, 1962, at Tulsa, Oklahoma, in the Northern Judicial District of Oklahoma, he wilfully and unlawfully entered railroad car No. NWX 12122 of the St. Louis-San Francisco Railway Company spotted behind the Don Hoover warehouse, 1601 South Phoenix Avenue, Tulsa, Oklahoma, with intent to commit larceny therefrom, said car containing an interstate shipment of beer being shipped from Peoria, Illinois, to Tulsa, Oklahoma, as charged in Count number 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 placed on probation for a period of Two (2) 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:

Phillips Breckinridge
Assistant U. S. Attorney

Allen E. Barrow
United States District Judge.

Clerk.

A TRUE COPY. Certified this 11th day of September, 1962

(Signed) NOBLE C. HOOD (By) _____
Clerk. Deputy Clerk.

FILED

United States District Court

FOR THE

SEP 11 1962

NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Albert Lee Bell

No. 13,876 - Criminal

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

On this 11th day of September 19 62, came the attorney for the government and the defendant appeared in person, and by counsel, Phillip K. Blough.

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

of the offense of having violated Title 18, U.S.C., Section 2117, in that on or about August 26, 1962, at Tulsa, Oklahoma, in the Northern Judicial District of Oklahoma, he did wilfully and unlawfully enter railroad car No. NWX 12122 of the St. Louis-San Francisco Railway Company spotted behind the Don Hoover warehouse, 1601 South Phoenix Avenue, Tulsa, Oklahoma, with intent to commit larceny therefrom, said car containing an interstate shipment of beer being shipped from Peoria, Illinois, to Tulsa, Oklahoma, as charged in Count number 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 placed on probation for a period of two (2) 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:

~~Phillips Breckinridge~~
Assistant U. S. Attorney

ALLEN E. BARROW

United States District Judge.

Clerk.

A TRUE COPY. Certified this 11th day of September, 19 62

(Signed) NOBLE C. HOOD

Clerk.

(By)

Deputy Clerk.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Cleo J. Lightfoot,

Defendant.

Criminal No. 13627

FILED

SEP 17 1962

ORDER

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

This matter coming on before me, the undersigned Judge, this 6th
day of ~~August~~ ^{September}, 1962, upon the affidavit in support of application for leave
to appeal in forma pauperis by the defendant, Cleo J. Lightfoot, and the
court having examined said affidavit and the files and records in this cause,
and being fully advised in the premises finds:

That while said defendant has filed herein an affidavit in support
of application for leave to proceed without prepayment of costs, there has
been filed herein no such application. However, it will and hereby does
treat said affidavit as an application for leave to appeal in forma pauperis
from its order entered herein on the 25th day of July, 1962.

That for the reasons set out in said order entered July 25, 1962, and
an appeal by the defendant from said order is completely frivolous and wholly
without merit and could not be taken in good faith.

That, therefore, the application of said defendant to proceed on ap-
peal and for leave to appeal in forma pauperis should be denied.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the application
of the defendant, Cleo J. Lightfoot, to appeal in forma pauperis from the
order of this court dated July 25, 1962, be and it hereby is overruled and
denied.

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

Ruth B. Baker
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Herbert Hoover Grissom,

Defendant.

Criminal No. 13631

FILED

SEP 17 1962

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

ORDER

This matter coming on before me, the undersigned Judge, this 14th day of September, 1962, upon the application of Herbert Hoover Grissom to file in forma pauperis a motion to vacate sentence pursuant to 28 U.S.C. 2255, and the court having examined said application and said motion, and having carefully considered the files and records in this cause and being fully advised in the premises finds:

That heretofore on the 28th day of August, 1961, the said Herbert Hoover Grissom requested leave to file in forma pauperis a motion which was treated as a motion to vacate sentence pursuant to 28 U.S.C. 2255. That on that date he was granted leave to file his motion in forma pauperis and counsel, Charles Owens, of the Tulsa, Oklahoma, Bar was appointed to represent him in connection therewith. That on the 7th day of September, 1961, and after counsel had been appointed to represent said defendant, the defendant was granted permission to file an amended motion to vacate sentence. That on the 12th day of September, 1961, an amended motion was filed by counsel for the defendant.

That the defendant was returned from the United States Penitentiary at Leavenworth, Kansas, to Tulsa, Oklahoma, to testify in his own behalf in support of said motion, and that on the 18th day of September, 1961, a hearing was held thereon at which the defendant did appear and testify and was represented by counsel. That thereafter on the 11th day of October, 1961, the motion of the said Herbert Hoover Grissom was overruled and denied. On the 20th day of October, 1961, said defendant filed an application for leave to appeal from said order in forma pauperis. On the 26th day of October, 1961, the defendant was denied leave to appeal in forma pauperis and the trial court certified that the appeal could not be taken in good faith.

That on the 11th day of December, 1961, the defendant sought leave to file in forma pauperis a second motion to vacate sentence pursuant to 28 U.S.C. 2255. On the 28th day of December, 1961, the court denied defendant leave to file said motion in forma pauperis, stating that it was not required to entertain a second or successive motion for similar relief on behalf of said defendant. That on the 11th day of January, 1962, said defendant filed an application for leave to appeal in forma pauperis from this order, and that on the 22nd day of January, 1962, he was denied leave to appeal in forma pauperis, the trial court again certifying that an appeal could not be taken in good faith.

