

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

LOIS NICKERSON, HELEN HUGHES)
and FAY STEVENS,)
)
Plaintiffs,)
)
vs.)
)
MORE SANDWICH COMPANY, INC.,)
a corporation, d/b/a BLUE RIBBON)
FOOD PRODUCTS,)
)
Defendant.)

No. 72-C-41

FILED
APR 25 1972
JOHN H. POE, Clerk
U. S. DISTRICT COURT

ORDER FOR JUDGMENT

Now on the 20th day of April, 1972, this matter comes on for pre-trial hearing before the undersigned Judge of the District Court for the Northern District of Oklahoma and the plaintiffs are present by and through their attorney, JERRY L. SMITH, and the defendant appearing not, and proof having been made to the satisfaction of the Court that defendant has had statutory notice of setting of the pre-trial, but has failed to appear, and the Court having read the complaint, the allegations thereof, the affidavits of the claimants, and the answer of the defendant finds that this is not a class action and that portion of the complaint should be dismissed. Judgment should be rendered in the amount prayed for and that attorney for plaintiffs should be awarded a reasonable attorney's fee.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that plaintiffs do have and recover from the defendant the sum of \$327.32 for HELEN HUGHES, \$72.48 for FAY STEVENS, and 3168.14, for LOIS NICKERSON, for a total sum of 4587.94, at a rate of 7 percent per annum as interest from date of judgment together with their costs incurred in this action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that JERRY L. SMITH, attorney for plaintiffs, does have and recover from the defendant the sum of Three Hundred Fifty Dollars (\$350.00) as

reasonable attorney's fees in this action.

J. S. Luther Gibson
JEREM BOHANON
DISTRICT JUDGE

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

HELMERICH & PAYNE INTERNATIONAL DRILLING CO.,)

Plaintiff)

vs.)

GLOVER HEFNER KENNEDY OIL COMPANY, a general)
partnership composed of Robert A. Hefner, III,)
and David O'D. Kennedy; A MINING PARTNERSHIP,)
composed of Glover Hefner Kennedy Oil Company,)
Lone Star Producing Company and NI-Gas Supply,)
Inc.; DAVID O'D. KENNEDY, an individual, LONE)
STAR PRODUCING COMPANY, a corporation; and)
NI-GAS SUPPLY, INC., a corporation)

Defendants)

NO. 72-C-139

E I L E D
APR 25 1972
JOHN H. POE, Clerk
U. S. DISTRICT COURT

NOTICE OF DISMISSAL

TO: Glover Hefner Kennedy Oil Company
Lone Star Producing Company
NI-Gas Supply, Inc.
David O'D. Kennedy

Please take notice that the above entitled action is hereby dismissed,
without prejudice.



Leon C. Gavras, Attorney for
Helmerich & Payne International Drilling Co.
1579 E. 21st Street
Tulsa, Oklahoma, 74114

CERTIFICATE

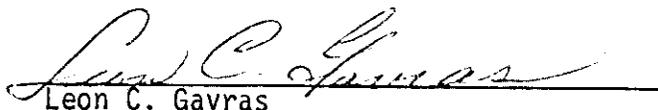
The undersigned, attorney for Plaintiff in above entitled action, does hereby certify that on the 25th day of April, 1972, he did mail a copy of the above Notice of Dismissal to the above named defendants at the addresses set out below:

Glover Hefner Kennedy Oil Company
1010 Kermac Building
Oklahoma City, Oklahoma, 73102

NI-Gas Supply, Inc.
P. O. Box 190
Aurora, Illinois 60507

Lone Star Producing Company
301 S. Harwood Street
Dallas, Texas 75201

David O'D. Kennedy
Center Island Road
Center Island
Long Island, New York 11100



Leon C. Gavras

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

JAMES D. HODGSON, Secretary of Labor,)
United States Department of Labor,)
Plaintiff)
v.)
CHARLES CAMERON, an individual)
Defendant)

Civil Action File
No. 71-C-241

FILED
APR 21 1972
JOHN H. POE, Clerk
U. S. DISTRICT COURT

J U D G M E N T

Plaintiff has filed his complaint against Charles Cameron, an individual, and defendant has filed his answer thereto. Plaintiff and defendant have thereafter agreed to entry of this judgment without contest:

It is therefore, by consent of the parties, and for cause shown:

ORDERED, ADJUDGED and DECREED that defendant, his agents, servants, employees and all persons acting or claiming to act in his behalf and interest be and they hereby are, permanently enjoined and restrained from violating the provisions of sections 15(a)(2) and 15(a)(5) of the Fair Labor Standards Act of 1938 (Act of June 25, 1938, Title 29, U.S.C. 201 et seq.), hereinafter referred to as the Act, in any of the following manners:

I

Defendant shall not, contrary to sections 6 and 15(a)(2) of the Act, pay any of his employees who are engaged in commerce or in the production of goods for commerce, within the meaning of the Act, wages at rates less than \$1.60 per hour, or such other rates as may be hereafter set by law.

II

Defendant shall not, contrary to sections 7 and 15(a)(2) of the Act, employ any of his employees who are engaged in commerce or in the production of goods for commerce, within the meaning of the Act, for workweeks longer than 40 hours unless such employees receive compensation for their employment in excess of 40 hours at rates not less than one and one-half times the regular rates at which such employees are employed.

III

Defendant shall not fail to make, keep and preserve records of his employees, and the wages, hours, and other conditions and practices of employment maintained by him, or prescribed by the regulations of the Administrator issued, and from time to time amended, pursuant to sections 11(c) and 15(a)(5) of the Act and found in Title 29, Chapter 5, Code of Federal Regulations, Part 516.

IV

Defendant has agreed and stated, and it is the further judgment of this Court, that in the event any past

or present employee should bring an action under the provisions of section 16(b) of the Act (29 U.S.C. §216(b)), he will not claim nor plead in any manner this action under section 17 as a bar, defense, or limitation to such action under section 16(b). The defendant has further agreed and stated, and it is the further judgment of this Court, that in the event of such a suit under section 16(b) of the Act, limitations under section 6 of the Portal-to-Portal Act of 1947 (29 U.S.C. § 255) shall be tolled for a period of time equal to the period of time from June 30, 1971, the date this suit was commenced, until the date of this Judgment.

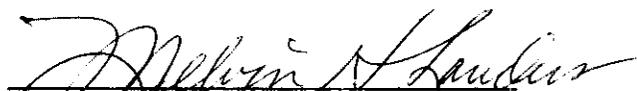
The costs of this action are to be taxed against defendant.

Signed and entered on this the 21st day of April, 1972.

LUTHER BOHANON

UNITED STATES DISTRICT JUDGE

Entry of this Judgment is hereby consented to:


Attorney for Defendant


Attorney for Plaintiff

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

St. Louis-San Francisco Railway)
Company, a corporation,)
Plaintiff)
-vs-) No. 71-C-180
Charles J. Land,)
Defendant)

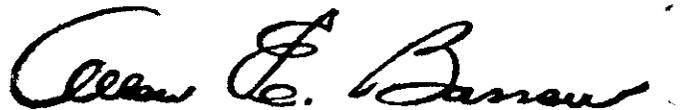
FILED

APR 20 1972

**JOHN H. POE, Clerk
U. S. DISTRICT COURT**

ORDER OF DISMISSAL

On this 20th day of April, 1972, on stipulation of
the parties filed herein for dismissal with prejudice of plaintiff's
cause of action and dismissal with prejudice of defendant's counter-
claim, plaintiff's cause of action is hereby dismissed with
prejudice, and defendant's counterclaim is hereby dismissed with
prejudice.



