

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

GLENMORE DISTILLERIES COMPANY,)
)
) Plaintiff,)
)
)
vs.)
)
) KENNETH AMBROSE, III, d/b/a)
) LEADER LIQUOR COMPANY,)
) Defendant.)

No. 68-C-184

FILED

JAN - 3 1969

M. W. EWING
Clerk, U. S. District Court

JUDGMENT

On this 19th day of December, 1968, this case was set for hearing pursuant to notice. When the case was called in open court the plaintiff appeared through its counsel of record, Thomas R. Brett, but the defendant, Kenneth Ambrose, III, d/b/a Leader Liquor Company, although called three times did not appear. The Court reviewed the file and concluded that proper service in accordance with law had been had upon the defendant and the defendant was to file an answer to the complaint of the plaintiff by the 25th day of September, 1968, but the defendant was in default. The plaintiff moved for judgment in accordance with the prayer and offered in evidence the invoices attached as Exhibit "A" to the plaintiff's complaint reflecting a total open account debt owed by the defendant to the plaintiff in the sum of \$20,154.50.

IT IS THEREFORE ORDERED the plaintiff is hereby granted judgment against the defendant in the sum of \$20,154.50, interest at the rate of 10% from this date, the costs of this action; AND IT IS FURTHER ORDERED the plaintiff is granted a judgment against the defendant as and for its attorney's fees which the court deems to be reasonable in the sum of \$2,000.00.



UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Labelant,

CIVIL ACTION NO. 68-C-264

vs.

An Article of Food consisting of Six Cases, more or less, each containing twelve 1-Lb. Cartons, labeled in part (Cartons) "Trade Winds Breaded Fantail Shrimp *** Net Wt. 16 Ozs. (1 Lb.) *** Trade Winds Company, Subsidiary of W. P. Grace & Co., Thunderbolt, Georgia, 31404, U.S.A.," and (Cases) "Trade Winds Breaded Fantail Shrimp, twelve 1-Lb. Pkgs. Trade Winds Company, Thunderbolt, Georgia and Brownsville, Texas," (Cases Coded "BE4J30X" and "5073" and some cartons from these cases coded "BE5714X",

Respondent.

FILED

JAN 3 1968

M. M. EWING
Clerk, U. S. District Court

DECREE OF CONDEMNATION

On December 27, 1968, a Libel of Information against the above-described article was filed in this Court on behalf of the United States of America by the United States Attorney for this district. The libel alleges that the article proceeded against is a food which was shipped in interstate commerce and is adulterated in that it contains coagulase positive staphylococci and that said article was prepared and packed under insanitary conditions in violation of the Federal Food, Drug and Cosmetic Act, 21 U.S.C., Sections 342(a)(3) and (4). Pursuant to Monition issued by this Court, the United States Marshal for this district seized said article on January 2, 1969. Thereafter the Trade Winds Company of Brownsville, Texas, the actual claimant of this article informed the Government that it would not contest the seizure and would consent to a default decree being entered, which default decree would order the destruction of said article seized, as shown by the attached copy of Western Union Telegram from the Trade Winds Company of Brownsville, Texas.

The Court being fully advised in the premises, it is:

ORDERED, ADJUDGED, and DECREED that the said article under seizure is adulterated in violation of 21 U.S.C., Sections 342(a)(3) and (4), and is therefore hereby condemned pursuant to 21 U.S.C., Section 334; and it is further

ORDERED, ADJUDGED, and DECREED that the United States Marshal
in and for this district do forthwith destroy the seized article and make
return to this Court.

Dated this 5th day of January, 1969.

J. Luther Bohannon

UNITED STATES DISTRICT JUDGE

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

COMMUNICATIONS SECTION

RECEIVED
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

GET DEC 17 6 40 AM '68

AS STATED IN THE TELETYPE TO BUREAU AND MEMPHIS, 12/16/68, ROBERT F. SANTEE,
ASSISTANT ATTORNEY GENERAL,
FEDERAL BUREAU OF INVESTIGATION

RECEIVED
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

PLEASE ACCEPT THIS TELEGRAM AS THE AGREEMENT AND CONSENT OF TRADE WINDS COMPANY, PLAINTIFF, TO A DEFAULT DECREE TO BE ENTERED IMMEDIATELY TO THE LABEL AND MARKING FILED AGAINST 6 CASES, MORE OR LESS, EACH CONTAINING 12 1/2 LB CARTONS LABELED IN PART (CARTONS -- "TRADE WINDS BREADED FANTAIL SHRIMP NET WEIGHT 16 OZS. (1 LBS) TRADE WINDS COMPANY SUBSIDIARY OF W R GRACE AND COMPANY THUNDERBOLT, GEORGIA (CASES CODED "A" AND "B") AND (CASES -- "TRADE WINDS BREADED FANTAIL SHRIMP, 12 1/2 LB. PACKAGES, TRADE WINDS COMPANY, THUNDERBOLT, GEORGIA AND DROWNSVILLE, TEXAS") CASES CODED "C" AND "D"), AND SOME CARTONS FROM THESE CASES CODED "E" SHIPPED ON OR ABOUT 11-16-68

SF1261(R2-65)

RANSOME AND RAY ATTYS FOR TRADE WINDS CO
OFM 6 12/1 16 1 31404 12/1 BEAUCOX 5075 22574X 11-16-68 (

SF1261(R2-65)

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Ralph A. Willcox and
Opal Mae Willcox, his wife,

Defendants.

Civil No. 68-C-135
FILED
JAN - 6 1969 *m*
M. M. EWING
Clerk, U. S. District Court

JOURNAL ENTRY VACATING THE JUDGMENT OF FORECLOSURE

NOW, on this 2 day of January, 1969, there came on for hearing before me the undersigned Judge of the United States District Court for the Northern District of Oklahoma, Plaintiff's Motion To Vacate, set aside and hold for naught, the Judgment of Foreclosure previously rendered by the Court on August 28, 1968, pursuant to the provisions of Rule 60(b) of the Federal Rules of Civil Procedure, and the Plaintiff appearing by its counsel of record, Hubert H. Bryant, Assistant United States Attorney for the Northern District of Oklahoma, and the Court having considered the Motion To Vacate and being otherwise fully advised in the premises, finds:

That said Motion To Vacate, set aside and hold for naught the Judgment of Foreclosure should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that the Judgment of Foreclosure rendered by the Court on August 28, 1968, be and the same is hereby vacated, set aside and held for naught.

Frederic Dougherty
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

Hubert H. Bryant
Hubert H. Bryant
Assistant U. S. Attorney
for the Northern District
of Oklahoma
Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

Ralph A. Wilcox and
Opal Mae Wilcox, his wife,

Defendants.

Civil No. 68-c-135

FILED

JAN - 6 1969

M. M. EWING
Clerk, U. S. District Court

JOURNAL ENTRY VACATING THE JUDGMENT OF FORECLOSURE

Now, on this 2 day of January, 1969, there came on for hearing before me the undersigned Judge of the United States District Court for the Northern District of Oklahoma, Plaintiff's Motion To Vacate, set aside and hold for naught, the Judgment of Foreclosure previously rendered by the Court on August 28, 1968, pursuant to the provisions of Rule 60(b) of the Federal Rules of Civil Procedure, and the Plaintiff appearing by its counsel of record, Hubert H. Bryant, Assistant United States Attorney for the Northern District of Oklahoma, and the Court having considered the Motion To Vacate and being otherwise fully advised in the premises, finds:

That said Motion To Vacate, set aside and hold for naught the Judgment of Foreclosure should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that the Judgment of Foreclosure rendered by the Court on August 28, 1968, be and the same is hereby vacated, set aside and held for naught.

Fred D. Baker

UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

Hubert H. Bryant
Assistant U. S. Attorney
for the Northern District
of Oklahoma
Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

FILED

JAN - 6 1969

M. M. EWING
Clerk, U. S. District Court

ALBERT & HARLOW, INC., an)
Oklahoma corporation, and)
SOUTHEAST LEASING, INC., an)
Oklahoma corporation,)

Plaintiffs,)

vs.)

SHOVEL CRANE SUPPLY EUROPA,)
S.p.A., an alien corporation,)

Defendant.)

CIVIL ACTION

No. 68-C-257

ORDER ALLOWING DISMISSAL ON PLAINTIFFS' MOTION

Upon plaintiffs' motion for leave to discontinue this action
it is ordered that the complaint be dismissed without prejudice,
with costs taxed to plaintiffs.

Dated this 16th day of January, 1969.

W. Allen E. Barron
District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

THE FIRST NATIONAL BANK AND
TRUST COMPANY OF TULSA,

Plaintiff,

vs.

THE UNITED STATES OF AMERICA,
JOAN MILLER (formerly Joan Wilbanks),
CHARLES E. WILBANKS and HARVEY ALLEN
and WESTERN BEAUTY SUPPLY COMPANY,

Defendants.)

CIVIL ACTION NO. 68-C-215

FILED

JAN - 8 1969

M. M. EWING
Clerk, U. S. District Court

O R D E R

NOW on this 8 day of January, 1969, this matter came on for disposition, the plaintiff First National Bank and Trust Company of Tulsa appearing by and through James R. Ryan, its attorney; defendant United States of America appearing by and through its attorney Robert P. Santee, Assistant United States Attorney for the Northern District of Oklahoma; and defendant Joan Miller (formerly Joan Wilbanks) appearing by and through her attorney, John R. Richards.