That on the 1st day of March, 1962, the United Court of Appeals for the Tenth Circuit granted defendant leave to proceed in forma pauperis on appeal. That on the 22nd day of March, 1962, the United States Court of Appeals for the Tenth Circuit filed its opinion denying the defendant leave to proceed further in forma pauperis and dismissing the appeal in which it stated that upon consideration of the entire record the trial court was not required to entertain the second motion to vacate, and that the contentions raised by the defendant were frivolous.

That the said Herbert Hoover Grisson now seeks leave of this court to file in forma pauperis a third or successive motion to vacate sentence pursuant to 28 U.S.C. 2255. That in substance the grounds alleged therefor are the same as those raised in his prior motions. That the defendant does now in some vague way attempt to attack the validity of the indictment under which he was charged. However, this issue was not raised in either of the motions heretofore filed by him, and in this connection it is particularly to be noted that the sufficiency of the indictment was not attacked prior to or at the time of the trial of the defendant, who was then represented by able counsel, nor was the issue raised in the amended motion filed with permission of the court by counsel appointed to represent the defendant at his first 2255 hearing. In any event, the indictment against the said Herbert Hoover Grisson was and is valid in all respects and is not in any way subject to collateral attack. That, therefore, the present motion which movant seeks to file in forma pauperis is a third or successive motion which this court is not required to entertain, and that leave to file said motion in forma pauperis should therefore be denied.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the application of Herbert Hoover Grisson for leave to file in forma pauperis his motion to vacate sentence pursuant to 28 U.S.C. 2255 be and it hereby is overruled and denied.

By Allan E. Barron
UNITED STATES DISTRICT JUDGE

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA

v.
Duane Milton Hymen

No. 13,889-Criminal SEP 25 1962

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

On this 25th day of September, 1962, came the attorney for the government and the defendant appeared in person, and by counsel, Tom Newhouse.

It Is ADJUDGED that the defendant has been convicted upon his plea of guilty of the offense of having violated Title 18, U.S.C., Sections 484 and 472, in that on or about June 16, 1962, in Tulsa, Oklahoma he did split a genuine One Dollar Silver Certificate and a genuine Twenty Dollar Federal Reserve Note, and connected the face of the One Dollar Silver Certificate to the back of the Twenty Dollar Federal Reserve Note with intent to defraud by passing the same as a genuine Twenty Dollar Federal Reserve Note, and he did utter and pass the same to Buhl Cleaners, Ranch Acres Branch, Tulsa, Oklahoma, as a genuine Twenty Dollar Reserve Note as charged in Counts 1 & 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 placed on probation for a period of Two (2) years from this date, on each count.

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/ L. K. Smith
L. K. Smith, Ass't. U.S. Atty.

/s/ Allen E. Barrow
United States District Judge.

Clerk.

A TRUE COPY. Certified this 25th day of September, 1962

(Signed) Noble C. Hood Clerk. (By) Deputy Clerk.

United States District Court
FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

United States of America

v.
Virgil Lee Baker, Jr.

No. 13,890-Criminal

SEP 25 1962

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

On this 25th day of September, 1962, 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 violated Title 18, U.S.C., Section 2312, in that on or about September 8, 1962, he did transport in interstate commerce from Stockton, California, to Tulsa, Oklahoma, a stolen 1955 Oldsmobile, Vehicle Identification No. 559C7815, he then knowing such automobile to have been stolen

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 committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of

Count One - Four (4) Years.

IT IS ORDERED THAT

RECORDED

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/ Allen E. Barrow

United States District Judge.

/s/ L. K. Smith

The Court recommends commitment to:
L. K. Smith, Ass't. U.S. Atty.

Clerk.

A True Copy. Certified this 25th day of September, 1962

(Signed) Noble C. Hood

Clerk

(By)

Deputy Clerk.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Charles George Vinsant,

Defendant.

Criminal No. 13870

FILED

OCT - 8 1962

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

ORDER

This matter coming on before me, the undersigned Judge, this 9th
day of October, 1962, and the court having carefully examined
the files and records in the above styled and numbered cause and being
fully advised in the premises finds:

That this court has received from the defendant herein, Charles
George Vinsant, a letter dated September 9, 1962, addressed to the Honorable
Allen E. Barrow, in which said defendant has requested a reduction of the
sentence imposed upon him on August 28, 1962, and the court will and hereby
does treat said letter as a motion to reduce sentence pursuant to Rule 35,
Federal Rules of Criminal Procedure, and directs that said letter be filed
with the Clerk of this court as such a motion.

That the court gave due and careful consideration to the report of
the United States Probation Officer and to all other facts and circumstances
prior to determining the sentence which should be imposed at the time the
defendant was heretofore sentenced. That no new facts have been presented
to the court which would justify or warrant a change or reduction of the
sentence given to said defendant, and that accordingly the defendant's motion
for reduction of sentence should be overruled and denied.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the letter of
said defendant, dated September 9, 1962, addressed to the Honorable Allen E.
Barrow, of this court, be and it hereby is treated as a motion for reduction
of sentence pursuant to Rule 35, Federal Rules of Criminal Procedure.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said motion for
reduction of sentence be and it hereby is overruled and denied.

Allen E. Barrow
UNITED STATES DISTRICT JUDGE

United States District Court
FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

United States of America
Montello, Inc.

No. 13,892-Criminal

OCT 16 1962

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

On this 16th day of October, 1962, the attorney for the government and the defendant appeared in person and by counsel, G. Douglas Fox.