United States District Judge

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

MRS. JOHN T. MILLER,
individually and as Mother
and Next Friend and for
the Benefit of JOHN T.
MILLER, JR., MIKE KEVIN
MILLER and CINDY MILLER,
all minors,

Plaintiffs,

vs.

WHITTAKER PIPELINE
CONSTRUCTORS, INC., a
Foreign Corporation, and
C. W. CONNER,

Defendants.

NO. 71-C-396 CIVIL

FILED
IN OPEN COURT
APR 20 1972
JOHN H. POE, Clerk
U. S. DISTRICT COURT

CONSENT DECREE ENTERED UPON STIPULATION

The plaintiffs, having filed their Complaint for damages by reason of the death of John Thomas Miller, as appears more fully by the said Complaint and prayer for relief therein, and the plaintiffs and defendants having agreed upon a basis for the adjudication of the matters alleged in the Complaint and for an entry of a judgment in this case and having entered into a stipulation, original of which is being filed with the Court, and due deliberation being had thereon, evidence heard, arguments presented and the Court being fully advised in the premises and on the joint motion of counsel herein, the court finds that Mrs. John Thomas Miller has sustained a pecuniary loss as a result of the wrongful death of John Thomas Miller in the sum of \$120,000.00; that John T. Miller, Jr., has sustained a pecuniary loss in the sum of \$25,000.00; that Mike Kevin Miller has sustained a pecuniary loss in the amount of \$25,000.00; that Cindy Miller has sustained a pecuniary loss in the sum of \$25,000.00; that no other loss has been sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the plaintiff, Mrs. John Thomas Miller, have and recover judgment

from and against the defendants and each of them in the sum of One Hundred Ninety-five Thousand Dollars (\$195,000.00), plus the costs of this action. *The defendant is relieved, under the circumstances, of all statutory responsibility for bank deposits in relation to the named children.*

Luther Bohanon
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

[Signature]
Attorney for Plaintiffs

[Signature]
Attorney for Defendants

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN

DISTRICT OF COLUMBIA

Kathleen V. Caldwell and)

Frank Bushfield,)

Plaintiffs)

vs.)

Peabody Coal Company, successor)

to Sinclair Coal Company,)

Defendant)

CASE NO. 70-C-130 - CIVIL

FILED

APR 20 1972

JOHN H. POE, Clerk
U. S. DISTRICT COURT

LATER ALTERNATE DISMISSAL ON STIPULATION

Upon agreement and stipulation of counsel for the plaintiffs and counsel for the defendant, and upon plaintiff's motion for leave to discontinue this action, made in open court on the 27th day of February, 1972, it is ordered that the complaint be dismissed without prejudice, with plaintiffs to bear their costs and defendant to bear its costs.

Dated April 20 1972

W. Fred Daugherty
District Judge

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

DANNY RAY LAMB,)
)
) Petitioner,)
)
) -vs-)
)
)
) LOZIER BROWN,)
)
) Respondent.)

No. 71-C-63

FILED
APR 20 1972
JOHN H. POE, Clerk
U. S. DISTRICT COURT

JOURNAL ENTRY OF JUDGMENT

Now, on this 20th day of April, 1972, this Cause comes on for hearing on remand from the United States Court of Appeals for the Tenth Circuit, pursuant to the reversal by that Court, in Danny Ray Lamb v. Lozier Brown, Appeal No. 71-1355, March 16, 1972, of this Court's prior judgment herein, of May 21, 1971, filed of record herein on May 24, 1971.

Pursuant to the decision, judgment, and mandate of the Court of Appeals herein cited, it is the Judgment of this Court that:

1) The purported adult felony conviction imposed upon Petitioner herein on September 23, 1969, by the District Court of Tulsa County, State of Oklahoma, in Case No. CRF-69-1222, and purportedly affirmed on October 22, 1970, by the Court of Criminal Appeals of the State of Oklahoma, in Appeal No. A-15,610, 475 P.2d 829, be and hereby is vacated, quashed, set aside, and held for naught, with prejudice, as null and void for the repugnance of same to the Equal Protection of the Laws Clause of the Fourteenth Amendment to the Constitution of the United States; and that a Writ of Habeas Corpus do issue, releasing Petitioner from all actual and/or constructive restraint, injury, and detriment flowing therefrom forthwith.

2) That Petitioner be and hereby is restored to his full rights as a citizen of the United States and of the State of Oklahoma; and that all civil

and other legal disabilities and disqualifications heretofore incumbent upon Petitioner because of the said purported conviction herein, to include specifically that of Federal and State disfranchisement, be and hereby are lifted and set aside.

3) That all public, official, and/or quasi-official records relating to Petitioner's purported conviction herein be expunged and destroyed.

It is so ordered and adjudged.

Witness my hand and the seal of this Court this 20th day of April, 1972, at Tulsa, Oklahoma.

Luther Bohanon
LUTHER BOHANON
United States District Judge
Northern District of Oklahoma

APPROVED AS TO FORM:

Fred Gilbert
FRED P. GILBERT
Attorney for Petitioner

LARRY DERRYBERRY
Attorney General of the State of Oklahoma
Attorney for Respondent

By Paul Crane
~~H. L. McCONNELL~~
Deputy Attorney General

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

CIVIL ACTION FILE NO. 71-C-67

LUTHER JAROLD GOAD, JR.,
Plaintiff

vs.

UNITED STATES OF AMERICA,
Defendant
and CONTINENTAL INSURANCE COMPANY
OF NEW YORK,
Intervenor

JUDGMENT

This action came on for trial (hearing) before the Court, Honorable FRED DAUGHERTY, United States District Judge, presiding, and the issues having been duly tried (heard) and a decision having been duly rendered, for neither party.

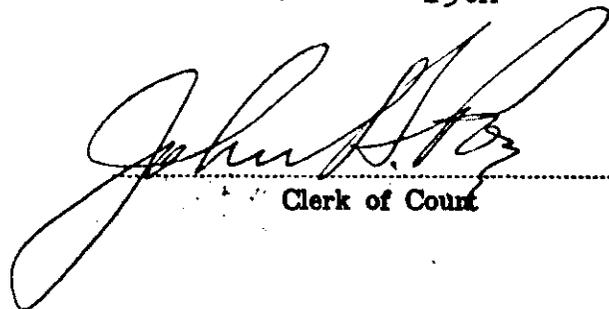
It is Ordered and Adjudged that neither the Plaintiff, Luther Jarold Goad, Jr., nor the Intervenor, Continental Insurance Company of New York, have established their legal right to the money held by the Defendant, United States of America, as stakeholder, and that the Plaintiff's Complaint and Intervenor's Complaint in Intervention are both dismissed without prejudice.

FILED

APR 19 1972

JOHN H. POE, Clerk
U. S. DISTRICT COURT.