The Court finds that defendants, United States of America and Joan Miller (formerly Joan Wilbanks), have stipulated and agreed that the interpleaded fund in the amount of \$14,577.08, placed on deposit in this Court by the plaintiff First National Bank and Trust Company of Tulsa, may be distributed as follows:

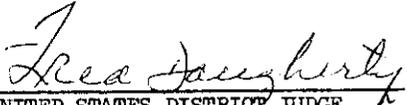
The First National Bank and Trust Company of Tulsa . . .	\$25.48
Joan Miller (formerly Joan Wilbanks), defendant. . .	\$10,450.00
The United States of America, defendant,	\$ 4,101.60

The Court further finds that defendants, Charles E. Wilbanks, Harvey Allen, and Western Beauty Supply Company, have disclaimed herein and further that these defendants, together with plaintiff, First National Bank and Trust Company of Tulsa, have approved said stipulation between defendants, United States of America and Joan Miller (formerly Joan Wilbanks).

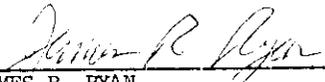
NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the Clerk of the Court for the Northern District of Oklahoma is directed to disburse the fund

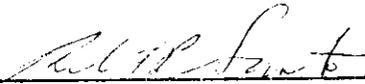
in the amount of \$14,577.03 as follows:

The First National Bank and Trust Company of Tulsa . . . \$25.48
Joan Miller (formerly Joan Wilbanks) defendant . . . \$10,450.00
The United States of America, defendant \$ 4,101.60.


UNITED STATES DISTRICT JUDGE

APPROVED:


JAMES R. RYAN,
Attorney for First National Bank
and Trust Company of Tulsa, Plaintiff


ROBERT P. SANTEE
Attorney for United States of
America, defendant


JOHN R. RICHARDS,
Attorney for Joan Miller
(formerly Joan Wilbanks),
defendant

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FILED

JAN - 6 1968

M. H. Ewing
Clerk, U. S. District Court

DOMESTIC CREDIT BANK, INC.)
)
Plaintiff,)
)
)
)
COLUMBUS CRUISER CORPORATION,)
an Ohio corporation, and)
MILES M. ELMERS,)
)
Defendants.)

CIVIL ACTION NO. 65-10076

JUDGMENT

The defendants, Columbus Cruiser Corporation, and Miles M. Elmers, having failed to plead or otherwise defend in this action and their default having been entered,

Now, upon application of the Plaintiff and upon affidavit that Defendants are indebted to Plaintiff in the sum of \$19,000.00, that Defendants have been defaulted for failure to appear and that Defendants are not infants or incompetent persons or are not in the military service of the United States, it is hereby,

ORDERED, ADJUDGED and DECREED, that Plaintiff recover of Defendants the sum of \$19,000.00 together with interest at the rate of ten percent (10%) per annum on the principal sum of \$19,000.00 from July 1, 1968 until August 29, 1968 and on the principal sum of \$17,825.00 at the rate of ten percent (10%) per annum from and after August 29, 1968, together with \$1,325.00 attorneys' fees and costs in the sum of _____.

S/R M. H. Ewing
R. H. EWING, Clerk

DATE: Jan 8, 1968.

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

INTERSTATE FIRE & CASUALTY COMPANY
AND ROBERT A. YEAKLEY,

Plaintiffs,

vs.

RELIANCE INSURANCE COMPANY,
UNDERWRITERS AT LLOYDS and
SOUTHERN MARINE & AVIATION
UNDERWRITERS, INC.,

Defendants.

No. 68-C-85

FILED

JAN 10 1969

M. M. EWING
Clerk, U. S. District Court

APPLICATION TO DISMISS

Come now the complainants, Interstate Fire & Casualty Company and Robert A. Yeakley, and move the Court for an order dismissing said cause. Your complainants respectfully show the Court that all the issues in said cause were determined adversely to complainants in the Court's order of December 10, 1968, and that your complainants have no further authority to submit.

WHEREFORE, complainants pray for an order dismissing said cause.

BEST, SHARP, THOMAS & GLASS

JOSEPH F. GLASS
JOSEPH A. SHARP

By Joseph A. Sharp
Attorneys for Complainants

ORDER OF DISMISSAL

Now on this 10 day of January, 1969, pursuant to application filed herein by the complainants Interstate Fire & Casualty Company and Robert A. Yeakley, the above captioned cause is dismissed.

W. Fred Slaughter
JUDGE

*Approved
to Bill Hester*

IN THE UNITED STATES DISTRICT COURT WITHIN AND
FOR THE NORTHERN DISTRICT OF OKLAHOMA

THE WILLIAM L. BONNELL)
COMPANY, INC., a corporation,)
)
Plaintiff,)
)
vs.)
)
OKLAHOMA WINDOW & DOOR)
COMPANY, a corporation, and)
EDWIN C. ELOSE,)
)
Defendants.)

Civil Action
No. 6040

FILED

JAN 13 1969

M. M. EWING
Clerk U. S. District Court

ORDER OF DISMISSAL

Now, on this 8th day of January, 1969, it appearing to the
Court from the Joint Stipulation of the parties that the foregoing cause should
be dismissed with prejudice and at the cost of the plaintiff,

IT IS BY THE COURT ORDERED that plaintiff's action be and the
same is hereby dismissed with prejudice and at the cost of the plaintiff.

United States District Judge

APPROVED BY:

Ungerman, Grabel, Ungerman & Leiter

By William Leiter
Attorneys for Plaintiff

Clarence S. Warren
Clarence S. Warren
Attorney for Defendants

LAW OFFICES
UNGERMAN,
GRABEL,
UNGERMAN
& LEITER

SIXTH FLOOR
WRIGHT BUILDING
TULSA, OKLAHOMA

IN THE UNITED STATES DISTRICT COURT IN AND FOR
THE NORTHERN DISTRICT OF OKLAHOMA

CARLOS VERN LANGSTON,
Administrator of the Estate
of Karla Anne Langston,
Deceased,

and

CARLOS VERN LANGSTON and
Carmaleita Rose Langston,
Mother and Father and next
of kin of Karla Anne Langston,
Deceased,

Plaintiffs,

-vs-

RIVER QUEEN BOAT WORKS, INC.,
a corporation,

Defendant.

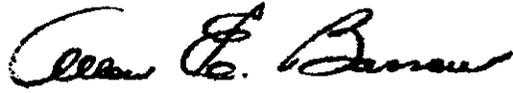
FILED
JAN 13 1969
M. M. EWING
Clerk, U. S. District Court

No. 68-C-157

ORDER OF DISMISSAL WITH PREJUDICE

Now on this 13th day of ~~December~~ JANUARY 1969 the above styled matter coming upon Plaintiff's Motion for Dismissal With Prejudice and the Court being fully advised and finding that said matter is now moot;

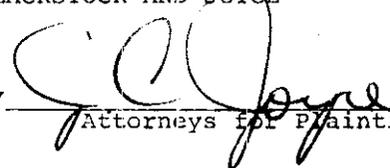
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the above and foregoing matter is hereby dismissed with prejudice to the filing of a new action.



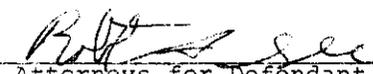
Judge of the District Court

Okay as to form

BLACKSTOCK AND JOYCE

BY 
Attorneys for Plaintiffs

WALLACE AND OWENS

BY 
Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

JACK D. JOHNSON, et al)
)
 Plaintiffs)
)
 v)
)
 PARKE-DAVIS & COMPANY, et al)
)
 Defendants.)

No. 68-C-260

FILED

JAN 13 1969

M. M. EWING
Clerk, U. S. District Court

ORDER OF DISMISSAL

Now on this 13 day of January, 1969, there comes before this court the Motions to Dismiss filed by the defendants herein upon the ground this court has no jurisdiction. Plaintiffs have responded by confessing the said motions should be sustained. The court having received the file, the motions and briefs finds that the court has no jurisdiction of this action because a lack of diversity exists between plaintiffs and at least two joint defendants and no other ground of federal jurisdiction exists, and therefore the action should be dismissed without prejudice.

IT IS THEREFORE ORDERED BY THE COURT that this case be and the same is hereby dismissed without prejudice at the costs of plaintiffs.

Lrea Daugherty
District Judge

UNITED STATES DISTRICT COURT, DISTRICT OF COLUMBIA

ARMOUR MEAT COMPANY, a Delaware corporation,

Plaintiff,

vs.

H. H. GODDING & SONS, a Partnership,

Defendant.

CIVIL NO. 5647

FILED

JAN 15 1969

M. M. EWING
Clerk U. S. District Court

ORDER OF DISMISSAL

On this 15th day of January, 1969, this matter comes on for hearing on the joint application of the parties for an order dismissing with prejudice any and all remaining claims of any kind in this cause.

The Court finds that the parties hereto have settled all differences between them and that in consideration of the settlement each party has released the other from all claims. The Court further finds that all remaining claims of either party should be dismissed with prejudice.

