

FILED

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

DEC 18 1972

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARCHIE DALE MILLER,

Defendant.

W. D. SILVER, Clerk  
U. S. DISTRICT COURT

NO. 72-CR-59

ORDER MODIFYING JUDGMENT AND SENTENCE

This Court has for consideration a letter from the defendant, Archie Dale Miller, which the Court is treating as a motion pursuant to Rule 35, Federal Rules of Criminal Procedure, for reduction or modification of sentence.

Upon review, study and reflection of the proceedings herein, the Court finds that the defendant's acts were not a direct and knowing participation by him in the events to their culmination. The Court further finds that the defendant has been in institutional custody since May 30, 1972, and based upon the two reports from the Federal Reformatory, where the defendant has been confined, at El Reno, Oklahoma, one dated August 1, 1972, and another dated November 28, 1972, and the background of the defendant, the Court finds that no further benefit is to be gained by the continued imprisonment of this defendant and that continued imprisonment might well prove detrimental. Therefore, the Court finds that the motion for modification of sentence should be sustained.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the definitive sentence entered on September 12, 1972, be and it is hereby modified to read as follows:

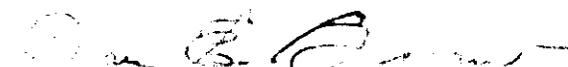
IT IS ADJUDGED THAT the defendant is a person eligible for treatment under the Federal Youth Corrections Act and that he does not need commitment, that the imposition of sentence is suspended, and the defendant, Archie Dale Miller, is placed on two (2) years probation pursuant to 18 U.S.C. § 5010(a).

IT IS ORDERED, ADJUDGED AND DECREED that a special condition of probation is that the defendant enroll in school and so remain enrolled until he has completed his college education and obtained a degree.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the provisions of 18 U.S.C. § 5021(b) shall and do apply to the sentence herein imposed.

It is the intention of this Order of Modification of Sentence that the defendant Archie Dale Miller be released from jail type or institutional custody forthwith and in no event later than the 22nd day of December, 1972.

Dated this 18th day of December, 1972, at Tulsa, Oklahoma.

  
CHIEF JUDGE, UNITED STATES DISTRICT  
COURT FOR THE NORTHERN DISTRICT OF  
OKLAHOMA





United States District Court
FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

DEC 13 1972

JACK C. SILVER, Clerk
U. S. DISTRICT COURT

United States of America

v.

No. 72-CR-202

Neil Douglas Jacob Stewart

On this 13th day of December, 1972 came the attorney for the government and the defendant appeared in person and with counsel, James H. Heslet, Court appointed.

IT IS ADJUDGED that the defendant upon his plea of Guilty, and the Court being satisfied there is a factual basis for the plea, has been convicted of the offense of having violated Title 18, U.S.C., §2312, in that on or about September 9, 1972, Neil Douglas Jacob Stewart unlawfully transported, and caused to be transported, a certain stolen motor vehicle, to-wit: 1971 Ford Automobile, VIN 1B58H151291, in interstate commerce, from Edmonton, Canada, to Tulsa, Oklahoma, within the Northern District of Oklahoma and the jurisdiction of this Court, the said defendant then knowing said motor vehicle to have been stolen,

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

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

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

Eighteen (18) Months.

~~IT IS ADJUDGED THAT~~

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

Approved as to Form:

Ben F. Baker

Ben F. Baker, Asst. U. S. Atty.
The Court recommends commitment to

Cleen E. Brown

United States District Judge.

Clerk.

1Insert "by [name of counsel], counsel" or without counsel; the court advised the defendant of his rights to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel. 2Insert (1) "guilty and the court being satisfied there is a factual basis for the plea," (2) "not guilty, and a verdict of guilty," (3) "not guilty, and a finding of guilty," or (4) "nolo contendere," as the case may be. 3Insert "in count(s) number" if required. 4Enter (1) sentence or sentences, specifying counts if any; (2) whether sentences are to run concurrently or consecutively and, if consecutively, when each term is to begin with reference to termination of preceding term or to any other outstanding unserved sentence; (3) whether defendant is to be further imprisoned until payment of the fine or fine and costs, or until he is otherwise discharged as provided by law. 5Enter any order with respect to suspension and probation. 6For use of Court to recommend a particular institution.

United States District Court
FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

United States of America

v.

PERRY ROBERTS

No. 72-CR-186

DEC 5 1972

Jack C. Silver, Clerk
U. S. DISTRICT COURT

On this 5th day of December, 1972 came the attorney for the government and the defendant appeared in person and with counsel, Elmore Page,

IT IS ADJUDGED that the defendant upon his plea of guilty, and the court being satisfied there is a factual basis for the plea,

has been convicted of the offense of having violated T. 26, USC 5179 (a), in that, on or about August 3, 1972, at 4183 North Detroit Place, Tulsa, Tulsa County, in the Northern District of Oklahoma, he did unlawfully possess a still and distilling apparatus which he had failed to register as required by law, as charged in the Indictment.