It is ADJUDGED that the defendant has been convicted upon his plea of Nolo Contendere of the offense of having violated Title 49, U.S.C., Section 301 et seq., in that on various dates from on or about September 22, 1961, to on or about April 9, 1962, the defendant did knowingly and wilfully fail to require certain of its drivers to make and keep a driver's daily log; and did knowingly and wilfully fail to have in its files in Tulsa, Oklahoma, medical examination records on certain drivers in its employ.

as charged in counts 1 thru 10 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 of the United States and pay unto the United States of America a fine in the amount of One Hundred (\$100.00) Dollars on each of Counts One thru Ten.

It is ADJUDGED that the defendant is granted until December 15, 1962, within which to pay the fine imposed.

It is ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal, Tulsa, Oklahoma, and take the copy to be as the counterpart of the defendant.

Approved as to form: /s/ Phillips Breckinridge
/s/ Allen E. Barrow
United States District Judge.
Clerk.

A True Copy. Certified this 16th day of October, 1962
(Signed) Noble C. Hood Clerk
(By) Deputy Clerk.

United States District Court
FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

United States of America

v.

James A. Nolen

No. 13,864 Criminal

OCT 23 1962

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

On this 23rd day of October 1962 came the attorney for the government and the defendant appeared in person and by counsel, Charles H. Froeb.

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

as having violated Title 21, U.S.C., 331 and 333, in that prior to March 15, 1962, Penicillin tablets and other drugs within the meaning of 21 U.S.C. 353(b)(1)(B), were shipped in interstate commerce, and that thereafter he caused a number of tablets of said drugs to be dispensed to certain individuals without prescriptions therefor from a practitioner licensed by law to administer said drugs, as charged in Counts One to Fifteen 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 hereby committed to the custody of the Attorney General of the United States of America in the sum of Four Hundred (\$400.00) Dollars on each of Counts One to Fifteen, inclusive, for a total of Six Thousand (\$6,000.00) Dollars, and that he is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment until payment of said fines, or until he is otherwise discharged as provided by law;

IT IS ADJUDGED that imposition of sentence is hereby suspended and the defendant is placed on probation on each count for a period of Three (3) Years from this date, on the condition that the defendant in no way prescribe drugs or sell drugs without a prescription, and that he pay the fine heretofore imposed.

It is Further Adjudged that the defendant is granted until April 23, 1963 to pay said fine.

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/ ALLEN E. BARROW

United States District Judge.

/s/ NOBLE C. HOOD

Ass't. U. S. Attorney

Clerk.

A True Copy. Certified this 23rd day of October, 1962

(Signed) NOBLE C. HOOD

Clerk

(By)

Deputy Clerk.

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

OCT 23 1962

UNITED STATES OF AMERICA

v.

Aaron Jenkins, Jr.

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

} No. 13,878 Criminal

On this 23rd day of October, 1962, came the attorney for the government and the defendant appeared in person, and by counsel, H. G. "Bill" Dickey.

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

of the offense of having violated Title 26, U.S.C., Sections 5205(a)(2), 5604(a)(1), in that on or about May 17, 1962, in the 1200 block East Woodrow Place, Tulsa, Oklahoma, he had in his possession five (5) gallons of distilled spirits on which the tax had not been paid; and transported the nontaxpaid spirits from an unknown place to a point in the 1200 block East Woodrow Place, Tulsa, Oklahoma,

as charged Counts 1 & 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 imposition of sentence is suspended and the defendant is placed on probation on each count for a period of Two (2) 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:

/s/ SAM E. TAYLOR

Ass't. U. S. Attorney

/s/ ALLEN E. BARROW

United States District Judge.

Clerk.

A TRUE COPY. Certified this 23rd day of October, 1962

(Signed) NOBLE C. HOOD

Clerk.

(By)

Deputy Clerk.

United States District Court
FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

United States of America
v.
Charles Curtis Young

No. 13,879-Criminal OCT 23 1962

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

On this 23rd day of October, 1962 came the attorney for the government and the defendant appeared in person and by counsel, Don Hampton.

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

of the offense of having violated Title 26, U. S. C., Sections 5205(a)(2), 5604(a)(1), in that on or about June 8, 1962, in Pawhuska, Oklahoma, he had in his possession two (2) gallons of distilled spirits, the immediate containers thereof not evidencing determination of tax or compliance with the provisions of Chapter 51, Internal Revenue Code of 1954, as amended; and transported said nontaxpaid spirits from 801 East 15th Street, Pawhuska, Oklahoma, to a point in the 200 block West 5th Street, Pawhuska, Oklahoma, as charged in Counts One and Two 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 ~~shall pay a fine~~ pay a fine unto the United States of America in the sum of One Hundred Fifty (\$150.00) Dollars on each of Counts One and Two, and that he is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment until payment of said fine, or until he is otherwise discharged as provided by law.

It IS ADJUDGED that imposition of sentence is hereby suspended and the defendant is placed on probation on each count for a period of Two (2) Years from this date.

IT IS FURTHER ADJUDGED that the defendant is granted until October 23, 1963 to pay said fine.

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:

Allen E. Barrow

United States District Judge.

L. K. Smith

Assistant U. S. Attorney

Clerk.

A True Copy. Certified this _____ day of _____

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

United States District Court
FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

United States of America

v.

Coleman Jordan, Jr.