It is therefore ordered that any and all matters and claims of every kind herein, not finally determined by the opinion and judgment of the Circuit Court of Appeals, whether contained in the Complaint, the answer, the Counterclaims or the issues submitted to the Master, be and the same are hereby dismissed with prejudice.

15 *Walter E. Garrison*
United States District Judge

APPROVED:

Arthur D. Bellino
Attorney for Plaintiff
Robert P. Kelly
Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

PEPPER & TANNER, INC.,
a corporation,

Plaintiff,

-vs-

WAGLEVOORD BROADCASTING COMPANY,
INC., et al.,

Defendants.

FILED
JAN 15 1969
M. M. EWING
Clerk U. S. District Court

No. 68-C-19

JOURNAL ENTRY OF JUDGMENT

This matter having come on for hearing on the merits pursuant to regular setting this August 26, 1968, before the Court sitting without a jury, and the parties appearing in person and by their counsel of record and having announced ready for trial, the Court heard the opening statement of counsel, and proceeded to take evidence until 3:30 o'clock P. M., when, pursuant to request of counsel the Court recessed the trial until 9:30 o'clock A. M. on August 27, 1968.

Now this August 27, 1968, the trial of the cause continued, and all parties having presented their evidence, and having announced they rested their respective cases, the Court, after orally announcing its findings of fact and conclusions of law, and having directed counsel for plaintiff to reduce the same to writing for the consideration of the Court, and the Court having received and approved said findings and conclusions and having ordered the same filed herein, finds the issues generally in favor of the plaintiff and against the respective defendants.

IT IS THEREFORE, the order and judgment of the Court that the plaintiff have judgment on the respective counts of its complaint as follows:

1. On Count I of the Complaint, it is ordered and adjudged that the plaintiff have, and it is hereby granted judgment in the sum of THREE THOUSAND THREE HUNDRED TWENTY THREE DOLLARS and SEVENTY TWO CENTS (\$3,323.72) as against the defendant, KOMA, INC., a corporation.

2. On Count II of the Complaint, it is ordered and adjudged that the

plaintiff have, and it is hereby granted judgment in the sum of ONE THOUSAND FOUR HUNDRED ELEVEN DOLLARS and SEVEN CENTS (\$1,411.07) as against the defendant, David W. Wagenvoord.

3. On Count III of the complaint, it is ordered and adjudged that the plaintiff have, and it is hereby granted judgment in the sum of EIGHT THOUSAND SEVEN HUNDRED FORTY FIVE DOLLARS and THIRTY THREE CENTS (\$8,645.33) as against the defendant, Wagenvoord Broadcasting Company, Inc., a corporation.

IT IS THE FURTHER ORDER of the Court that the time within which an appeal from this Order may be taken shall commence to run from the date of this Journal Entry of Judgment.

IT IS THE FURTHER ORDER of the Court that the judgment of the Court may be superseded on appeal by the filing of a good and sufficient corporate surety bond in the sum of \$

LUTHER BOHANON, Judge
United States District Court
Northern District of Oklahoma

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

RAYMOND V. TAFT,)
)
) Petitioner,)
)
) vs.)
) No. 68-C-269
)
) WARDEN RAY H. PAGE and)
) STATE OF OKLAHOMA,)
)
) Respondents.)

FILED

JAN 15 1969

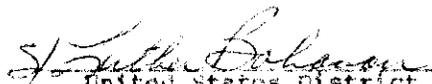
M. M. EWING
Clerk, U. S. District Court

ORDER

This matter comes on for consideration by the Court upon Petition for Writ of Habeas Corpus filed herein by the petitioner, Raymond V. Taft, and the Court having carefully considered said Petition, finds therefrom that the petitioner contends now that he had been declared mentally incompetent at the time the crime for which he stands committed was committed by him. Although the petitioner was represented by counsel at the time of his trial, at his sentencing and on appeal, he states in his Petition that he did not know of his right to an insanity defense, petitioner further states that his alleged grounds for insanity defense have not previously been presented to the Court of Appeals of the State of Oklahoma. Petitioner is not entitled to proceed in this Court until he has exhausted all of his remedies in the State Courts, including his alleged lack of knowledge of his insanity defense, and further whether he was given a fair trial on this issue if it was so presented.

The Petition for Writ of Habeas Corpus, therefore, is denied upon the record presented.

Dated this 15th day of January, 1969.


United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

WILEY GENE WILSON, Y-33807-S.W.)

Petitioner,)

vs.)

NOAH ALDREDGE (Custody Warden),)
G. V. RICHARDSON (Warden of)
Calif., California),)

Respondents.)

69-C-3

FILED

JAN 20 1969

M. M. EWING
Clerk, U. S. District Court

ORDER DENYING PETITION FOR WRIT OF
HABEAS CORPUS

The Court has for consideration the Petition for Writ of Habeas Corpus filed by petitioner herein, and, being fully advised in the premises finds:

That the petition on its face shows that the sentence complained of was imposed in the United States District Court, Western District of New Mexico, and that the petitioner is presently incarcerated in the Federal Reformatory in El Reno, Oklahoma.

It is, therefore, apparent to the Court that jurisdiction nor venue lie with the United States District Court for the Northern District of Oklahoma.

IT IS, THEREFORE, ORDERED that the Petition for Writ of Habeas Corpus be, and the same is hereby denied for lack of jurisdiction and venue.

ENTERED this 20 day of January, 1969.



UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT
OF OKLAHOMA

TULSA GENERAL DRIVERS, WAREHOUSEMEN)
AND HELPERS, LOCAL UNION NO. 523,)
)
Plaintiff,)
)
-vs-)
)
AFFILIATED FOOD STORES, INC.,)
)
Defendant.)

Civil Action No.
68-C-156

FILED

JAN 20 1969

M. M. EWING
Clerk, U. S. District Court

O R D E R

Upon the Stipulation for Dismissal filed herein in this action, it
is hereby ordered that the Complaint be dismissed with prejudice and with
costs to plaintiff.

Dated this 20th day of January, 1969.

s/ Allen E. Zarrow

JUDGE OF THE UNITED STATES DISTRICT COURT

LAW OFFICES
UNGERMAN,
GRABEL,
UNGERMAN
& LEITER

SIXTH FLOOR
WRIGHT BUILDING
TULSA, OKLAHOMA

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

DON CONNELLY CONROY,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

No. 68-C-258

FILED

JAN 20 1969

M. M. EWING
Clerk, U. S. District Court

ORDER

The United States Court of Appeals for the Tenth Circuit, on December 7, 1968, transferred to this Court a document signed by the above Petitioner and described as being in the nature of a Petition for Writ of Habeas Corpus. Accordingly, it has been filed in this Court under the above caption. The records of this Court reveal that the Petitioner above named was transferred from this judicial district to the United States Penitentiary at Leavenworth, Kansas, on November 15, 1968. He has not been in this judicial district since that date. An examination of the said Petition for Writ of Habeas Corpus indicates that the complaints raised therein are such as may be considered by a Motion under Title 28, United States Code, Section 2255, and, accordingly, the Court will treat the document as a Motion under Section 2255.

The document discloses the following complaints:

1. Refusal of this Court to allow the Petitioner to appeal in forma pauperis from convictions in three criminal cases in this Court and sentences pronounced thereon on pleas of guilty by the Petitioner and a denial of an appeal from the Order denying the

1/ The cases were Nos. 68-CR-84, 68-CR-90 and 68-CR-91, all United States of America v. Don Connelly Conroy.

said appeals in forma pauperis.

2. Refusal of this Court to appoint counsel in connection with the desired appeals above mentioned.

3. Petitioner was not allowed to be present at every stage of the proceedings against him in the three criminal cases, with particular reference to proceedings alleged to have been had in this Court on July 30, 1968, August 27, 1968, September 3, 1968 and October 15, 1968.

4. Denial of this Court to appoint substitute counsel in place of counsel previously appointed by the Court to represent the Petitioner in the three criminal cases at Government expense.

5. Failure of the Court to grant the Petitioner speedy trials in the three criminal cases above mentioned, and,

6. Failure of the Court to inform Petitioner as to Court dates and appearances whereby Petitioner could prepare his defense and also subpoena witnesses.

The Court finds and concludes that the six complaints above set out are each without merit or validity and, therefore, the Motion under Title 28, Section 2255, should be denied and dismissed without an evidentiary hearing. This conclusion is reached because the files and records of the cases conclusively show that the Petitioner is not entitled to relief under Section 2255, supra, on any of said complaints.

With reference to complaint 1, regarding a denial of the right to appeal in forma pauperis from his convictions and sentences on pleas of guilty in the three criminal cases, the Court refers to the Orders entered in said cases on November 19, 1968, and December 6, 1968, copies of which are attached hereto as Exhibits A and B for the purpose of reiterating the reasons why the Petitioner was

and is not entitled to such appeals on the ground that the same were frivolous as a matter of law.

With reference to complaint 2, concerning the Court's refusal to appoint counsel to conduct Petitioner's appeals in forma pauperis mentioned immediately above, the same reasons that compelled the Court to deny leave to proceed in forma pauperis negated the appointment of counsel, namely, that such appeals were and are frivolous as a matter of law, as determined in the Court's Orders attached hereto as Exhibits A and B.