Dated at Tulsa, Oklahoma, this 19th day
of April, 19 72.


Clerk of Court

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

United States of America,
Petitioner,
vs.
Bob Gene Frost a/k/a
Bobby Gene Frost Patient.

Civil No. 72-100-111

FILED
IN OPEN COURT

APR 17 1972

JOHN H. POE, Clerk
U. S. DISTRICT COURT

O R D E R

This day came on for consideration the petition of the United States in this cause; and it appearing to the Court that the patient has been fully advised of his rights as set forth in Title 42 U.S.C. Section 3411, et seq. (Title III, Section 301, wt seq. Public Law 89-793); and the Court having determined that there is reasonable cause to believe that the patient is a narcotic addict, and that there are not any appropriate State or other facilities available for his treatment pursuant to said law, it is hereby

ORDERED that the patient be committed to the custody of the Surgeon General for examination under Title 42 U.S.C. Section 3413 (Title III, Section 303, Public Law 89-793), to determine whether or not he is a narcotic addict who is likely to be rehabilitated. The written report required of each examining physician shall be filed with the Court and copies thereof furnished to the patient, not later than twenty (20) days after the patient is received at the facility hereinafter designated, and the patient shall be detained for an additional period of ten (10) days at the institution, pending further order of the Court. Provided, however, in the event both examining physicians conclude in their respective written reports that the patient is a narcotic addict who is likely to be rehabilitated through treatment, and, if the patient by written instrument filed with the Court along with, and at the same time as the reports of the examining physicians, waives any right he may have to notice and hearing on the issue as to whether or not he is a narcotic addict who is likely to be rehabilitated through treatment, and requests that he be forthwith committed to the care and custody of the Surgeon General for treatment in a hospital of the Service, rather than be returned to this Court for further proceedings, he shall be detained at said institution for a reasonable time after the expiration of thirty (30) days from the date he is received at said facility, pending further order of the Court.

It Is Further ORDERED that the patient shall be transported to the National Institute Mental Health Clinical Research Center, at Lexington, Kentucky, by the United States Marshal, within such time as the U. S. Marshal may be able to transport said patient.

Signed this 17 day of April, 19 72.

UNITED STATES DISTRICT COURT
MAGISTRATE

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

Flint Steel Corporation,

Plaintiff,

-vs-

St. Louis-San Francisco Railway
Company,

Defendant,

No. 71-C-400 ✓

FILED

APR 14 1972 *hm*

JOHN H. POE, Clerk
U. S. DISTRICT COURT

ORDER OF DISMISSAL

It appearing to the court that the parties herein have stipulated that this matter has been fully compromised and settled and that the same should be dismissed with prejudice, each party to bear its own costs.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that this case be and the same hereby is dismissed with prejudice, each party to bear its own costs.

Allen E. Brown
United States District Judge

APPROVED:

John B. Cecil
Attorney for Plaintiff

Greg W. Satterfield
Attorney for Defendant

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

MAPCO INC., a Delaware Corporation,)
)
Plaintiff,)
)
-vs-)
)
JONES & LAUGHLIN STEEL CORPORATION,)
)
a Pennsylvania, and d/b/a JONES &)
)
LAUGHLIN SUPPLY DIVISION and JONES &)
)
LAUGHLIN SUPPLY COMPANY,)
)
Defendants.)

NO. 70-c-217 ✓

FILED
APR 14 1972 *hm*
JOHN H. POE, Clerk
U. S. DISTRICT COURT

ORDER OF DISMISSAL

NOW ON this 14 day of April, 1972, the parties having advised the Court that the Contract of Settlement has been executed and all sums paid thereunder transferred, and all releases signed and accepted, the Court

ORDERS and DECREES that the above causes of action be and they hereby are dismissed with prejudice.

Allen E. Sauer
Judge of the United States District
Court for the Northern District

APPROVED:
Paul W. Bids
Wm. S. Hall

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

RUBY A. COOMBS,

Plaintiff,

vs.

ELLIOT L. RICHARDSON, Secretary of
Health, Education, and Welfare,

Defendant.

CIVIL ACTION NO. 70-C-267 ✓

FILED

APR 14 1972 *hmm*

JOHN H. POE, Clerk
U. S. DISTRICT COURT

ORDER

After reviewing the file and record in this cause, the
recommendations of the Magistrate are hereby approved and

IT IS, THEREFORE, ORDERED THAT the Motion for Summary Judgment
of the defendant, Elliot L. Richardson, Secretary of Health, Education,
and Welfare, be and the same is hereby granted, and

IT IS FURTHER ORDERED that the plaintiff's Motion for Summary
Judgment and Alternative Motion for Judgment Remanding cause be and the
same are hereby denied.

The Clerk of the Court shall forward by mail a copy of this Order
to each of the attorneys for the above-named plaintiff and defendant.

Dated this 14th day of ^{April,} ~~March~~, 1972.

Carroll E. Bauer
UNITED STATES DISTRICT JUDGE

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

FILED
APR 13 1972

JOHN H. POE, Clerk
U. S. DISTRICT COURT

WILLIAM B. PAYNE, guardian of the
person and estate of John Stephen
Freeman,

Plaintiff,

v.

GREEN GIANT COMPANY, a foreign
corporation,

Defendant.

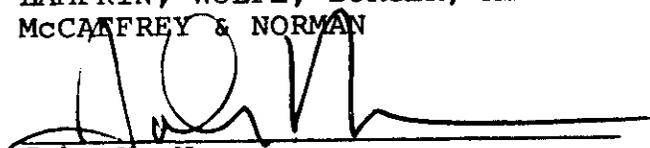
No. 71-C-285

STIPULATION AND DISMISSAL

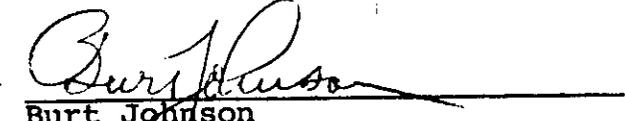
Come now the parties and stipulate that the above styled
and numbered cause may be dismissed.

APPROVED:

LAMPKIN, WOLFE, BURGER, ABEL
McCAFREY & NORMAN


John W. Norman

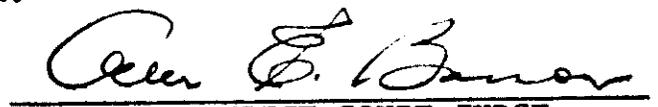
WATTS, LOONEY, NICHOLS & JOHNSON


Burt Johnson

ORDER

This cause comes on for hearing on this 14 day of April,
1972, upon the stipulation for dismissal of the parties set forth above
and the Court finds that same should be dismissed pursuant to Rule 41.

It is therefore dismissed.


U. S. DISTRICT COURT JUDGE

6. The prosecution knowingly used perjured testimony.

The Respondents have asked the Court to dismiss the Petition and deny Petitioner any relief for the reason Petitioner plead guilty to the crime charged, thus waiving any defects which might have occurred prior to his plea of guilty.

A transcript of Petitioner's guilty plea has been provided the Court by Respondents, as well as copies of orders of the Tulsa County District Court and the Oklahoma Court of Criminal Appeals denying Petitioner post conviction relief. On the basis of this record, the Court finds that the Petitioner has exhausted his State remedies as required by 28 U.S.C.A. §2254(b).