United States District Court ) ss
Northern District of Oklahoma)

I hereby certify that the foregoing is a true copy of the original on file in this Court.

Clerk

By Deputy

as charged

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

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

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

Three (3) years.

IT IS ADJUDGED that the sentence imposed in this case shall run concurrently with the sentence imposed in Criminal Case No. 72-CR-28.

IT IS FURTHER ADJUDGED that the execution of sentence in this case is hereby deferred to Wednesday, January 10, 1973 at 9:30 A.M., at such time the defendant shall report to the office of the U.S. Marshal.

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

Approved as to form:

Allen E. [Signature]
United States District Judge.

Ben F. Baker, Asst. U.S. Attorney

Clerk.

Insert "by [name of counsel], counsel" or "without counsel"; the court advised the defendant of his rights to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the aid of counsel. Insert (1) "guilty and the court being satisfied there is a factual basis for the plea," (2) "not guilty, and a verdict of guilty," (3) "not guilty, and a finding of guilty," or (4) "nolo contendere," as the case may be. Insert "in count(s) number" if required. Enter (1) sentence or sentences, specifying count(s) if any; (2) whether sentences are to run concurrently or consecutively and, if consecutively, when each term is to begin with reference to termination of preceding term or to any other outstanding unserved sentence; (3) whether defendant is to be further imprisoned until payment of the fine or fine and costs, or until he is otherwise discharged as provided by law. Enter any order with respect to suspension and probation. For use of Court to recommend a particular institution.

United States District Court

FOR THE

NORTHERN DISTRICT OF OKLAHOMA

FILED  
DEC 1972

JACK O. SUTTER, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

No. 72-CR-203

RENITA GERALDINE FRASHER

On this 5th day of December, 1972, came the attorney for the government and the defendant appeared in person, and with counsel, Charles Froeb,

It IS ADJUDGED that the defendant upon his plea of guilty, and the court being satisfied there is a factual basis for the plea,

has been convicted of the offense of having violated T. 18, U.S.C., § 2312, in that, on or about January 17, 1972, at Miami, Oklahoma, in the Northern District of Oklahoma, he did transport in interstate commerce a 1971 Ford XLT Pickup Truck, VIN F10YKJ85718, from Kansas City, Missouri, to Miami, Oklahoma, then knowing same to have been stolen, as charged in the Information.

as charged

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

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

It IS ADJUDGED that the imposition of sentence is hereby suspended and the defendant is placed on probation for a period of Three (3) years from this date pursuant to the Federal Youth Correction Act, Title 18, U.S.C.A. 5010(2).

It IS FURTHER ADJUDGED that this period of probation shall run concurrently with the period of probation imposed on March 30, 1972 in Criminal Case No. T-CR-1734, in the District of Kansas, Topeka Division.

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

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

Approved as to form:

Ben F. Baker

Allen E. Barrett  
United States District Judge

Ben F. Baker, Asst. U.S. Attorney

Clerk

Insert the [name of counsel, "counsel" or "without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel."

Insert (1) "guilty, and the court being satisfied there is a factual basis for the plea," (2) "not guilty, and verdict of guilty," (3) "not guilty, and a finding of guilty," or (4) "nolo contendere," as the case may be.

Insert "in equity" number

if required.

If sentence is imposed but execution suspended, and probation ordered, enter here (1) sentence or sentences, specifying each term, (2) whether sentences are to run concurrently or consecutively, and, if consecutive, when each term is to begin with reference to termination of preceding term or to any outstanding or unserved sentence, (3) whether defendant is to be further imprisoned until payment of fine or fines and costs, or until he is otherwise discharged provided by law, (4) the facts regarding the suspension of the sentence or sentences and (5) the period of probation.

If sentence is suspended and probation ordered, enter here the following: "The imposition of sentence is hereby suspended and the defendant is placed on probation for a period of \_\_\_\_\_ years from this date."



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

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

RODNEY VANCE HENDERSON,  
Defendant.

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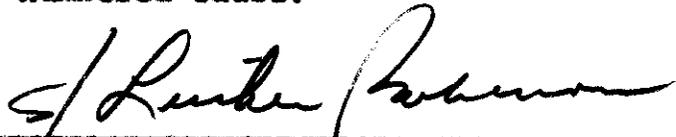
CRIMINAL NO. 72-CR-29 ✓

*h*

JUDGMENT OF ACQUITTAL

WHEREAS, on November 8, 1972, the conviction in this case was overturned by the Court of Appeals for the Tenth Circuit and a Judgment of Acquittal ordered, by mandate received by the Clerk of this Court, therefore, in compliance with said mandate,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that a Judgment of Acquittal be, and the same is hereby made and entered in the above styled and numbered cause.

  
UNITED STATES DISTRICT JUDGE

FILED

DEC - 4 1972

\_\_\_\_\_, Clerk  
U. S. DISTRICT COURT