With reference to complaint 3, that the Petitioner was not permitted to be present at proceedings had in this Court on July 30, 1968, August 27, 1968, September 3, 1968, and October 15, 1968, the records and files of this Court conclusively show that no Court proceedings were had on any of said dates involving any of the three criminal cases against the Petitioner.

With reference to complaint 4, about the Court denying Petitioner the right to substitute counsel, the Court appointed competent counsel for the Petitioner who represented him throughout the proceedings before this Court in all three cases. The Petitioner did state on October 14, 1968, that he would like to remove his court-appointed attorney as he did not feel that he needed an attorney and wanted to enter a plea of guilty in all three cases. The attorney appointed for the Petitioner was a competent criminal attorney and was representing the Petitioner in a proper and capable fashion. The Court refused to remove the attorney from the cases. The Petitioner's right to counsel does not carry with it the right to select a particular lawyer as his court-appointed attorney. United States v. Burkeen, 355 F.2d 241 (Sixth Cir. 1966). Nor is

the Court required to set aside the prior appointment of counsel and appoint new counsel in the absence of a showing of good cause. United States v. Burkeen, supra. Petitioner claims in his Motion, "that adequate representation was not to be had with counsel of record . . ." This is a bare conclusion and is not the requisite showing of good cause. Moreover, this was not the reason given to the Court according to the files and records of the cases, as shown by Exhibit C hereto.

With reference to complaint 5, that the Petitioner was denied a speedy trial, the Court finds this complaint to be wholly and conclusively without merit according to the files and records in the cases. The Petitioner was arrested by the FBI on July 18, 1968, on the charge which eventually became Case No. 68-CR-91 in this Court. On the same date he was taken before a United States Commissioner. On July 19, 1968, he again appeared before the United States Commissioner, waived counsel in writing, waived a preliminary hearing and was committed by the Commissioner for further proceedings before the United States District Court. On July 19, 1968, the same day, Judge Barrow of this Court appointed Mr. John D. Harris to represent the Petitioner. A Grand Jury was not in session at that time, but a session was called to start on September 4, 1968. This Court received Case No. 68-CR-84, on August 12, 1968, on a signed consent to transfer the case from the District of Kansas under Rule 20, F.R.Crim.P. This Court received Case No. 68-CR-90, on September 3, 1968, on an Information from the District of Oregon transferred under Rule 20, F.R.Crim.P. This Court entertained Case No. 68-CR-91, on September 5, 1968, on a Waiver of Indictment to the charge in this Court. At the same time (on September 5, 1968) the Petitioner was also before the Court for the purpose of

arraignment in all three criminal cases. As Petitioner was being arraigned on the first case above mentioned, he requested that he be granted a mental examination. Further proceedings in the nature of arraignments were then halted and this request was granted. The written Application for Psychiatric Examination, Order of the Court granting same, the mental examination and Doctor's Report required approximately a month. On October 14, 1968, the Petitioner was again brought before the Court on the three criminal cases at which time the Court found the Petitioner to be mentally competent to stand trial based on the report of the examining psychiatrist. Following this finding, the Court started again to arraign the Petitioner on the three criminal cases during which proceeding the Petitioner requested that he be permitted to confer further with his counsel. This request was granted by the Court and Petitioner and his counsel were advised that they would be notified when the cases were again set for arraignment. On October 30, 1968, the Petitioner was again brought before the Court and was arraigned on all three criminal cases at which time he voluntarily and intelligently entered his plea of guilty in each case, requested an early sentencing and later in the day, after receipt of a presentence report from the Probation Office, the Petitioner was sentenced by the Court. In the first place, as the files and records of the cases reveal, the Petitioner himself was responsible for the delay from September 5, 1968 til October 30, 1968 by requesting a mental examination and time to confer further with his attorney. See 57 A.L.R.2d, at p. 314. The delay from July 18, 1968 til September 4, 1968, was due to a Grand Jury not being in session. But, in any event, the Petitioner's pleas of guilty in the three criminal cases made without his then raising the question of the denial of a spe

trial, as the files and records in the cases conclusively show, constituted a valid and binding waiver of the right to a speedy trial. 57 A.L.R.2d 343; Ex parte Shaffer, 227 P.2d 418 (Okla. 1951). This complaint is, therefore, utterly void of merit.

As to complaint 6, with reference to a claimed failure of the Court to inform Petitioner as to Court dates and appearances whereby Petitioner could prepare his defense and also subpoena witnesses, the files and records of the cases conclusively show that the Petitioner pleaded guilty to the charges in the three criminal cases on October 30, 1968. Had Petitioner plead not guilty, he would have been afforded the necessary time to prepare his defense and subpoena witnesses. He was granted a mental examination as requested. He had experienced and capable counsel for over three months. His voluntary and intelligent pleas of guilty confessed the crimes and obviated any defense to the same. He never made a request to subpoena witnesses according to the files and records of the cases. There is no merit to this complaint.

This Petitioner voluntarily and understandingly waived indictment in the Northern District case and voluntarily and understandingly signed consent to transfer forms on the two charges from other Districts. He was afforded capable counsel throughout all proceedings before this Court. When first brought before the Court for arraignment on the local charge and the two transfers, he and his attorney in open court requested a mental examination. This request was granted and the Petitioner was examined by a local psychiatrist, who reported him to be mentally competent, able to defend himself and able to assist his counsel in the defense of his cases. The Court made a judicial finding of mental competency

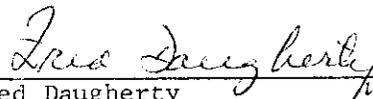
in open court after receipt of the report, a copy of which report was furnished to the Petitioner and his attorney. At the second effort to arraign the Petitioner on the three charges involved, and after the proceedings were underway, he requested that he have an opportunity to discuss the cases further with his attorney. This request was granted and approximately two weeks later the Petitioner was again brought before the Court for the third time for the purpose of being arraigned on the three charges. At this arraignment, the Petitioner entered pleas of guilty to all three charges. The nature of each charge, the consequences of a plea of guilty as to each charge, the voluntariness of his waiver of indictment in the local charge and his consent to the transfer of the two cases into this District for pleas of guilty and sentence and his pleas of guilty were all carefully gone into by the Court and the Court was responsibly satisfied that all of the proceedings involving this Petitioner were conducted while he was mentally competent, understood the nature of the proceedings and charges against him and the consequences of his pleas of guilty. The Court was then satisfied and is now satisfied of the voluntary and intelligent nature of the Petitioner's pleas of guilty. Upon being sentenced to three ten-year concurrent sentences, the Petitioner in open court asked to appeal complaining that the sentences were harsh and severe. It was then explained to the Petitioner that these were the sentences imposed by the Court, that they were within the limits prescribed by the law and that an appellate court could not reduce the same.

From an examination of the files and records of the cases as related to the complaints now made by the Petitioner, the Court finds that said files and records conclusively show that there is

no merit to any of the complaints and Petitioner's Motion under Section 2255, Title 28, United States Code, should be and the same is hereby dismissed.

Since filing this case, the Petitioner has sent the Clerk of this Court a Motion for a transcript of most of the records in his three criminal cases at Government expense. This Motion has been filed herein and is denied for the reason that the Petitioner is entitled to no relief on the complaints he has raised, as set out above.

It is so ordered this 20 day of January, 1969.



Fred Daugherty
United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE FILED

NORTHERN DISTRICT OF OKLAHOMA NOV 19 1968

M. M. EWING
Clerk, U. S. District Court

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DON CONNELLY CONROY,

Defendant.

)
)
)
) No. 68-Cr-84 Criminal
) No. 68-Cr-90 Criminal
) No. 68-Cr-91 Criminal
)
)
)

ORDER DENYING LEAVE TO PROCEED IN FORMA PAUPERIS

The Defendant, after having announced in open court following his sentencing on pleas of guilty in the above cases of his intention to appeal, has filed herein certain papers which the Court liberally construes as a motion for leave to proceed in said appeal in forma pauperis.

28 U.S.C.A. 1915 provides that any court of the United States may authorize an appeal in forma pauperis but that the same may not be taken if the trial court certifies in writing that it is not taken in good faith.

For the reasons given below, this motion must be denied as the Court hereby certifies that it is not taken in good faith.

The Defendant with counsel present entered pleas of guilty in each of the three cases above and asked that he be immediately sentenced. On the same day with counsel present his request was granted and he received three concurrent sentences of ten years each. He then complained of the severity of the sentences and expressed his desire to appeal his convictions and sentences entered upon his pleas of guilty for this reason. The Defendant was then advised by the Court that appellate courts had no authority to

reduce the sentences imposed.