Petitioner was charged with murder. The Oklahoma Statutes provide that the punishment for this crime is life imprisonment or death. 21 Okl.St. Ann. §707. Petitioner's punishment is not excessive for the crime charged as it is the minimum punishment provided by law and therefore could not have been given under the influence of passion and prejudice.

With respect to errors committed at the preliminary hearing, Petitioner apparently contends that the State failed to prove that he committed the crime charged. It is not the function of the examining magistrate at the preliminary hearing to determine that the accused committed the crime charged but merely that there is probable cause that he committed it. Beard v. Ramey, 456 P. 2d 587 (Ok1.Cr. 1969). Moreover, Petitioner does not reveal to the Court the error he claims was committed by the examining magistrate; as such his claim in this respect is a bald conclusion which does not support relief under 28 U.S.C.A. §2254. Martinez v. United States, 344 F. 2d 325 (Tenth Cir. 1965).

Petitioner claims his plea of guilty was compelled by the State granting immunity to a witness. He claims that had this testimony been used in Petitioner's trial, his right to a fair trial would have been prejudiced. However, Petitioner was not tried and that evidence was never used against the Petitioner to obtain his conviction. The practice of granting immunity to a prosecution witness is not unusual. There is nothing Constitutionally wrong with such a strategem. Even if we assume that Petitioner would not have plead guilty if the State had not secured immunity for a key witness, this assumption merely identifies the grant of immunity as a "but for" cause of the plea. That the State caused the plea in this sense does not mean that the plea was coerced and invalid as an involuntary act. In Brady v. United States, 397 U.S. 742, 750 (1970), the Supreme Court pointed out:

"The State to some degree encourages pleas of guilty at every important step in the criminal process. For some people, their breach of a State's law is alone sufficient reason for surrendering themselves and accepting punishment. For others, apprehension and charge, both threatening acts by the Government, jar them into admitting their guilt. In still other cases, the post-indictment accumulation of evidence may convince the defendant and his counsel that a trial is not worth the agony and expense to the defendant and his family. All these pleas of guilty are valid in spite of the State's responsibility for some of the factors motivating the pleas; the pleas are no more improperly compelled than is the decision by defendant at the close of the State's evidence at trial that he must take the stand or face certain conviction."

Petitioner apparently claims that the State failed to prove at the preliminary hearing the existence of a premeditated design to procure murder as charged by the information. Again, it is not the function of a preliminary examination to prove the crime but merely to establish probable cause that the crime charged was committed by the accused. Beard v. Ramey, supra.

Petitioner asserts that his sentence was excessive and should be modified by this Court because the crime actually committed was manslaughter rather than murder. The minimum punishment for manslaughter is four years and the Statute prescribes no maximum. 21 Okl.St. Ann. §715. Said Statute has been interpreted to authorize life imprisonment. Ex parte Jones, 119 P. 2d 254 (Okl. Cr. 1941). Even were Petitioner's theory true, his punishment is within the maximum provided by law and it is not within the competence of this tribunal to modify Petitioner's sentence which is authorized by the law of the State of Oklahoma. Fay v. Noia, 372 U.S. 391 at pp. 431-434, 9 L.Ed. 2d 837 at p. 864, 83 S.Ct. 822 (1963).

Petitioner alleges that the State knowingly used perjured testimony to obtain his conviction. This is not true by Petitioner's own statement of facts for he pleaded guilty and his solemn admission of guilt is the sole evidence supporting his conviction. Assuming Petitioner's allegation to mean that perjured testimony was used at his preliminary hearing, still the same was not used to obtain his conviction for the reason the preliminary hearing does not determine guilt but only the existence of reasonable cause to believe that an accused has committed the crime with which he is charged.

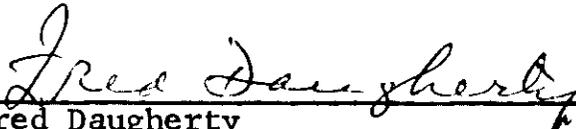
There is yet another reason why Petitioner's allegations of errors occurring at the preliminary examination do not entitle him to relief. By entering his plea of guilty without objection in the District Court, he waived any defects in the preliminary proceedings. Cindle v. Page, 452 F. 2d 752 (Tenth Cir. 1971).

Petitioner has failed to state any claim involving the violation of a Federal Constitutional right in obtaining his conviction. He is therefore not entitled to relief on any of the

claims asserted in his Petition.

The Petition filed herein by Petitioner is therefore denied and Petitioner's action dismissed.

It is so ordered this 13 day of April, 1972.



Fred Daugherty
United States District Judge

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

FILED

APR 12 1972

JOHN H. POE, Clerk
U. S. DISTRICT COURT

ANDCO, INC., a Corporation,

Plaintiff,

vs.

O. F. DUFFIELD,

Defendant,

CIVIL ACTION
NO. 70-C-278

ORDER FOR DISMISSAL WITHOUT PREJUDICE

This matter coming on for hearing this 12th day of
April, 1972 on Plaintiff's Dismissal WITHOUT PREJUDICE, and
on consideration of said Dismissal by attorney of record and
the Court being advised in the premises, it is ORDERED that the
above styled and numbered cause be dismissed WITHOUT PREJUDICE
to further action.

Allen E. Barrow

JUDGE FOR THE UNITED STATES
DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

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

United States of America,)
)
 Plaintiff,)
)
 -v-)
)
 Ray C. Barnett, et al.,)
)
)
)
 Defendants.)

CIVIL NO: 72-C-74

FILED
APR 12 1972
JOHN H. POE, Clerk
U. S. DISTRICT COURT

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 7 day
of April, 1972, the Plaintiff appearing by Robert P. Santee, Assistant
United States Attorney, and the defendants, Ray C. Barnett and
Betty M. Barnett, appearing not.

The Court being fully advised and having examined
the file herein finds that Ray C. Barnett and Everette T. Brown,
Jr., Attorney at Law, were served with complaint and summons on
March 6, 1972; that Betty M. Barnett was served with complaint
and summons on March 8, 1972.

It appearing that the said defendants have failed
to answer herein and that default has been entered by the
Clerk of this Court.

The Court further finds that this is a suit based
upon a mortgage note and foreclosure on a real property mortgage
securing said mortgage note and that the following described
real property is located in Tulsa County, Oklahoma, within
the Northern Judicial District of Oklahoma:

Lot Twenty-seven (27), Block Five (5), Valley
View Acres Addition to the City of Tulsa, County
of Tulsa, State of Oklahoma, according to the
recorded plat thereof.

That the defendants, Ray C. Barnett and Betty M. Barnett, did, on February 10, 1971, execute and deliver to Administrator of Veterans Affairs, their mortgage and mortgage note in the sum of \$10,750 with 4½ percent interest per annum, and further providing for the payment of monthly installments of principal and interest; and

The Court further finds that the defendants, Ray C. Barnett and Betty M. Barnett, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than 5 months last past, which default has continued and that by reason thereof the above named defendants are now indebted to the Plaintiff in the sum of \$10,671.15 as unpaid principal, with interest thereon at the rate of 4½ percent per annum from August 1, 1971, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover judgment against defendants, Ray C. Barnett and Betty M. Barnett, for the sum of \$10,671.15 with interest thereon at the rate of 4½ percent per annum from August 1, 1971, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by Plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy Plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma, commanding him to advertise and sell, with appraisal, the said real property and apply the proceeds thereof in satisfaction

of Plaintiff's judgment. The residue, if any to be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing of the Complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.