No. 13,880 Criminal OCT 23 1962

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

On this 23rd day of October, 1962, 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 violated Title 26, U.S.C., Sections 5179(a), 5601(a)(1); 5601(a)(7), in that on or about June 12, 1962, on farm premises near Edna, Oklahoma, he did unlawfully possess a still and distilling apparatus, set up, which he had failed to register as required by law; and did make and ferment mash fit for distillation on premises other than a distillery duly authorized according to law,

as charged in Counts 1 & 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 committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of

Count One - Six (6) Months
Count Two - Six (6) Months, concurrently with the sentence imposed in Count One.

~~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/ PHILLIPS BRECKINRIDGE

/s/ ALLEN E. BARROW

United States District Judge.

THE COPIES OF THIS COMMITMENT TO:
Ass't. U. S. Attorney

A True Copy. Certified this 23rd day of October, 1962

(Signed) NOBLE C. HOOD
Clerk

(By) _____
Deputy Clerk.

United States District Court

FILED

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

OCT 23 1962

UNITED STATES OF AMERICA

v.

Billy Joe Morrell

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

No. 13,893 Criminal

On this 23rd day of October, 1962, 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 violated Title 18, U.S.C., 2113(a)(g), in that on or about September 22, 1962, he did knowingly, wilfully and unlawfully break into and enter the Tulsa Bell Federal Credit Union, 217 East 6th Street, Tulsa, Oklahoma, a Federal Credit Union, Certificate Number 2989, with intent to commit larceny therein.

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 imposition of sentence is hereby suspended 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:

/s/ L. K. SMITH
Ass't. U. S. Attorney

/s/ ALLEN E. BARROW
United States District Judge.

Clerk.

A TRUE COPY. Certified this 23rd day of October, 1962

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

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

OCT 30 1962

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

UNITED STATES OF AMERICA

v.

Barnell Willie Ward

No. 13,881 - Criminal

On this 30th day of October, 1962, came the attorney for the government and the defendant appeared in person, and by counsel, Robert D. Scott.

IT IS ADJUDGED that the defendant has been convicted upon his plea of guilty as to Count One and a plea of nolo contendere as to Count Two of the offenses of having violated Title 26, U. S. C., Sections 5205(a)(2) and 5604(a)(1), in that on or about June 22, 1962, at 256 East Ute Place, Tulsa, Oklahoma, in the Northern Judicial District of Oklahoma, he had in his possession forty-seven (47) gallons of distilled spirits upon which the tax had not been paid; and he did sell said distilled spirits, as charged in Counts One and Two of the indictment;

~~XXXXXXXX~~
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 as to Count One.

IT IS ADJUDGED that the imposition of sentence is hereby suspended and 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:

L. K. Smith
Assistant U. S. Attorney

ALLEN E. BARROW
United States District Judge.

.....
Clerk.

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

(Signed) (By)
Clerk. Deputy Clerk.

United States District Court

FILED

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

OCT 30 1962

UNITED STATES OF AMERICA

v.

Morris Clay Jones

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

No. 13,881 - Criminal

On this 30th day of October, 1962, 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 violated Title 26, U. S. C., Sections 5205(a)(2) and 5604(a)(1), in that on or about June 22, 1962, at 256 East Ute Place, Tulsa, Oklahoma, in the Northern Judicial District of Oklahoma, he had in his possession forty-seven (47) gallons of nontaxpaid distilled spirits; and he did sell said nontaxpaid distilled spirits, as charged in Counts One and Two of the indictment;

~~XXXXXXXX~~

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 suspended and the defendant is placed on probation on each count 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:

L. K. Smith
Assistant U. S. Attorney

ALLEN E. BARROW
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.
Horace Foster Tate

No. 13,883 - Criminal

OCT 30 1962

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

On this 30th day of October, 1962 came the attorney for the government and the defendant appeared in person and by counsel, William K. Powers.

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

of the offense of having violated Title 26, U. S. C., Sections 5205(a)(2), 5604(a)(1), 5179(a) and 5601(a)(1), in that on or about July 27, 1962, at a point on a country road located about two miles south of Collinsville, Oklahoma, in the Northern Judicial District of Oklahoma, he had in his possession forty-eight (48) gallons of non-taxpaid distilled spirits; and he did unlawfully possess a still and distilling apparatus, set up, which he had failed to register as required by law, as charged in Counts number One and Two of the indictment;

XXXXXX

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 ordered to pay a fine unto the United States of America in the sum of One Hundred Fifty (\$150.00) Dollars on each of Counts One and Two, and that he is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment until payment of said fine, or until he is otherwise discharged as provided by law.

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

IT IS FURTHER ADJUDGED that the defendant is granted until April 30, 1964 within which time to pay said fine.

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:

Allen E. Barrow

United States District Judge.

L. K. Smith

Assistant U. S. Attorney

Clerk.

A True Copy. Certified this day of

(Signed)

Clerk

(By)

Deputy Clerk.

FILED**United States District Court**

FOR THE

OCT 30 1962

NORTHERN DISTRICT OF OKLAHOMA

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

UNITED STATES OF AMERICA

v.