Defendant's pleas of guilty were convictions of the three offenses with which he was charged and sentences were imposed on him by his own acts. They are conclusive. Machibroda v. United States, 368 U.S. 487, 7 L.Ed.2d 473, 82 S.Ct. 510 (1962). Severity of sentence is not a ground for appeal therefrom. Randall v. United States, 324 F.2d 726 (Tenth Cir. 1963); Egan v. United States, 268 F.2d 820, cert. den. 361 U.S. 868, 4 L.Ed.2d 108, 80 S.Ct. 130 (Eighth Cir. 1959). Sentencing is within the sole province and discretion of the trial court. United States v. Pruitt, 341 F.2d 700 (Fourth Cir. 1965). The sentences herein are authorized by statute, 18 U.S.C.A. § 2314. An appeal therefrom is, therefore, frivolous and not taken in good faith.

Defendant's Motion to Proceed in Forma Pauperis is denied.

Dated this 19th day of November, 1968.


Fred Daugherty
United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

DON CONNELLY CONROY,

Defendant.

No. 68-CR-84
No. 68-CR-90
No. 68-CR-91 ✓

FILED

DEC - 6 1968 *M*

M. M. EWING
Clerk, U. S. District Court

ORDER

By previous Order of this Court dated November 19, 1968, Defendant's Motion to Proceed in Forma Pauperis in the appeals of his cases was denied and the Court certified in said Order that such appeals were not being taken in good faith. The United States Court Clerk has forwarded to the Court a letter to him signed by the Defendant which is accompanied by a Notice of Appeal, an Affidavit of Poverty, and a new request to proceed in forma pauperis. Also attached to the letter is a purported copy of a letter to the Clerk of the United States Court of Appeals for the Tenth Circuit which states that it encloses a Notice of Appeal.

Inasmuch as the Defendant claims that the Court rejected his original application to proceed in forma pauperis solely on the ground that the severity of his sentences was not appealable and ignored constitutional questions, the Court will consider these papers as a renewed motion to proceed in forma pauperis to appeal his convictions and sentences and a new motion to appeal the Court's Order of November 19, 1968, in forma pauperis.

Defendant neglects to mention anywhere on what constitutional questions he is relying to support an appeal from his convictions and sentences which resulted from his pleas of guilty. As the Defendant states no case on which the Court could take action such as granting leave to appeal in forma

Exhibit B

pauperis, the same is hereby denied, and, in the absence of any disclosure of the grounds of Defendant's appeals, the Court further certifies that said appeals are not taken in good faith. With respect to Defendant's request for leave to appeal the Court's Order of November 19, 1968, in forma pauperis, the same is hereby denied and the Court further certifies that said appeal is not taken in good faith.

The Defendant, as mentioned above, has apparently filed with the Tenth Circuit Court of Appeals a Notice of Appeal. Defendant may, if he so desires, apply to that Court for leave to proceed in forma pauperis.

Defendant's Motion to proceed in forma pauperis to appeal his convictions and sentences and to appeal the Court's Order of November 19, 1968, is denied.

It is so ordered this 6 day of December, 1968.

FRED DAUGHERTY

United States District Judge

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA
UNITED STATES OF AMERICA,

Plaintiff,

-vs-

No. 68-CR-91

DON C. CONROY,

Defendant.

REPORTER'S TRANSCRIPT OF PROCEEDINGS
HAD ON OCTOBER 14, 1968
ARRAIGNMENT PROCEEDINGS

Before the Honorable Fred Daugherty, Judge Presiding

APPEARANCES:

Mr. James Ritchie United States Attorney, Tulsa,
Oklahoma, appeared on behalf of the Plaintiff.

Mr. John D. Harris, Attorney at Law, Tulsa,
Oklahoma, appeared on behalf of the Defendant.

1 THE COURT: United States of
2 America versus Don C. Conroy, three cases: 68-CR-91;
3 68-CR-84; 68-CR-90.

4 Is the Defendant present in those cases?

5 MR. HARRIS: Yes, he is,
6 Your Honor.

7 THE COURT: All right.

8 MR. RITCHIE: I believe he was
9 arraigned on 68-CR-91 and set for sentencing.

10 THE COURT: By whom?

11 MR. HARRIS: Your Honor.

12 THE COURT: I don't think I
13 completed it. It was in the process of arraignment that
14 it was brought to my attention that there was some claim
15 of mental incompetency.

16 MR. HARRIS: That is correct,
17 Your Honor.

18 THE COURT: And I stopped the
19 arraignment at that time in order that the Defendant be
20 examined by a physician. I have received a copy of the
21 report of the examining doctor, which I read to be a
22 report that the Defendant is competent and was competent
23 at the time of the alleged offenses in the case, and
24 is competent now and has been to assist counsel in the
25 preparation of the defense of the case.

Exhibit C

1 I request a copy of this report be furnished
2 the Defendant through his counsel. Has this been done?

3 MR. RITCHIE: Yes.

4 MR. HARRIS: Yes.

5 THE COURT: Is there anything
6 either side desires to call or present to the court in
7 reference to this matter?

8 MR. HARRIS: We do not,
9 Your Honor; at least as his attorney I do not.

10 THE COURT: Anything from
11 the Defendant?

12 THE DEFENDANT CONROY: No.

13 THE COURT: Anything from the
14 government?

15 MR. RITCHIE: No, Your Honor.
16 Not at this time.

17 THE COURT: Based on the
18 contention of the Defendant as to the mental incompetency
19 and the report of the doctor to whom the Defendant was
20 referred for examination, and his report which I now hand
21 to the clerk to file in the case, the court will make
22 a judicial determination at this time that the Defendant
23 is competent to proceed to trial and is competent and
24 able to assist his attorney in the defense of these
25 three cases.

1 Are you Don Conley Conroy?

2 THE DEFENDANT CONROY: Yes.

3 THE COURT: Is that your
4 true and correct name?

5 THE DEFENDANT CONROY: Yes.

6 THE COURT: What is your age?

7 THE DEFENDANT CONROY: Thirty.

8 THE COURT: Thirty?

9 THE DEFENDANT CONROY: Yes.

10 THE COURT: Does Mr. John
11 Harris, who appears with you at this time, represent you
12 in these three cases?

13 THE DEFENDANT CONROY: Yes, he does.

14 THE COURT: The Court calls
15 first Case Number 68-CR-91, United States versus
16 Don Conley Conroy. This is the case originating in this
17 court.

18 Prior to this time have you received a copy of
19 the information prepared against you in this case by
20 the United States attorney?

21 THE DEFENDANT CONROY: Yes, I have.

22 THE COURT: Have you read it?

23 THE DEFENDANT CONROY: Yes, I have.

24 THE COURT: Have you discussed
25 it with your attorney?

1 THE DEFENDANT CONROY: Well, I guess
2 you would say so.

3 THE COURT: Well, now, I
4 don't say so at all. I'm asking you if you have
5 discussed it with your attorney.

6 THE DEFENDANT CONROY: Your Honor, I
7 would like to remove John Harris from my case.

8 THE COURT: You didn't put
9 him there and you're not going to remove him. The
10 Court appointed him and furnished him to you.

11 THE DEFENDANT CONROY: I don't feel I
12 need an attorney. I would like to enter a guilty plea
13 on all three indictments.

14 THE COURT: You have requested
15 an attorney and an attorney has been appointed for you,
16 so I'm not going to vacate the appointment. Are you
17 ready to proceed?

18 THE DEFENDANT CONROY: Yes, sir.

19 THE COURT: He's here, he's
20 been your attorney for quite some time, and you should
21 avail yourself of his services.

22 Now, do you understand the nature of this charge
23 against you in this case?

24 THE DEFENDANT CONROY: Yes, I do.
25

(EXCERPT CLOSED)

A TRUE AND CORRECT TRANSCRIPT

Certified: _____

Larry E. Marks
United States Court Reporter
Norther District of Oklahoma
Tulsa, Oklahoma

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IN THE UNITED STATES DISTRICT COURT IN AND FOR
THE NORTHERN DISTRICT OF OKLAHOMA

TRI-STATE MOTOR TRANSIT COMPANY,)
a Delaware corporation,)
)
Plaintiff,)
)
vs.)
)
DeTAR DISTRIBUTING COMPANY, INC.,)
an Oklahoma corporation, et al,)
)
Defendants.)

Civil Action
No. 6219 ✓

FILED

JAN 21 1969 *7m*

M. M. EWING
Clerk, U. S. District Court

ORDER

This matter coming on to be heard this 15th day of January, 1969 on the application of Morris L. Bradford, Receiver for DeTar Distributing Company, Inc. and the plaintiff, Tri-State Motor Transit Company, being present and represented by its attorney, Thomas J. Daly. The Court after hearing the statement and testimony of Morris L. Bradford, Receiver for DeTar Distributing Company, Inc. and the acquiescence therein by Thomas J. Daly, Attorney for Tri-State Motor Transit Company finds that the application of the Receiver for disbursement of funds and the creation of those specific accounts set forth in the Application be approved and the Clerk of the Court is directed to make disbursement of funds presently on deposit with him to the parties and in the amounts as set forth in the Application of the Receiver.

IT IS FURTHER ORDERED that the said Morris L. Bradford, Receiver for DeTar Distributing Company, Inc. is hereby discharged from his duties as Receiver and all sureties required by the Court in this instance or by the Receiver required during the period of said receivership are hereby released and discharged from any liabilities to be hereinafter incurred. That by the consummation of the settlement

of accounts as proposed in said Application, this matter is declared fully settled and closed.