W. Allen E. Brown
UNITED STATES DISTRICT JUDGE

Approved.

Robert P. Santee
ROBERT P. SANTEE
Assistant United States Attorney

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

United States of America,)
)
 Plaintiff,)
)
 -v-)
)
 Robert Lee Carter, et al.,)
)
 Defendants.)

CIVIL NO: 72-C-71

FILED
APR 12 1972
JOHN H. POE, Clerk
U. S. DISTRICT COURT

JUDGMENT OF FORECLOSURE

THIS MATTER COMES on for consideration this 12 day
of April, 1972, the Plaintiff appearing by Robert P. Santee, Assistant
United States Attorney, and the defendants, Robert Lee Carter
aka Robert L. Carter aka Bob Carter, Hazel L. Carter aka Hazel
Carter, ~~Velma~~ Nadine Carter, formerly Mrs. Robert Lee Carter,
Interstate Securities Company, Mrs. Ross Hand, Aetna Finance
Company, Skyline Corp., and County Treasurer, Washington County,
appearing ~~not~~.

The Court being fully advised and having examined
the file herein finds that Robert Lee Carter aka Robert L.
Carter aka Bob Carter, Hazel L. Carter aka Hazel Carter, Velma
Nadine Carter formerly Mrs. Robert Lee Carter were served with
complaint and summons on March 27, 1972; that Interstate
Securities Company; Mrs. Ross Hand; Aetna Finance Company;
Skyline Corporation; and County Treasurer, Washington County,
were served with complaint and summons on March 8, 1972.

It appearing that the said defendants have failed
to answer herein and that default has been entered by the
Clerk of this Court.

The Court further finds that this is a suit based
upon a mortgage note and foreclosure on a real property mortgage
securing said mortgage note and that the following described
real property is located in Washington County, Oklahoma, within
the Northern Judicial District of Oklahoma:

Lot 43, Block 20, Pennington Hills Third Addition,
Bartlesville, Washington County, Oklahoma.

That the defendants, Robert Lee Carter and Velma Nadine Carter, did, on September 30, 1967, execute and deliver to Administrator of Veterans Affairs, their mortgage and mortgage note in the sum of \$9,500 with 6 percent interest per annum, and further providing for the payment of monthly installments of principal and interest; and

The Court further finds that the defendants, Robert Lee Carter aka Bob Carter aka Robert Carter and Velma Nadine Carter formerly Mrs. Robert Lee Carter, made default under the terms of the aforesaid mortgage note by reason of their failure to make monthly installments due thereon for more than 8 months last past, which default has continued and that by reason thereof the above named defendants are now indebted to the Plaintiff in the sum of \$9,067.81 as unpaid principal, with interest thereon at the rate of 6 percent per annum from July 1, 1971, until paid, plus the cost of this action accrued and accruing.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Plaintiff have and recover judgment against defendants, Robert Lee Carter aka Bob Carter aka Robert Carter and Velma Carter formerly Mrs. Robert Lee Carter, for the sum of \$9,067.81 with interest thereon at the rate of 5 percent per annum from July 1, 1971, plus the cost of this action accrued and accruing, plus any additional sums advanced or to be advanced or expended during this foreclosure action by Plaintiff for taxes, insurance, abstracting, or sums for the preservation of the subject property.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the failure of said defendants to satisfy Plaintiff's money judgment herein, an Order of Sale shall be issued to the United States Marshal for the Northern District of Oklahoma,

commanding him to advertise and sell, with appraisement, the said real property and apply the proceeds thereof in satisfaction of Plaintiff's judgment. The residue, if any to be deposited with the Clerk of the Court to await further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that from and after the sale of said property, under and by virtue of this judgment and decree, all of the defendants and each of them and all persons claiming under them since the filing of the Complaint herein be and they are forever barred and foreclosed of any right, title, interest or claim in or to the real property or any part thereof.


UNITED STATES DISTRICT JUDGE

Approved.


ROBERT P. SANTEE
Assistant United States Attorney

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

EUGENE COHEN and JUDITH COHEN,)
husband and wife,)
Plaintiffs,)
vs.) Civil Action
BUCK D. JONES, JOHN W. KAYE,) No. 71-C-228
and INTERNATIONAL VALVE AND)
SUPPLY COMPANY, a corporation,)
Defendants.)

FILED
APR 11 1972
JOHN H. POE, Clerk
U. S. DISTRICT COURT

STIPULATION FOR SETTLEMENT

It is stipulated by and between the parties hereto that the plaintiffs' cause of action against the Defendants shall be dismissed with prejudice and that the counterclaim of the Defendants shall be dismissed against the Plaintiffs with prejudice.

It is further stipulated that the \$50,000.00 note of Eugene Cohen payable to the Defendants, Buck D. Jones and John W. Kaye, on the 20th day of February, 1971, shall be cancelled and considered paid, and shall be returned to Eugene Cohen.

It is further stipulated that of the 75,000 shares of stock of Imperial Diversified Industries, Inc., pledged to secure payment of the above note, one-third of the shares (25,000) shall be transferred and delivered to the Plaintiffs, Eugene Cohen and Judith Cohen, and two-thirds of the shares (50,000) shall be transferred to the Defendants in equal amounts of one-third (25,000) to Buck D. Jones and one-third (25,000) to John W. Kaye.

Dated this 7 day of April, 1972.

RAYBORN, RAYBORN & BARCHAS
Bank of Idaho Building
Twin Falls, Idaho 83301

and

SMITH, BROWN, MARTIN & ADKISSON
410 Beacon Building
Tulsa, Oklahoma 74103

By Thomas F. Birmingham
Thomas F. Birmingham
Attorneys for Plaintiffs

FARMER, WOOLSEY, FLIPPO &
BAILEY
602 National Bank of Tulsa
Building
Tulsa, Oklahoma 74103

By Robert J. Woolsey
Robert J. Woolsey

ORDER APPROVING STIPULATION

The foregoing Stipulation is approved by the Court and it is ordered, adjudged and decreed that Plaintiffs' cause of action and Defendants' cause of action on their Counterclaim be and the same are hereby dismissed with prejudice; the note for \$50,000.00 due from Plaintiff to the Defendants is cancelled and ordered returned to Plaintiffs; and it is ordered, adjudged and decreed that stock certificates evidencing the transfer of the stock be executed and delivered in such manner that Eugene Cohen, John W. Kaye and Buck D. Jones each own 25,000 shares of the 75,000 shares pledged for the above note.

Allen F. Snow
Judge

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

FILED

APR 11 1972 R

JOHN H. POE, Clerk
U. S. DISTRICT COURT

LIBERTY GLASS COMPANY,
a Corporation,

Plaintiff,

vs.

ARKANSAS-BEST FREIGHT
SYSTEM, INC.,

Defendant.