Marguerite Lamb

No. 13,884 - Criminal

On this 30th day of October, 1962, came the attorney for the government and the defendant appeared in person, and by counsel, Carl A. Back.

her
It IS ADJUDGED that the defendant has been convicted upon ~~his~~ plea of guilty of the offense of having violated Title 18, U. S. C., Section 500, in that on or about August 6, 1962, at Tulsa, Oklahoma, she, with intent to defraud, did falsely make and forge certain money orders each in the amount of \$100.00, payable to John Roberts, and the purchaser as Mrs. John Roberts, Route 3, Braman, Oklahoma, dated August 4, 1962, purporting to be money orders issued by the United States Post Office Department, Braman, Oklahoma, as charged in Counts number One, Two and Three of ~~the indictment~~ 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 imposition of sentence is hereby suspended and the defendant is placed on probation on each count for a period of Two (2) Years from this date.

IT IS FURTHER ADJUDGED that the probation in this case shall run concurrently with the order of probation imposed in the District Court of Tulsa County, Oklahoma.

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 M. Imel
United States Attorney

ALLEN E. BARROW

United States District Judge.

Clerk.

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

(Signed)

Clerk.

(By)

Deputy Clerk.

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

UNITED STATES OF AMERICA

v.

Emma Lene McGee

No. 13,836 Criminal NOV -5 1962

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

On this 5th day of November, 1962, came the attorney for the government and the defendant appeared in person, and by counsel, Robert Copeland.

It IS ADJUDGED that the defendant has been convicted upon ^{her} plea of not guilty, and a jury verdict of guilty of the offense of having violated Title 26, U.S.C., Sections 5205(a)(2), 5604(a)(1), in that on or about May 9, 1962, on premises at 119 East Newton Street, Tulsa, Oklahoma, she had in her possession fourteen (14) gallons of distilled spirits, the containers thereof not evidencing the determination of the tax or indicating compliance with the provisions of Chapter 51, Internal Revenue Code of 1954, as amended,

as charged in Ct. 3 of the Indictment; 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 imposition of sentence is hereby suspended and the defendant is placed on probation for a period of five (5) 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:

/s/ PHILLIPS BRECKINRIDGE
Ass't. U. S. Attorney

United States District Judge.

Clerk.

A TRUE COPY. Certified this 5th day of November, 1962

(Signed) NOBLE C. HOOD (By) _____
Clerk. Deputy Clerk.

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

NOV 13 1962

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

United States of America)
)
vs.)
)
John Camp)

No. 13,834 - Criminal

On the 2nd day of August, 1962, came the attorney for the government and the defendant appeared in person and by counsel, Ed Goodwin.

IT WAS ADJUDGED that the defendant had been convicted upon his plea of not guilty and a finding of guilty of the offense of having violated Title 26, U. S. C., Sections 5205(a)(2), and 5604(a)(1), in that on or about April 19, 1962, at Tulsa, Oklahoma, he had in his possession five and one-fourth (5-1/4) gallons of non-taxpaid distilled spirits, as charged in the indictment.

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 Five (5) Years from that date; and that he pay a fine unto the United States of America in the sum of Five Hundred (\$500.00) Dollars, on execution.

NOW, on this 13th day of November, 1962 came the attorney for the government and the defendant appeared in person and by counsel, Ed Goodwin. And it being shown to the Court that the defendant has violated the terms and conditions of said probation,

IT IS ADJUDGED that the order of probation of August 2nd, 1962 be revoked and the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of

Five (5) Years.

IT IS FURTHER ADJUDGED that the sentence of imprisonment commence upon his release by the authorities of the State of Oklahoma from the sentence he is now serving.

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:

Phyllis Breckenridge
Assistant U. S. Attorney

Luther Bohannon
United States District Judge.

United States District Court

FILED

NORTHERN DISTRICT OF OKLAHOMA

NOV 13 1962

United States of America

v.

Jodie Riley

No. 13,894 - Criminal

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

On this 13th day of November, 1962 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 violated Title 18, U. S. C., Section 500, in that on or about November 30, 1961, in Sapulpa, Oklahoma, he did, with intent to defraud, forge the name of S. J. Piowarzyk as an endorsement upon a United States Postal Money Order, No. 4-97,067,871, in the sum of \$100.00, payable to S. J. Piowarzyk; purchaser, John Novak, dated November 17, 1961; and he did, with intent to defraud, utter and pass it, knowing the endorsement thereon to be forged; as charged in Counts one and two of the information;

~~xxxxxxx~~

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

- Count One - One (1) Year
Count Two - One (1) Year

IT IS ADJUDGED that the sentence imposed in Count Two shall run concurrently with the sentence imposed in Count One.

IT IS ADJUDGED that the defendant is placed on probation on each of Counts one and two for a period of One (1) Year to begin at the expiration of the sentence imposed in Counts one and two.

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]

Assistant 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

FILED

NOV 13 1962

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

UNITED STATES OF AMERICA

v.

Elmer George Warren

No. 13,895 - Criminal

On this 13th day of November, 1962, came the attorney for the government and the defendant appeared in person, and by counsel, Phillip R. Campbell.

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

of the offense of having violated Title 18, U. S. C., Section 660, in that on or about June 30, 1962, in the Northern District of Oklahoma, being an employee of and riding in or upon a vehicle of the Franks Van and Storage Company, Tulsa, Oklahoma, a carrier transporting property in interstate commerce, and having in his custody the sum of \$142.80 arising out of or accruing from the transportation of property in interstate shipment, did embezzle and unlawfully convert to his own use, as charged in the information; ~~and 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 imposition of sentence is hereby suspended and the defendant is placed on probation for a period of Two (2) Years from this date on the conditions that restitution be made, that the balance due draw interest at the rate of 8 per cent per annum; and that he does not drink intoxicating liquor.