DONE IN OPEN COURT this 15th day of January, 1969.

Luther Bohanon
Luther Bohanon, Judge

APPROVED:

Albert W. Thomson
Albert W. Thomson

Thomas J. Daly
Thomas J. Daly

Morris L. Bradford
Morris L. Bradford

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

PEOPLES STATE BANK)
ARTESIA, NEW MEXICO,)
)
)
Plaintiff,)
)
-vs-)
)
FIRST NATIONAL BANK)
CHELSEA, OKLAHOMA,)
)
)
Defendant and)
Third Party)
Plaintiff,)
)
-vs-)
)
C. W. LAYTON and)
MERLE DARKS,)
)
)
Third Party)
Defendants.)

No. 68-C-141

FILED
JAN 22 1969
M. M. EWING
Clerk U. S. District Court

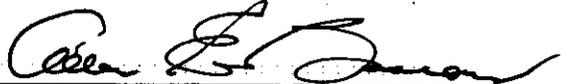
ORDER OF DISMISSAL

This cause came on for hearing on this 22nd day of January, 1969, upon the APPLICATION OF ALL THE PARTIES HERETO to dismiss part of this action with prejudice and part of it without prejudice. The Court after being fully advised in the premises, finds that it is for the best interest of the parties and in the furtherance of justice that said APPLICATION be sustained and that the claims of the Peoples State Bank, Artesia, New Mexico, as against the defendant, First National Bank, Chelsea, Oklahoma, and of the cross-claims and causes of action of the First National Bank, Chelsea, Oklahoma, as against Peoples State Bank, Artesia, New Mexico, should be dismissed with prejudice and that as to the claims and causes of action of the First National Bank, Chelsea, Oklahoma, on its third party complaint as against

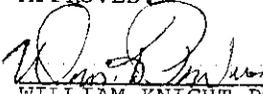
the third party defendants, C. W. Layton and Merle Darks, should be dismissed without prejudice.

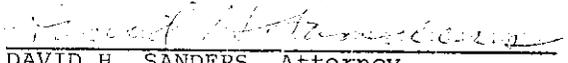
NOW, THEREFORE, BE IT ORDERED, ADJUDGED AND DECREED by the Court that the claims and causes of action heretofore asserted by the Peoples State Bank, Artesia, New Mexico, as against the defendant, First National Bank, Chelsea, Oklahoma, and that the cross-claims of First National Bank, Chelsea, Oklahoma, as against the Peoples State Bank, Artesia, New Mexico, be and the same are hereby and by these presents dismissed with prejudice.

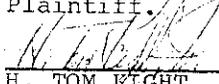
BE IT FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the claims and causes of action of the defendant, First National Bank, Chelsea, Oklahoma, as against the third party defendants, C. W. Layton and Merle Darks, be and the same are hereby and by these presents dismissed without prejudice.

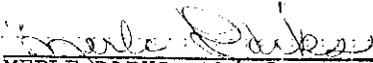

UNITED STATES DISTRICT JUDGE.

APPROVED:


WILLIAM KNIGHT POWERS,
Attorney for Plaintiff.


DAVID H. SANDERS, Attorney
for Defendant and Third Party
Plaintiff.


H. TOM KIGHT, Jr.
Attorney for Defendant and
Third Party Defendant,
C. W. Layton.


MERLE DARKS, Third Party Defendant

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

PHIL KORNHAUS,)
)
Plaintiff,)
)
vs.)
)
T. L. MOORE, JR., a sole trader, d/b/a)
Western Engineering & Inspection Company,)
)
Defendant.)

Civil No. 68-C-169

FILED
JAN 22 1969
M. M. EWING
Clerk, U. S. District Court

J U D G M E N T

There came on for hearing before the undersigned United States District Judge sitting in and for the Northern District of Oklahoma on the 14th day of January, 1969, Plaintiff's Motion for Summary Judgment filed herein with a brief in support of the same, the Plaintiff appearing by his attorney, Irvine E. Ungerman, and the Defendant appearing by his attorney, Robert H. Tips, *R.H.*, and the Court having heard the argument of counsel in support of and in opposition to the said motion and being fully advised in the premises, finds that the Plaintiff is entitled to have his Motion for Summary Judgment sustained and the judgment should be rendered herein for the Plaintiff for the sum of \$11,271.31 with interest thereon at the rate of 10% per annum from date of judgment, together with the further sum of \$2,500.00 attorneys fees to be taxed as costs of the action, together with all accruing costs herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED BY THIS COURT that the Plaintiff, Phil Kornhaus, have and recover a judgment of and against the Defendant, T. L. Moore, Jr., a sole trader, d/b/a Western Engineering & Inspection Company, for the sum of \$11,271.31 principal with interest thereon at the rate of 10% per annum from the date of the entry of this judgment, together with the further sum of \$2,500.00 attorneys fees for the use and benefit of Plaintiff's counsel herein and to be taxed as costs herein, together with all other accrued and accruing costs in this matter and that the Plaintiff's Motion for Summary Judgment be and the same is hereby sustained.

Entered this 22 day of January, 1969.

LAW OFFICES
 UNGERMAN,
 GRABEL,
 UNGERMAN
 & LEITER
 SIXTH FLOOR
 WRIGHT BUILDING
 TULSA, OKLAHOMA

FILED AS TO FORM:
[Signature]
 Attorney for Plaintiff
[Signature]
 Attorney for Defendant

Lester Bohannon
 United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

VIRGIL N. HARRINGTON, Area Director, Bureau)
of Indian Affairs, for Antoine Greenback Estate,)
and the heirs of Antoine Greenback, deceased;)
ESTATE OF ANTOINE GREENBACK, deceased;)
AMY GREENBACK CARPENTER, LULA MAY)
GREENBACK STANLEY, WOODROW GREENBACK,)
WALTER KING, JR., FRANKIE GREENBACK,)
PEGGY GREENBACK GIBBS, SHIRLEY GREENBACK)
SIXKILLER and IRENE GREENBACK DILLE, heirs)
of Antoine Greenback, deceased,)
Plaintiffs,)
vs.)
UNITED STATES OF AMERICA,)
Defendant.)

FILED

AN 23 1969

M. M. EWING
Clerk, U. S. District Court

Civil No.

68 - C - 161

STIPULATION

Attorneys for plaintiffs do hereby stipulate as follows:

It is hereby stipulated and agreed that the above entitled action be dismissed with prejudice, each party to bear its own costs.

s/ J. E. Hart

J. E. Hart

1911 Liberty Bank Building
Oklahoma City, Oklahoma 73102

s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

s/ Byron V. Boone

Byron V. Boone

s/ James O. Ellison

James O. Ellison

914 World Building
Tulsa, Oklahoma 74103

ORDER OF DISMISSAL

Before the Honorable Allen E. Barrow, at Tulsa, in the Northern District, this matter was presented to the Court upon the stipulation of the plaintiffs, and the Court thereupon dismissed the above entitled action with prejudice, each party to bear its own costs.


U. S. District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

VIRGIL N. FARRINGTON, Area Director, Bureau of
Indian Affairs, for Anna Slagle Estate, and the heirs
of Anna Slagle, deceased;)
ESTATE OF ANNA SLAGLE, deceased;)
GENEVA HOFFMAN RAMSEY, HENRY E. HOFFMAN, JR.,)
CHARLES E. HOFFMAN, ARDINE GRIFFIN BUERCEY,)
HAYES GRIFFIN, VICTORIA GRIFFIN WATERS,)
ARDINA RICHARD MOORE, BEATRICE ARKEKETA GRIFFIN,)
SIDNEY VICTOR GRIFFIN, ANNA J. GRIFFIN YOAST,)
WILLIAM MARTIN GRIFFIN, RAYMOND PIERCE GRIFFIN,)
EMMA LOU (DEBBIE) GRIFFIN, ANNA BELL QUAPAW HOLT,)
BETTY LOU QUAPAW RADEK, EDWARD QUAPAW, JESSIE)
JEAN QUAPAW BEAR, MARTHA ANN GREENBACK HANSFORD,)
MARY LOUISE GREENBACK BURTRUM, ANNA LEE NEWMAN,)
now POPE, PAULA NEWMAN now PITCHLYNN, CHARLES E.)
GREENBACK, SAMUEL WHITEHORN, EUNICE WHITEHORN)
KHEGA, WINDELL D. WHITEHORN, LOIS LORENE KHEGA)
MOOR, LEORA MARLENE KHEGA ECHO HAWK, The Trust)
Estate of HENRY E. HOFFMAN, SR., MATTIE WARREN,)
Estate of W. R. SLAGLE, Estate of SAM WOODSIDE,)
RALPH HARRIS, and DIXIE DARLENE COCHRAN MASON PLUMLEE,)
heirs of Anna Slagle, deceased,)

vs.)

UNITED STATES OF AMERICA,)

Plaintiffs,)

Defendant.)