70-C-187

LIBERTY GLASS COMPANY,
a Corporation,

Plaintiff,

vs.

SPECTOR FREIGHT SYSTEMS, INC.,

Defendant.

70-C-188

LIBERTY GLASS COMPANY,
a Corporation,

Plaintiff,

vs.

TRANSCON LINES, a
Corporation,

Defendant.

70-C-191

ORDER OF DISMISSAL

It is ordered that the above entitled cause be
dismissed without prejudice and without any adjudication
by this Court of the issues involved, and with the taxable
costs to the defendants to be taxed by the Clerk.

DATED this 11th day of April, 1972.


JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

United States of America,
Plaintiff,

vs.

30.00 Acres of Land, More or Less,
Situate in Nowata County, State of
Oklahoma, and V. C. Couch, et al.,
and Unknown Owners,

Defendants.

CIVIL ACTION NO. 70-C-286

Tracts Nos. 1026M and 1027M

FILED

APR 10 1972

JOHN H. POE, Clerk
U. S. DISTRICT COURT

J U D G M E N T

1.

Now, on this 7th day of April, 1972, this matter comes on for disposition on application of the plaintiff, United States of America, for entry of Judgment on stipulations agreeing upon just compensation, and the Court, after having examined the files in this action and being advised by counsel for plaintiff finds:

2.

This Judgment applies to the entire estate condemned in the tracts enumerated in the caption above, as such estate and tracts are described in the Complaint filed in this Civil Action.

3.

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

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 the subject tracts.

5.

The Acts of Congress set out in paragraph 2 of the Complaint herein give the United States of America the right, power and authority to condemn

for public use the estate described above in paragraph 2. Pursuant thereto on September 15, 1970, the United States of America filed its Declaration of Taking of such described property, and title to the described estate in such property should be vested in the United States of America as of the date of filing the Declaration of Taking.

6.

Simultaneously with filing the Declaration of Taking, there was deposited in the Registry of this Court as estimated compensation for the taking of a certain estate in the subject tracts, a certain sum of money, and none of this deposit has been disbursed, as set out below in paragraph 12.

7.

On the date of taking in this action, the owners of the estate taken in the subject tracts were the defendants whose names are shown below in paragraph 12. Such named defendants are the only persons asserting any interest in the estate taken in such tracts. All other persons having either disclaimed or defaulted, such named defendants are entitled to receive the just compensation awarded by this judgment.

8.

The owners of the subject tracts and the United States of America have executed and filed herein Stipulations As To Just Compensation, wherein they have agreed that just compensation for the estate condemned in subject tracts is in the amount shown as compensation in paragraph 12, and such Stipulations should be approved.

9.

This judgment will create a deficiency between the amount deposited as estimated compensation for the subject tracts and the total amount fixed by the Stipulations As To Just Compensation, and the amount of such deficiency should be deposited for the benefit of the owners. Such deficiency is set out below in paragraph 12.

10.

It Is, Further, ORDERED, ADJUDGED AND DECREED that the United States of America has the right, power, and authority to condemn for public use the

tracts named in paragraph 2 herein, as such tracts are particularly described in the Complaint filed herein; and such tracts, to the extent of the estate described in such Complaint are condemned, and title thereto is vested in the United States of America as of September 15, 1970, and all defendants herein and all other persons interested in such estate are forever barred from asserting thereto any claim.

11.

It Is Further ORDERED, ADJUDGED AND DECREED that on the date of taking, the owners of the estate condemned herein in the subject tracts were the persons whose names appear below in paragraph 12. The right to receive the just compensation awarded by this judgment is vested in the parties so named.

12.

It Is Further ORDERED, ADJUDGED AND DECREED that the Stipulations As To Just Compensation, mentioned in paragraph 8 above, hereby are confirmed; and the sum thereby fixed is adopted as the award of just compensation for the estate condemned in subject tracts, as follows to-wit:

Tracts Nos. 1026M and 1027M

Owners:

Barbara Y. Schwabe	1/12		
George Blaine Schwabe, Jr.	1/30		
Robert Vernon Schwabe	1/30		
John Leonard Schwabe	1/30		
Emily Jeanette Bailey	1/30		
William Henry Schwabe	1/30		
V. C. Couch	1/2		
Grace Smerdon	1/4		
Award of just compensation pursuant to stipulations		\$500.00	\$500.00
Deposited as estimated compensation		250.00	
Disbursed to owners			<u>none</u>
Balance due to owners			\$500.00
Deposit deficiency		<u>\$250.00</u>	

It Is Further ORDERED, ADJUDGED AND DECREED that the United States of America shall deposit in the Registry of this Court in this Civil Action the total deposit deficiency for subject tracts in the sum of \$250.00.

The Clerk of this Court then shall disburse the sum on deposit for subject tracts as follows:

Barbara Y. Schwabe\$41.67
George Blaine Schwabe, Jr.\$16.67
Robert Vernon Schwabe\$16.67
John Leonard Schwabe\$16.67
Emily Jeanette Bailey\$16.66
William Henry Schwabe\$16.66
V. C. Couch\$250.00
Grace Smerdon\$125.00

/s/ Allen E. Barrow

UNITED STATES DISTRICT JUDGE

APPROVED:

/s/ Hubert A. Marlow

HUBERT A. MARLOW
Assistant United States Attorney

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

CONTINENTAL INSURANCE COMPANY,)
a corporation,)
)
Plaintiff,)
)
PREFERRED RISK MUTUAL INSURANCE)
COMPANY, a corporation,)
)
Plaintiff-Intervenor)
)
vs.)
)
JOE THOMPSON, THEMLA THOMPSON,)
TONY THOMPSON and RICHARD McGUIRE,)
)
Defendants.)

E I L E D
APR 10 1972
JOHN H. POE, Clerk
U. S. DISTRICT COURT

NO. 70-C-370

J U D G M E N T

This action came on for trial before the Court, the Honorable Fred Daugherty, District Judge, presiding, and the issues having been duly tried, and a decision having been duly rendered herein, and a memorandum opinion and Order For Judgment having been filed herein,

IT IS ORDER AND ADJUDGED:

1. Plaintiff, Continental Insurance Company, is under no legal obligation, contractual or otherwise, under its Home Owners policy No. MHO 6-75-32 dated December 17, 1968, issued by plaintiff to defendants Joe Thompson and Thelma Thompson as named insured, to defend any action, or to pay any judgment that may be rendered in any action, now pending or that may hereafter be instituted or brought, against the defendants Joe Thompson, Thelma Thompson or Tony Thompson, for the recovery of damages resulting from, arising out of, or in any wise connected with any conduct of the defendant Tony Thompson on August 17, 1969 in fueling or attempting to fuel the gasoline tank in the pickup truck of the defendant Richard McGuire.
2. The plaintiff, Continental Insurance Company is under no obligation, contractual or otherwise, under its

family automobile policy No. 50A-0130-38-92 issued to defendant Richard McGuire as the named insured under date of April 24, 1969 to defend any action, or to pay any judgment that may be rendered in any action, now pending or that may hereafter be instituted or brought, against the defendants Joe Thompson, Thelma Thompson or Tony Thompson for the recovery of damages resulting from, arising out of, or in any wise connected with any conduct of the defendant Tony Thompson on August 17, 1969 in fueling or attempting to fuel the gasoline tank in the pickup truck of the defendant Richard McGuire.