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 M. Imel
United States Attorney

Allen E. Barron
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 23 1962

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

United States of America,

Plaintiff,

vs.

Criminal No. 13764

Lowry Newton Klink,

Defendant.

ORDER

Now on this 20th day of November, 1962, this matter comes on to be heard upon the motion of Lowry Newton Klink to set aside and/or vacate sentence under Title 28, U.S.C., Section 2255, and for leave to file such motion in forma pauperis.

The court has read and studied the motion and the affidavit requesting leave to proceed without prepayment of costs, and finds that the request to proceed, without prepayment of costs, in forma pauperis should be granted but that the motion to set aside and/or vacate the sentence should be overruled for the following reasons:

1. The matters and things set forth in the instant motion have previously been presented to this court by way of a motion under 28 U.S.C., 2255 wherein the defendant asked that the sentence be set aside and/or vacated. Section 2255 states that the sentencing court shall not be required to entertain a second or successive motion for similar relief on behalf of the same prisoner. It is the opinion of this court that the instant motion does request relief similar to that requested in the motion to set aside and/or vacate filed in this court on January 29, 1962.

2. It is the opinion of this court that the records and the entire file of the court concerning the captioned case and this defendant clearly reflect that the prisoner is not entitled to the relief requested in the instant motion. In this connection, the court states that it is aware of the fact that the defendant Klink has heretofore prosecuted an appeal to the United States Court of Appeals for the Tenth Circuit concerning the same or similar subject matter and that the Court of Appeals has had the opportunity to re-

flect upon the matters herein requested. Because of the conviction of this court that there is no merit to the requests herein made, even if the requests herein made have not previously been presented to this court, it is the opinion that the motion should be overruled.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the request by Lowry Newton Klink to file the motion in forma pauperis is hereby granted, but that the motion to set aside and/or vacate sentence pursuant to 28 U.S.C. 2255, is hereby overruled.

18/ *Ross Ringley*
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Royce Dean Manios,

Defendant.

CRIMINAL NO. 13897

FILED

NOV 27 1962

ORDER

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

This matter coming on before me, the undersigned Judge, this 27th day of November, 1962, for sentence. The defendant herein, Royce Dean Manios, having heretofore, in open court, waived indictment and trial by jury, and having entered a plea of guilty to the charges contained in Counts One and Two of the Information filed in the above styled and numbered cause, and the government appearing by Phillips Breckinridge, Assistant United States Attorney, and the defendant appearing in person and being represented by his counsel, Floyd L. Walker, and said case having been called for sentencing of said defendant, and the court having first inquired of counsel for the defendant and of the defendant personally whether they had anything to say before sentence was pronounced; and the court having received the report of the United States Probation Officer and being fully advised in the premises finds:

That the defendant, Royce Dean Manios, should be committed to the custody of the Attorney General pursuant to the terms of 18 U.S.C. 5010(e) for observation and study at an appropriate classification center or agency to determine whether the defendant, a person under twenty-six years of age, would benefit from treatment under subsections (b) or (c) for a period not to exceed sixty (60) days from the date of the delivery of said defendant to such classification center or agency.

That the commitment of said defendant, as aforesaid, should be stayed until the 3rd day of January, 1963, and that on that date the defendant shall surrender himself at 9:30 A. M., to the United States Marshal for the Northern District of Oklahoma, the bond of said defendant to remain as heretofore fixed during said period.

IT IS THEREFORE ORDERED AND ADJUDGED that the defendant he and he hereby is committed to the custody of the Attorney General pursuant to 18 U.S.C. 5010(e), as aforesaid.

IT IS FURTHER ORDERED AND ADJUDGED that the commitment of said defendant be and it hereby is stayed until the 3rd day of January, 1963.

IT IS FURTHER ORDERED AND ADJUDGED that at 9:30 A. M., on the 3rd day of January, 1963, the defendant surrender himself to the United States Marshal for the Northern District of Oklahoma for the purpose of carrying out said commitment.

IT IS FURTHER ORDERED AND ADJUDGED that the Youth Correction Division of the Board of Parole submit to the court within sixty (60) days from the date of the delivery of said defendant to the appropriate classification center or agency a report of its findings in accordance with 18 U.S.C. 5010(e).

IT IS FURTHER ORDERED AND ADJUDGED that said defendant be returned before this court for the purpose of sentence within sixty (60) days from the date of his delivery to the appropriate classification center or agency, as aforesaid.

Allen E. Barron
UNITED STATES DISTRICT JUDGE

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

NOV 27 1962

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

United States of America

v.

Gerry Estes Clapp

No. 13,901 - Criminal

On this **27th** day of **November**, 19 **62** came the attorney for the government and the defendant appeared in person and ¹ by counsel, **Paul P. McBride**.

IT IS ADJUDGED that the defendant has been convicted upon his plea of² **guilty**

of the offense of **having violated T. 18, U. S. C., Section 2312, in that on or about November 5, 1962, he transported in interstate commerce from Colorado Springs, Colorado, to Claremore, Oklahoma, in the Northern Judicial District of Oklahoma, a stolen 1955 Chevrolet, Vehicle Identification No. VC 55 F 136 419, he then knowing such automobile to have been stolen, as charged in Count number One of the information;**

~~and~~

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 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:

L. K. Smith

~~Assistant U. S. Attorney~~
Assistant U. S. Attorney

ALLEN E. BARROW

United States District Judge.

Clerk.