FILED
JAN 23 1969

M. M. EWING
Clerk U. S. District Court

Civil No.
68 - C - 162

STIPULATION

Attorneys for plaintiffs do hereby stipulate as follows:

It is hereby stipulated and agreed that the above entitled action be dismissed with prejudice, each party to bear its own costs.

s/ J. E. Hart

J. E. Hart
1911 Liberty Bank Building
Oklahoma City, Oklahoma 73102

s/ Byron V. Boone

Byron V. Boone

s/ James O. Ellison

James O. Ellison

s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

914 World Building
Tulsa, Oklahoma 74103

ORDER OF DISMISSAL

Before The Honorable Allen E. Barrow, at Tulsa, in the Northern District, this matter was presented to the Court upon the stipulation of the plaintiffs, and the Court thereupon dismissed the above entitled action with prejudice, each party to bear its own costs.

United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

VIRGIL N. HARRINGTON, Area Director, Bureau of)
Indian Affairs, for Meh-Hunk-A-Zhe-Ka Beaver Estate,)
and the heirs of Meh-Hunk-A-Zhe-Ka Beaver, deceased;)
ESTATE OF MEH-HUNK-A-ZHE-KA BEAVER, deceased;)
IRVIN WILSON, MARY WILSON, LOUISE WILSON,)
LAURA JENNY WILSON DOWNUM, COLLEEN WILSON)
NEWLON, IRVINA WILSON McKIBBEN, ROBERT)
LAWRENCE STANLEY, VERNA WILSON POGJE and)
INDIA WILSON, heirs of Meh-Hunk-A-Zhe-Ka Beaver,)
deceased,)
Plaintiffs,)
vs.)
UNITED STATES OF AMERICA,)
Defendant.)

FILED
JAN 23 1969
M. M. EWING
Clerk, U. S. District Court

Civil No.
68 - C - 164

STIPULATION

Attorneys for plaintiffs do hereby stipulate as follows:

It is hereby stipulated and agreed that the above entitled action be dismissed with prejudice, each party to bear its own costs.

s/ J. E. Hart

s/ Byron V. Boone

J. E. Hart

Byron V. Boone

1911 Liberty Bank Building
Oklahoma City, Oklahoma 73102

s/ James O. Ellison

James O. Ellison

s/ Robert P. Santee

ROBERT P. SANTEE
Assistant U. S. Attorney

914 World Building
Tulsa, Oklahoma 74103

ORDER OF DISMISSAL

Before The Honorable Luther Bohanon, at Tulsa, in the Northern District, this matter was presented to the Court upon the stipulation of the plaintiffs, and the Court thereupon dismissed the above entitled action with prejudice, each party to bear its own costs.


United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

THE FIRST NATIONAL BANK AND TRUST
COMPANY OF TULSA, OKLAHOMA,

Plaintiff,

vs.

21 TURTLE CREEK SQUARE, LTD.,
THE FEDERAL HOUSING ADMINISTRATION, and
NEW YORK STATE TEACHERS' RETIREMENT
SYSTEM,

Defendants.)

CIVIL ACTION NO. 67-C-157

FILED

JAN 27 1969

M. M. EWING, CLERK
U. S. DISTRICT COURT

O R D E R

NOW, on this 27 day of January, 1969, this matter came on for disposition, the Plaintiff, First National Bank and Trust Company of Tulsa, Oklahoma, appearing by and through James R. Ryan; Defendant, 21 Turtle Creek Square, Ltd., appearing by and through David M. Thornton; and Defendant, the Federal Housing Administration, appearing by and through its attorney, Robert P. Santee, Assistant United States Attorney for the Northern District of Oklahoma.

The Court finds that Defendants, 21 Turtle Creek Square, Ltd., and the Secretary of Housing and Urban Development, who succeeded to all the rights and obligations of the Defendant, Federal Housing Administration, have entered into a stipulation which resolves the issues of this case, which stipulation is approved by the Plaintiff, First National Bank and Trust Company, Tulsa, Oklahoma. The Court finds that the Secretary of Housing and Urban Development is entitled to the "fund" which is in the amount of \$79,532.33. The Court further finds that the Plaintiff, First National Bank and Trust Company of Tulsa, Oklahoma, should be dismissed from this case without cost.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the Plaintiff, First National Bank and Trust Company of Tulsa, Oklahoma, be and the same is hereby dismissed from this case without cost; and that the Clerk of the Court for the Northern District of Oklahoma is directed to disburse the "fund" in the

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

170.01 Acres of Land, More or Less,
Situate in Tulsa and Osage Counties,
Oklahoma, and Clyde Jacobs, Jr., et
al, and Unknown Owners,

Defendants.

CIVIL ACTION NO. 5205 ✓

Tract No. 263

FILED

JAN 28 1969 ^{7W}

M. M. EWING, CLERK
U. S. DISTRICT COURT

J U D G M E N T

1. On this day this cause came on for consideration upon the application of the United States of America, by its attorney, for a final Judgment determining the ownership and the just compensation to be awarded the former owners of the above tract.

2. The Court finds that the Declaration of Taking and Complaint were duly filed and that the Court has jurisdiction of the parties and the subject matter of this action; that service of process has been perfected either personally or by publication of notice, as prescribed by Rule 71A of the Federal Rules of Civil Procedure, on all parties having compensable interests in the subject tract; that upon the date the Declaration of Taking and the Complaint were filed title to the estate taken, as set out therein, became vested in the United States of America.

3. The Court finds, upon advice of counsel that the defendant, Vivian L. LeSturgeon, was the sole owner of the above-captioned tract on the date of taking, and is entitled to receive the award for the estate taken therein.

4. The Court finds that the sum of \$50.00 was deposited into the Registry of this Court as estimated just compensation for the estate taken in said tract, and such sum is now on deposit.

5. The Court finds that Plaintiff and the owner, Vivian L. LeSturgeon, have, by stipulation filed herein, agreed that the just compensation to be paid by the Plaintiff for the estate taken in the above tract is the sum of \$50.00, inclusive of interest.

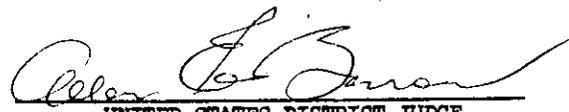
IT IS, THEREFORE, BY THE COURT ORDERED AND ADJUDGED:

(a) The vesting in Plaintiff of title to the estate taken in Tract No. 2632E, as said estate and tract are described in the Complaint and Declaration of Taking filed herein, is hereby confirmed;

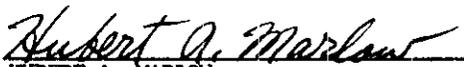
(b) The just compensation to be paid by the Plaintiff for the estate so taken in the above tract is the sum of \$50.00, inclusive of interest;

(c) The Clerk of this Court is hereby authorized and directed to draw a check on the deposit for Tract No. 2632E, in the amount of \$50.00, payable to Vivian L. LeSturgeon.

Executed this 14th day of January, 1969.


UNITED STATES DISTRICT JUDGE

APPROVED:


HUBERT A. MARLOW
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
Plaintiff,) CIVIL ACTION NO. 68-C-253
)
v.)
)
ERNEST A. PERKINS, JR., and)
DELIORES PERKINS, Husband & Wife,)
)
Defendants.)

DEFAULT JUDGMENT BY THE CLERK

This cause came on to be heard on motion of the plaintiff for default judgment for the relief demanded in the Complaint, and it appearing the Complaint and Summons in this action were served on the Defendants on December 4, 1968, as appears from the Marshal's return of service of said Summons; that the time within which the Defendants may answer or otherwise move as to the Complaint has expired; that the Defendants have not answered or otherwise moved and that the time for Defendants to answer or otherwise move has not been extended.

It further appearing, as evidenced by the affidavit of the Plaintiff, that the Defendants are neither infants nor incompetent persons and that the Defendants are not in the military service of the United States.

It further appearing Plaintiff's claim against the Defendants is for a sum certain which can by computation be made certain.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Plaintiff recover of the Defendants the amount prayed for in the sum of \$555.65, together with accrued interest of \$87.39 as of July 6, 1968, with interest from said date at the rate of 5% per annum until paid and for costs of this action.

Dated this 30 day of January, 1969.

H. M. EWING
Clerk, United States District Court
for the Northern District of Oklahoma

By 
Deputy

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,

Plaintiff,

vs.

646.79 Acres of Land, More or Less,
Situate in Pawnee County, Oklahoma,
and Carol Spess, et al., and Unknown
Owners,

Defendants.

CIVIL ACTION NO. 5855

Tracts Nos. 2316, and
2316E-1 thru E-3

Lessee Interest

FILED

JAN 31 1969 *DS*

M. M. EWING, CLERK
U. S. DISTRICT COURT

J U D G M E N T

1.

NOW, on this 31 day of January, 1969, this matter comes on for disposition on application of the Plaintiff, United States of America, for entry of Judgment on the Report of Commissioners filed herein on January 8, 1969, and the Court after having examined the files in this action and being advised by counsel for the Plaintiff, finds that:

2.

The Court has jurisdiction of the parties and the subject matter of this action.

3.

This Judgment applies only to the lessee interest in the estates taken in the tracts enumerated in the caption above, as such tracts and estates are described in the Complaint and Declaration of Taking filed herein.

4.

Service of Process has been perfected either personally or by publication notice, as provided by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant in this cause who are interested in subject tracts.