3. That Plaintiff-Intervenor is under no legal obligation, contractual or otherwise, under its family automobile policy No. E 2159-644 in force and effect on August 17, 1969, issued to Richard McGuire, as the named insured, to defend any action, or to pay any judgment that may be rendered in any action, now pending or that may hereafter be instituted or brought, against the defendants Joe Thompson, Thelma Thompson or Tony Thompson for the recovery of damages resulting from, arising out of, or in any wise connected with any conduct of the defendant Tony Thompson on August 17, 1969 in fueling or attempting to fuel the gasoline tank in the pickup truck of the defendant Richard McGuire.

IT IS FURTHER ORDERED AND ADJUDGED; that the plaintiff have and recover its costs in this action, from the defendants Joe and Thelma Thompson and Richard McGuire, and that Plaintiff-Intervenor have and recover its costs in this action

against the defendant Richard McGuire.

DATED at Tulsa, Oklahoma, this 10th day of April, 1972.

75 Irene Daugherty
CLERK OF THE COURT
U.S. District Judge

APPROVED AS TO FORM:

ROGERS, ROGERS & JONES

By: [Signature]
Attorneys for plaintiff

COVINGTON, GIBBON & POE

By: [Signature]
Attorneys for plaintiff intervenor

[Signature]
Attorneys for defendants Thompson

[Signature]
Attorneys for defendant McGuire

APPROVED: ENTER:

75 [Signature]
UNITED STATES DISTRICT JUDGE

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

WDI ENERGY CO., E. A. SMITH)
and V. W. McKNAB,)
)
Plaintiffs,)
)
-vs-)
)
HYDRO-JET SERVICES, INC., a)
Texas corporation, A. B. FLY,)
JOHN E. MORRISON, JR., JACK I.)
MACKEY, BOB EWEN, LANE CUMMINGS)
and J. D. POLLARD,)
)
Defendants.)

FILED
APR 1 1972
JOHN H. POE, Clerk
U. S. DISTRICT COURT

No. 71-C-62 ✓

ORDER OF DISMISSAL WITHOUT PREJUDICE AS TO
DEFENDANTS CUMMINGS, MACKEY, MORRISON AND EWEN

Now on this 10 day of April, 1972, there comes before the court for its consideration and ruling the pleading filed herein by the plaintiffs, acting by and through their attorneys of record, whereby the plaintiffs do confess that this court lacks jurisdiction over the person of the individual defendants, Bob Ewen, Jack I. Mackey, John E. Morrison, Jr. and Lane Cummings. This admission is made pursuant to the Motion to Dismiss heretofore set forth in pleadings by the defendants pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure. Now, therefore, based upon the written admission and confession of lack of jurisdiction filed herein by the plaintiffs, it is the order of the court that the plaintiffs' complaint and this civil action is dismissed as to the defendants Bob Ewen, Jack I. Mackey and John E. Morrison, Jr. and Lane Cummings, without prejudice as to the right of the plaintiffs to hereafter refile the claims contained and set forth in their complaint in any forum in which jurisdiction can be obtained over said individual defendants.

This dismissal as to the individual defendants shall have no force and effect upon the proceedings insofar as they apply to the corporate defendant, Hydro-Jet Services, Inc.

ORDERED the day and year first above stated.

Frederic J. Dougherty
U.S. District Judge

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

BUILDING MATERIAL DISTRIBUTORS,)
INC., a Missouri corporation,)
)
Plaintiff,)
)
vs.)
)
H. HAROLD BECKO,)
)
Defendant.)

FILED
APR - 7 1972 ✓
JOHN H. POE, Clerk
U. S. DISTRICT COURT

No. 70-C-67 ✓

ORDER OF DISMISSAL

NOW on this 7 day of April, 1972, the above-styled and numbered matter comes on for ~~hearing~~ ^{consideration} before me, the undersigned Judge of the United States District Court for the Northern District of Oklahoma, on the application of the parties for an order of dismissal with prejudice, and the Court, being fully advised in the premises, finds that said application should be granted and the case dismissed with prejudice to the right of the plaintiff.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the above-styled and numbered action be, and the same is hereby dismissed with prejudice to the plaintiff.



ALLEN E. BARROW
United States District Judge

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

FILED

APR - 7 1972

JOHN H. POE, Clerk
U. S. DISTRICT COURT

WILLIAM F. PITZER and MYRTLE)
M. PITZER, husband and wife,)
)
Plaintiffs,)
)
vs.)
)
ROBERT W. PHILLIPS and DELORES)
G. PHILLIPS, husband and wife, et al.,)
)
Defendants.)

No. 70-C-396

DEFICIENCY JUDGMENT

On this 7 day of April, 1972 there comes on for hearing before this Court the motion of the First City Bank of Springfield, Springfield, Missouri, for leave to enter a deficiency judgment herein.

This Court has considered such motion and the evidence produced in open court in support thereof. This Court finds as follows:

1. The aggregate amount of the judgment heretofore rendered by this Court in this cause in favor of William F. Pitzer and Myrtle M. Pitzer, husband and wife, including principal, interest and attorneys' fees in the sum of \$168,458.82 plus costs of \$4,380.43, or a total aggregate judgment of \$172,839.25. This judgment was declared to be a first and prior lien against the subject real estate involved in this action.

2. The aggregate amount of the judgment heretofore rendered by this Court on this cause in favor of the First City Bank of Springfield, Springfield, Missouri, including principal, interest and attorneys' fees, is the aggregate total of \$120,602.16.

3. The total aggregate amount of the judgment heretofore rendered in favor of William F. Pitzer and Myrtle M. Pitzer, plus the total aggregate amount of the judgment heretofore rendered in favor of the First City Bank of Springfield, Springfield, Missouri, is the total sum of \$293,441.41.

4. The fair and reasonable market value of the mortgaged premises as of the date of the Marshal's sale herein, to-wit, the 24th day of January, 1972, was \$230,000.00.

5. The First City Bank of Springfield, Springfield, Missouri, is

entitled to a deficiency judgment for an amount equal to the sum of the judgments rendered in favor of William F. Pitzer and Myrtle M. Pitzer and the First City Bank of Springfield, Springfield, Missouri, less the market value as above determined by this Court. The amount of the deficiency judgment therefore which should be entered in favor of the First City Bank of Springfield, Springfield, Missouri, is \$63,441.41.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the First City Bank of Springfield, Springfield, Missouri, have and recover from the defendant Robert W. Phillips and Delores G. Phillips a deficiency judgment in the total sum of \$63,441.41, together with interest thereon at the rate of eight per cent per annum until paid.

Allen E. Barrow

ALLEN E. BARROW, JUDGE

LKS:br
3/31/72
1/3

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

GLEND A ROSE GATLIN and)
IRIS G. DYER, Guardian of)
GERALD GATLIN, a minor,)
)
Plaintiffs,)
)
vs.)
)
THE PRUDENTIAL INSURANCE)
COMPANY OF AMERICA,)
a corporation,)
)
Defendant.)