A True Copy. Certified this **27th** day of **November, 1962.**

(Signed) **NOBLE C. HOOD**

Clerk

(By)

Deputy Clerk.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Criminal No. 13894

Jodie Riley,

Defendant.

FILED

NOV 29 1962

ORDER FOR REDUCTION OF SENTENCE

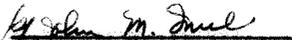
NOBLE C. HOOD
Clerk, U. S. District Court

Upon premises considered, the court does hereby reduce the sentence of Jodie Riley in conformity with the provisions of Rule 35, Federal Rules of Criminal Procedure, by reducing the sentence from imprisonment for one year to be followed by a one-year period of probation on each count, to run concurrently, to a sentence of imprisonment for one year in the custody of the Attorney General on each of the two counts, said sentences to be served concurrently.



UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:


John M. Imel
United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Criminal No. 13877

William Eugene Swift,

Defendant.

FILED
IN OPEN COURT

NOV 30 1962

J U D G M E N T

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

On this 30 day of November, 1962, this matter coming on

for hearing and the United States of America appearing by John M. Imel, United States Attorney for the Northern District of Oklahoma, and the defendant, William Eugene Swift, appearing not, and his surety United Benefit Fire Insurance Company, by Loyd Harmon, Agent, appearing in person and by his attorney, Robert D. Scott, and there being before the court the motion of the United States for judgment on the appearance bond herein and the court having heard arguments of counsel and upon consideration thereof finds that said motion should be sustained; said motion having been made and found to be proper under the provisions of Rule 46(f) of the Federal Rules of Criminal Procedure, and that judgment herein should be rendered in favor of the plaintiff and against William Eugene Swift and United Benefit Fire Insurance Company, Loyd Harmon, Agent.

The court further finds that the forfeiture of the appearance bond of William Eugene Swift, in the amount of Twenty Five Hundred Dollars (\$2500.00) should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the court that the United States of America have judgment against William Eugene Swift and United Benefit Fire Insurance Company, Loyd Harmon, Agent, in the amount of Twenty Five Hundred Dollars (\$2,500.00), plus interest at the rate of 6% per annum until paid.

151 Allen E. Barrow
UNITED STATES DISTRICT JUDGE

United States District Court

FOR THE

Northern District of Oklahoma

FILED ✓

UNITED STATES OF AMERICA

v.

William Leroy Taulman

No. **13,621**

DEC - 3 1962

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

It appearing to the Court that **William Leroy Taulman**, who has been on probation by order of this Court since **January 18**, 1961, and it being the opinion of this Court that his discharge from probation prior to the expiration of the maximum period of probation would be compatible with the welfare of society, and that the judgment of conviction entered by this Court on **January 18**, 1961, should be set aside pursuant to Section 5021(b) Title 18, U. S. Code; it is by the Court on **December 3**, 1962;

ORDERED that **William Leroy Taulman** be unconditionally discharged from probation.

151 Allen G. Barrow
Judge

United States District Court

FOR THE

Northern District of Oklahoma

FILED ✓

DEC - 3 1962

UNITED STATES OF AMERICA

v.

William Leroy Taulman

No. **13,621**

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

This is to certify that on **December 3**, 19 **62**,
this Court discharged **William Leroy Taulman** from
probation prior to the expiration of the maximum period of his
probation and therefore the judgment of conviction entered by
this Court on **January 18**, 19**61**, in United States v.
William Leroy Taulman, No. **13,621**, has been set aside pursuant
to the provisions of Section 5021(b), Title 18, U. S. Code.

December 3, 1962

151 Allen E. Barrow
Judge

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Minnie Lee Redman

No. 13,887 - Criminal

FILED

On this 11th day of December, 1962, came the attorney for the government, and the defendant appeared in person, and by counsel, Joe LaDonne, Jr. DEC 11 1962

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

It Is ADJUDGED that the defendant has been convicted upon ^{her}~~his~~ plea of guilty

of the offense of having violated Title 18, USC Section 1010, in that on or about November 18, 1959, at Tulsa, Oklahoma, in the Northern Judicial District of Oklahoma, she, for the purpose of obtaining a loan from the Sand Springs State Bank, Sand Springs, Oklahoma, with the intent that such loan would be offered to or accepted by the Federal Housing Administration for insurance, knowingly made a false statement, on Form FH-1, Credit Application for Property Improved Loan, as charged in Count number one of ~~xxxxxxx~~ 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 imposition of sentence is hereby suspended and the defendant is 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:

SAM E. TAYLOR
Assistant U. S. Attorney

ALLEN E. BARROW
United States District Judge.

Clerk.

A TRUE COPY. Certified this 11th day of December, 1962.

(Signed) NOBLE C. HOOD Clerk. (By) _____ Deputy Clerk.

United States District Court

FILED

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

DEC 11 1962

UNITED STATES OF AMERICA

v.
William Leroy King

No. 13,899-Criminal

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

On this 11th day of December, 1962, came the attorney for the government and the defendant appeared in person, and with counsel, Robert B. Copeland.

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

of the offense of having violated Title 18, U.S.C., Section 2312, in that on or about November 11, 1962, he did transport in interstate commerce from Hamburg, Pennsylvania, to Tulsa, Oklahoma, a stolen 1957 Pontiac four-door Sedan, Vehicle Identification No. L 857 H 3928 he then knowing such automobile to have been stolen

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 Two (2) 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:

~~/s/ Phillips Breckinridge~~
Phillips Breckinridge, Ass't. U.S. Atty. /s/ Allen E. Barrow
United States District Judge.