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the subject property. Pursuant thereto, on December 13, 1963, the United States of America filed its Declaration of Taking of certain estates in subject tracts of land, and title to such property should be vested in the United States of America as of the date of filing such Declaration of Taking.

6.

On the filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the lessee interest in the described estates in subject tracts, a certain sum of money and all of this deposit has been disbursed, as set out in paragraph 11 below.

7.

The Report of Commissioners filed herein on January 8, 1969, hereby is accepted and adopted as a finding of fact as to the subject property. The amount of just compensation as to the subject property as fixed by the Commission is set out in paragraph 11 below.

8.

This Judgment will create a deficiency between the amount deposited as estimated just compensation for the lessee interest in the estate taken in subject tracts and the amount fixed by the Commission and the Court as just compensation, and a sum of money sufficient to cover such deficiency should be deposited by the Government. This deficiency is set out in paragraph 11 below.

9.

The Defendant named in paragraph 11 as owner of the lessee interest in the estate taken in subject tracts is the only Defendant asserting any claim to such interest, all other defendants having either disclaimed or defaulted; the named Defendant, as of the date of taking, was the owner of such described interest and, as such, is entitled to receive the just compensation awarded by this Judgment.

10.

It Is, Therefore, ORDERED, ADJUDGED and DECREED that the United States of America has the right, power, and authority to condemn for public use the subject tracts, as they are described in the Declaration of Taking filed herein, and the lessee interest in such property, to the extent of the estates described in the Declaration of Taking and for the uses and purposes therein indicated, is CONDEMNED, and title thereto is vested in the United States of America, as of the date of filing such Declaration of Taking, and all defendants herein and all other persons are forever barred from asserting any claim to such estates.

11.

It Is Further ORDERED, ADJUDGED and DECREED that the right to receive just compensation for the lessee interest in the estates taken herein in subject tracts is vested in the Defendant whose name appears below in this paragraph; the

Report of Commissioners of January 8, 1969, hereby is confirmed and the sum therein fixed is adopted as just compensation for such taking, as shown by the following schedule:

LESSEE INTEREST ONLY IN
TRACTS NOS. 2316, 2316E-1 through
E-3 Combined

Owner:

Ray Spess

Award of just compensation, pursuant to Commissioners' Report - - - - -	\$20,000.00	\$20,000.00
Deposited as estimated compensation - - - - -	\$13,300.00	
Disbursed to owner - - - - -		<u>\$13,300.00</u>
Balance due to owner - - - - -		<u>\$6,700.00</u>
Deposit deficiency - - - - -	\$6,700.00	

12.

It Is Further ORDERED, ADJUDGED and DECREED that the United States of America shall pay into the Registry of this Court for the benefit of the owner the deposit deficiency for the subject tracts in the sum of \$6,700.00, together with interest on such deficiency at the rate of 6% per annum from December 13, 1963, until the date of deposit of such deficiency sum; and such sum shall be credited to the deposit for subject tracts in this Civil Action.

Upon receipt of such sum, the Clerk of this Court shall disburse from the deposit for the subject tracts the total sum deposited pursuant to this paragraph, to Ray Spess.

ALLEN E. ENBROW
UNITED STATES DISTRICT JUDGE

APPROVED:

Hubert A. Marlow
HUBERT A. MARLOW
Assistant United States Attorney

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,
vs.
734.55 Acres of Land, More or Less,
Situate in Pawnee & Creek Counties,
Oklahoma, and Claud Brown, et al,
and Unknown Owners,
Defendants.

CIVIL ACTION NO. 5894

Tracts Nos. 0927-2M and
0927-3M

FILED

JAN 31 1969

M. M. EWING, CLERK
U. S. DISTRICT COURT.

J U D G M E N T

1.

NOW, on this 31 day of January, 1969, this matter comes on for disposition on application of the Plaintiff, United States of America, for entry of Judgment on the Report of Commissioners filed herein on January 8, 1969, and the Court, after having examined the files in this action and being advised by counsel for the Plaintiff, finds that:

2.

The Court has jurisdiction of the parties and the subject matter of this action.

3.

This Judgment applies only to the estates taken in the tracts enumerated in the caption above, as such estates and tracts are described in the Complaint and Declaration of Taking filed herein.

4.

Service of Process has been perfected either personally or by publication notice, as provided by Rule 71A of the Federal Rules of Civil Procedure, on all parties defendant in this cause, who are interested in subject tracts.

5.

The Acts of Congress set out in paragraph 2 of the Complaint filed herein give the United States of America the right, power and authority to condemn for public use the subject tracts of land. Pursuant thereto, on February 12, 1964, the United States of America filed its Declaration of Taking of certain estates in such tracts of land, and title to such property should be vested in the United States of America, as of the date of filing such Declaration of Taking.

6.

On the filing of the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of the described estates in subject tracts, certain sums of money and part of these deposits has been disbursed, as set out in paragraph 11 below.

7.

The Report of Commissioners filed herein on January 8, 1969, hereby is accepted and adopted as a finding of fact as to the subject tracts. The amount of just compensation as to the subject tracts as fixed by the Commission is set out in paragraph 11 below.

8.

This Judgment will create deficiencies between the amounts deposited as estimated just compensation for the estates taken in subject tracts and the amounts fixed by the Commission and the Court as just compensation, and a sum of money sufficient to cover such deficiencies should be deposited by the Government. These deficiencies are set out in paragraph 11 below.

9.

The defendants named in paragraph 11 as owners of the subject property are the only defendants asserting any interest in the estates condemned in such tracts, all other defendants having either disclaimed or defaulted; the named defendants, as of the date of taking, were the owners of such estates taken and, as such, are entitled to receive the just compensation awarded by this judgment.

10.

It Is Therefore ORDERED, ADJUDGED and DECREED that the United States of America has the right, power, and authority to condemn for public use the subject tracts, as such tracts are described in the Declaration of Taking filed herein, and such property, to the extent of the estates described in the Declaration of Taking filed herein, is CONDEMNED, and title thereto is vested in the United States of America, as of the date of filing the Declaration of Taking, and all defendants herein and all other persons are forever barred from asserting any claim thereto.

11.

It Is Further ORDERED, ADJUDGED and DECREED that the right to receive the just compensation for the estates taken herein in subject tracts is vested in the defendants whose names appear below in this paragraph; the Report of

Commissioners of January 8, 1969, hereby is confirmed and the sums therein fixed are adopted as the awards of just compensation for the estates taken in subject tracts, as shown by the following schedule:

TRACT NO. 0927-2M

Owners:

Ray Spess and
Ruby Spess

Award of just compensation, pursuant to Commissioners' Report - - - - -	\$10,000.00	\$10,000.00
Deposited as estimated compensation - - - - -	\$1,300.00	
Disbursed to owners - - - - -		<u>\$1,300.00</u>
Balance due to owners - - - - -		\$8,700.00
Deposit deficiency - - - - -	-\$8,700.00	

TRACT NO. 0927-3M

Owners:

I. Oil and gas leasehold interest in entire tract area:

Ray Spess - - - - - 7/8
James Spess - - - - - 1/8

II. Lessor interest:

A. That portion of Tract No. 0927-3M which is situated in Lot 5 and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 27, T. 20 N., R. 9 E., was owned:

Ray Spess - - - - - 2/7
James Spess - - - - - 2/7
Donald Hennessy - - - - 1/14
Edith Crosson Smith - - 1/14
Laura Uhrig - - - - - 1/7
Thelma L. Dunn - - - - - 1/14
Cyrus C. Dunn - - - - - 1/14

B. That portion of Tract No. 0927-3M which is situated in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, T. 20 N., R. 9 E., was owned:

Ray Spess - - - - - 26/126
James Spess - - - - - 40/126
Donald Hennessy - - - - 17/126
Edith Crosson Smith - - 17/126
Laure Uhrig - - - - - 20/126
Thelma L. Dunn - - - - - 3/126
Cyrus C. Dunn - - - - - 3/126

Tract No. 0927-3M (Cont'd)

Award of just compensation for entire estate
taken in entire tract, pursuant
to Commissioners' Report - - - - - \$15,000.00 \$15,000.00

Allocation of total award:

I. To leasehold interest - - \$12,250.00

II. To lessor interest:

Area "A" - - - - - \$2,410.00
Area "B" - - - - - 340.00

Deposited as estimated compensation - - - - - \$4,891.00

Disbursed to owners - - - - - None

Balance due to owners - - - - - \$15,000.00

Deposit deficiency - - - - - \$10,109.00

12.

It Is Further ORDERED, ADJUDGED and DECREED that the United States of America shall pay into the Registry of this Court for the benefit of the owners the deposit deficiencies for the subject tracts as shown in paragraph 11, together with interest on such deficiencies at the rate of 6% per annum from February 12, 1964, until the date of deposit of such deficiency sums; and such sums shall be placed in the respective deposits for subject tracts in this Civil Action.

The Court shall retain jurisdiction in this case for the purpose of distribution of the awards herein made. An appropriate order of distribution and disbursement shall be entered as soon as the deficiencies required by this paragraph have been deposited in the Registry of the Court.

ALLEN E. DARROW

UNITED STATES DISTRICT JUDGE

APPROVED:


HUBERT A. MARLOW
Assistant U. S. Attorney