No. 70-C-352

FILED

APR - 7 1972

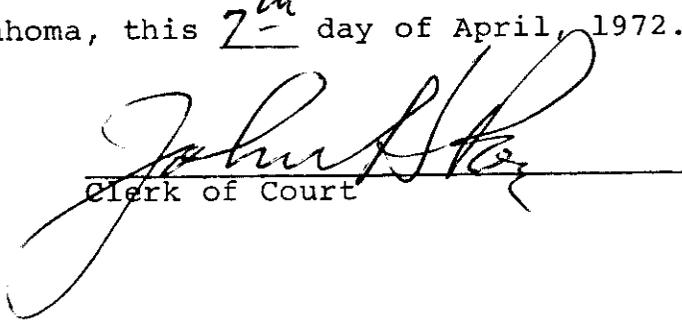
JOHN H. POE, Clerk
U. S. DISTRICT COURT

J U D G M E N T

This action came on for hearing before the Court, the Honorable Allen E. Barrow, District Judge, presiding, and the issues having been heard and a decision having been duly rendered,

It is Ordered and Adjudged that the Motion of the defendant for summary judgment be sustained, that the plaintiffs take nothing and that the action be dismissed on the merits.

Dated at Tulsa, Oklahoma, this 7th day of April, 1972.


Clerk of Court

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

LIBERTY GLASS COMPANY,
a Corporation,

Plaintiff,

vs.

LEE WAY MOTOR FREIGHT, INC.,

Defendant.

70-C-190
NO. ~~C-71-151~~ 710

FILED

APR 6 1972 R

JOHN H. POE, Clerk
U. S. DISTRICT COURT.

ORDER FOR DISMISSAL

It is ordered that the above entitled cause be dismissed without prejudice and without any adjudication by this Court of the issues involved, and with the taxable costs to the defendants to be taxed by the Clerk.

Dated April 6, 1972.

Fred Daugherty

JUDGE

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

ALEX L. KALLAY, et al.)
)
 Plaintiffs,)
)
 vs.)
)
 COMMUNITY NATIONAL LIFE INSURANCE)
 COMPANY, a corporation, et al,)
)
 Defendants,)
)
 INSURANCE COMPANY OF NORTH)
 AMERICA,)
)
 Third Party Defendant.)

FILED
APR 6 1972
JOHN H. POE, Clerk
U. S. DISTRICT COURT

NO. 67-C-127
Consolidated with
No. 67-C-131

J U D G M E N T

This cause came on to be heard on the 13th day of July, 1970 and it was argued by counsel, and thereupon, upon consideration thereof the Court having made and entered Findings of Fact and Conclusions of Law on said date and the initial judgment entered in said cause on December 3, 1970, and thereafter on or about August 31, 1971, payment was made on said judgment by the Third Party Plaintiff, Insurance Company of North America herein and upon application to this Court, it is hereby

ORDERED, ADJUDGED AND DECREED by the Court that the Third Party Plaintiff, Insurance Company of North America, a corporation, have and recover judgment against the Third Party Defendants, Jimmie J. Ryan and Community National Life Insurance Company, jointly and severally, in the amount of \$207,000.00 with interest thereon at the rate of 10% per annum from August 31, 1971 until the judgment herein is paid

together with all accruing costs of this action, all for
which let execution issue.

DATED this 6th day of ~~July~~ ^{April}, 1972.

Fred Daugherty
FRED DAUGHERTY, DISTRICT JUDGE

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

JAMES O. SULLIVAN, LYLE L. JONES)
and WAYNE M. PITLUCK,)
)
Plaintiffs,)
)
vs.)
)
AKIN DISTRIBUTORS, INC. and)
JAMES H. HOAG,)
)
Defendants.)

No. 72-C-16

E I L E D
APR 5 1972
JOHN H. POE, Clerk
U. S. DISTRICT COURT

ORDER OF DISMISSAL

This Court having received the Stipulation of Dismissal with Prejudice filed herein hereby orders, adjudges and decrees that the above captioned case be dismissed with prejudice to refiling.

4/4/1972

Luther Bohanon
Luther Bohanon

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

LOCAL LODGE NO. 790 OF THE
INTERNATIONAL ASSOCIATION OF
MACHINISTS AND AEROSPACE
WORKERS, AFL-CIO,

Plaintiff,

vs.

CHAMPION CARRIERS, INC.,

Defendant.

No. 71-C-361

FILED

APR - 4 1972

JOHN H. POE, Clerk
U. S. DISTRICT COURT

ORDER OVERRULING MOTION TO DISMISS

This cause comes on for consideration by the Court upon plaintiff's Motion for New Trial; and the Court, having carefully again reviewed the entire file in this cause, including plaintiff's Motion, Affidavit and Brief, together with opposing Brief, is of the opinion that said Motion should be overruled, and

IT IS SO ORDERED.

Dated this 3rd day of April, 1972.

Luther Bohannon
UNITED STATES DISTRICT JUDGE

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

WILLIAM F. PITZER and MYRTLE M. PITZER,)
husband and wife,)

Plaintiffs,)

vs.)

ROBERT W. PHILLIPS and DELORES G.)
PHILLIPS, husband and wife, et al.,)

Defendants.)

CIVIL ACTION NO. 70-C-396 ✓

FILED

APR - 3 1972 ✓

JOHN H. POE, Clerk
U. S. DISTRICT COURT

DEFICIENCY JUDGMENT

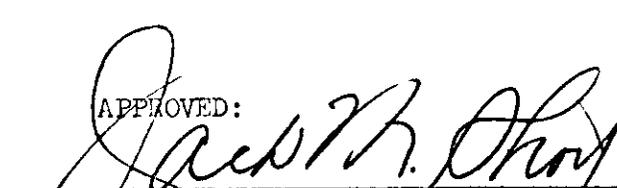
NOW, on this 3rd day of April, 1972, there came on for

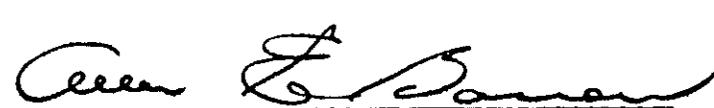
consideration the motion of the defendant, United States of America, for
leave to enter deficiency judgment, which motion was filed herein on March
23, 1972, and copies of such motion were mailed to the defendants as shown
on the Certificate of Service by Mailing attached to said motion,

The Court finds that the sale of the real property involved herein
was not sufficient to pay any sum of money on the defendant's, United States
of America, judgment and that it is accordingly entitled to a deficiency
judgment against the defendants, Robert W. Phillips and Delores G. Phillips,
husband and wife, for and in the sum of \$47,970.00 together with interest
thereon of \$401.56 as of January 22, 1971, and interest accruing thereafter
until paid at the rate of \$3.997564 per day.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the
defendant, United States of America, have and recover of and from the defendants,
Robert W. Phillips and Delores G. Phillips, husband and wife, a deficiency
judgment in the amount of \$47,970.00 together with interest thereon of \$401.56
as of January 22, 1971, and interest accruing thereafter until paid at the rate
of \$3.997564 per day.

APPROVED:


JACK M. SHORT
Assistant United States Attorney


UNITED STATES DISTRICT JUDGE