Clerk.

A TRUE COPY. Certified this 11th day of December, 1962

(Signed) Noble C. Hood (By) *Allen E. Barrow*
Clerk. Deputy Clerk.

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED

DEC 11 1962

UNITED STATES OF AMERICA

v.
Harold Gilbert Franklin

No. 13,899-Criminal

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

On this 11th day of December, 1962, came the attorney for the government and the defendant appeared in person, and by counsel, Robert B. Copeland.

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

of the offense of having violated Title 18, U.S.C., Section 2312, in that on or about November 11, 1962, he did transport in interstate commerce from Hamburg, Pennsylvania, to Tulsa, Oklahoma, a stolen 1957 Pontiac Automobile, Vehicle Identification No. L 857 H 3928, he then knowing such automobile to have been stolen

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 Two (2) Years from this date, on the condition that he repay within Six (6) Months the United States Marshal any funds advanced to him for transportation and subsistence for his return to Orange, New Jersey.

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/ Phillips Breckinridge~~
Phillips Breckinridge, Ass't. U.S. Atty. /s/ Allen E. Barrow
United States District Judge.

Clerk.

A TRUE COPY. Certified this 11th day of December, 1962

(Signed) Noble C. Hood (By) *Allen E. Barrow*
Clerk. Deputy Clerk.

United States District Court

FILED

FOR THE

DEC 11 1962

NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Ronald Robert Whiteman

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

No. 13,900 - Criminal

On this 11th day of December, 1962, came the attorney for the government and the defendant appeared in person, and by counsel, Richard V. Armstrong.

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

of the offense of having violated Title 18, U. S. C., Section 2312, in that on or about October 16, 1962, he transported in interstate commerce from Indianapolis, Indiana, to Miami, Oklahoma, in the Northern Judicial District of Oklahoma, a stolen 1953 Ford two-door, Vehicle Identification No. B3GV170694, he then knowing such automobile to have been stolen, as charged in Count number one of the information;

~~XXXXXXXX~~
~~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 imposition of sentence is hereby suspended and the defendant is placed on probation for a period of Two (2) Years from this date, as provided by Title 18, U. S. C., Section 5010(a).

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:

~~Phillips Brockbridge~~
Assistant U. S. Attorney

ALLEN E. BARROW

United States District Judge.

Clerk.

A TRUE COPY. Certified this 11th day of December, 1962.

(Signed) NOBLE C. HOOD

Clerk.

(By)

Richard V. Armstrong

Deputy Clerk.

FILED

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

DEC 13 1962

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

United States of America,

Plaintiff,

vs.

William Kenneth Knight,

Defendant.

Criminal No. 13587

ORDER

This matter coming on before me, the undersigned Judge, this 13th day of December, 1962, upon the affidavit of the above named defendant, filed herein on the 5th day of November, 1962, which the court will and hereby does treat as a motion for leave to proceed on appeal in forma pauperis, and the court having considered said affidavit and being fully advised in the premises finds:

That for the reasons set out in this court's order, dated September 28, 1962, the contentions raised by the said William Kenneth Knight are frivolous and without merit, and that therefore leave to appeal in forma pauperis should be denied.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the request of the said defendant for leave to appeal in forma pauperis be and it hereby is overruled and denied.

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

Allen E. Barrow

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
 FOR THE
 NORTHERN DISTRICT OF OKLAHOMA

FILED

DEC 26 1962

United States of America

vs.

Patrick Thomas O'Neil

No. 13,852 - Criminal NOBLE C. HOOD
 Clerk, U. S. District Court

On the 19th day of June, 1962, came the attorney for the government and the defendant appeared in person, and by counsel, Robert N. Wilde; and having consented in writing to prosecution under the juvenile delinquency act and having been fully apprised of his rights and of the consequences of such consent.

It was adjudged that the juvenile became a delinquent by committing the offense of having on or about May 7, 1962 transported in interstate commerce from Tulsa, Oklahoma, in the Northern Judicial District of Oklahoma, to Hiawatha, Kansas, a stolen 1957 Chevrolet Station Wagon, Vehicle Identification No. VB57S312911, he then knowing such automobile to have been stolen, in violation of Title 18, U. S. C., Sections 5031 to 5037, as charged in 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 was guilty as charged and convicted.

It was adjudged that the defendant be placed on probation for a period of One (1) Year from that date.

NOW, on this 26th day of December, 1962 came the attorney for the government and the defendant, Patrick Thomas O'Neil, appeared in person, and by counsel, Robert N. Wilde, and it being shown to the court that said defendant has violated the terms and conditions of said probation;

IT IS ADJUDGED that the order of probation be revoked and the defendant is hereby committed to the custody of the Attorney General or his authorized representative for treatment and supervision until he reaches his 21st birthday, pursuant to the provisions of the Juvenile Delinquency Act, Title 18, U. S. C., Section 5031, et cetera.

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 M. Smel
 U. S. Attorney

Allen L. Barrow
 United States District Judge

The Court recommends commitment to the Federal Correctional Institution at Inglewood, Colorado.

NOBLE C. HOOD, CLERK

By *Ben B. Ballenger*
 Deputy

* TRUE COPY. Certified this 26th day of December, 1962.

NOBLE C. HOOD, CLERK

By
 Ben B. Ballenger,
 Deputy