

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

UNITED STATES OF AMERICA,

)  
) Plaintiff, )

vs.

) NO. 74-CR-157 ✓  
)

MARVIN HUGHES,

)  
) Defendant. )

**FILED**

FEB 21 1975

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

ORDER

The Court has for consideration a letter from the Defendant which the Court is treating as a request for modification of sentence pursuant to Rule 35, Federal Rules of Criminal Procedure.

Upon review, study and reflection, and being fully advised in the premises, the Court finds that the motion should be sustained.

IT IS, THEREFORE, ORDERED that the Judgment and Sentence entered herein on January 21, 1975, be and it is hereby modified to read as follows:

The Defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of:  
Count 1 - Two (2) years, eligible for parole at such time as the parole board may determine as provided in 18 U.S.C. § 4208(a)(2).  
Count 2 - Two (2) years, eligible for parole at such time as the parole board may determine as provided in 18 U.S.C. § 4208(a)(2), to run concurrently with the sentence imposed in Count 1.  
Count 3 - The imposition of sentence is suspended and Defendant is placed on probation for a period of Two (2) years, to begin at the expiration of the sentences imposed in Counts 1 and 2.

IT IS FURTHER ORDERED that Six (6) months of the concurrent sentences in Counts 1 and 2 run concurrently with the one year sentence the defendant is serving from the Tulsa County District Court of Oklahoma, and it is recommended that the Oklahoma State Penitentiary be designated for service of said six months. The remaining eighteen months of the concurrent two years' imprisonment imposed in Counts 1 and 2 to be served in a Federal institution where the defendant may receive drug therapy.

Dated this 21<sup>st</sup> day of February, 1975, at Tulsa, Oklahoma.

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

DEFENDANT

EDWARD LEE SWEDENSKY

DOCKET NO.

74-CR-69

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH	DAY	YEAR
2	20	75

COUNSEL

WITHOUT COUNSEL

However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL

Kenneth L. Stainer

(Name of counsel)

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea,

NOLO CONTENDERE,

NOT GUILTY

FILED  
FEB 20 1975

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

FINDING & JUDGMENT

There being a finding/verdict of

NOT GUILTY. Defendant is discharged

GUILTY.

Defendant has been convicted as charged of the offense(s) of having violated T. 18, USC, Sec. 1014, in that on or about 7-25-72 at Collinsville, Okla., in the Northern District of Okla., Edward Lee Swedensky, did knowingly and fraudulently make a materially false statement & report in an application for a loan submitted to the American Exchange Bank of Collinsville, Okla., the deposits of which are insured by the FDIC, for the purpose of influencing the action of said bank to approve said loan, in that Edward Lee Swedensky, by written representation, represented that one Andy Decker had signed as a guarantor on an installment note & loan disclosure statement, when in truth & in fact he well knew that was a false statement & report, as charged in the indictment.

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of

Two (2) Years

SENTENCE OR PROBATION ORDER

IT IS FURTHER ADJUDGED that the defendant pay a fine unto the United States in the amount of \$5,000.00, and the defendant is to stand committed until the fine is paid in full, or he is otherwise discharged under due process of law.

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

U.S. District Judge

U.S. Magistrate

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

( ) CLERK

( ) DEPUTY

Date 2-20-75

DEFENDANT

DONALD EUGENE OWENS

DOCKET NO.

75-CR-19

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH 2 DAY 19 YEAR 75

COUNSEL

WITHOUT COUNSEL. However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL Allen E. Pease

(Name of counsel)

FILED

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea, NOLO CONTENDERE, NOT GUILTY

FEB 19 1975 Jack C. Silver, Clerk U. S. DISTRICT COURT

FINDING & JUDGMENT

There being a finding/verdict of NOT GUILTY. Defendant is discharged GUILTY.

Defendant has been convicted as charged of the offense(s) of having violated T. 18, U.S.C., Sec. 3150, in that on or about 12-10-74, in the North. Dist. of Ok., Defendant, having previously been arrested on charge of violating T. 18, USC, Sec. 1702, a felony, charging him with obstruction of the mail, & having been admitted to bail pursuant to T. 18, USC, Sec. 3146(a), for appearance before U.S. Dist. Court for North. Dist. of Ok., for arraignment & plea in case 75-CR-190, willfully did fail to appear as required before the aforementioned U.S. Dist. Court, as charged in the indictment.

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for ~~the~~ maximum period of five (5) years for a study as described in T. 18, U.S.C., Sec. 4208(c), the results of such study to be furnished this Court within 90 days, whereupon the sentence of imprisonment herein imposed is subject to modification in accordance with T. 18, U.S.C., Sec. 4208(b).

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

U.S. District Judge

Allen E. Pease

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

( ) CLERK ( ) DEPUTY

Date 2-19-75

DEFENDANT

MAURICE MONTEZ EZELL

DOCKET NO.

74-CR-145

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH 2 DAY 19 YEAR 75

COUNSEL

WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

X WITH COUNSEL Robert B. Copeland

(Name of counsel)

FILED

PLEA

X GUILTY, and the court being satisfied that there is a factual basis for the plea, NOLO CONTENDERE, NOT GUILTY 1975

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

FINDING & JUDGMENT

There being a finding/verdict of NOT GUILTY. Defendant is discharged X GUILTY.

Defendant has been convicted as charged of the offense(s) of having violated T. 18, U.S.C., Sec. 1001, in that on or about 8-6-73, at Tulsa, Ok., in the North Dist. of Ok., the Defendant did willfully and knowingly, make and cause to be made a false, fictitious & fraudulent statement and representation as to material facts in a matter within the jurisdiction of the Dept. of Housing & Urban Development, an agency of the United States, as charged in the indictment.

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The imposition of sentence is suspended and the Defendant is placed on Probation for a period of One (1) year from this date, pursuant to the Federal Youth Correction Act, T. 18, U.S.C., Sec. 4209:5010(a).

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

X U.S. District Judge

[Signature]

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

( ) CLERK

( ) DEPUTY

Date 2-19-75

DEFENDANT

DONALD E. OWENS

DOCKET NO.

74-CR-140

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH 2 DAY 19 YEAR 75

COUNSEL

WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL Allen B. Pease

(Name of counsel)

FILED

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea, NOLO CONTENDERE,

FEB 19 1975 NOT GUILTY

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

FINDING & JUDGMENT

There being a finding/verdict of NOT GUILTY. Defendant is discharged GUILTY.

Defendant has been convicted as charged of the offense(s) of having violated T. 18, U.S.C., Section, 1702, as charged in the indictment.

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for the maximum period of Five (5) years for a study as described in T. 18, U.S.C., Sec. 4208(c), the results of such study to be furnished this Court within 90 days, whereupon the sentence of imprisonment herein imposed may be subject to modification in accordance with T. 18, U.S.C., Sec. 4208(b).

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

U.S. District Judge

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

( ) CLERK

( ) DEPUTY

Date 2-19-75

DEFENDANT

JAMES CARREL LUMAN

DOCKET NO.

74-CR-138

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH 2 DAY 19 YEAR 75

COUNSEL

WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL James W. Fransein

(Name of counsel)

FILED

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea,

NOLO CONTENDERE,

FEB 19 1975

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

FINDING & JUDGMENT

There being a finding of NOT GUILTY. Defendant is discharged. GUILTY.

Defendant has been convicted as charged of the offense(s) of having violated T. 18, U.S.C., Sec. 2312, in that on or about 5-20-74, the Defendant transported in interstate commerce a stolen motor vehicle, that is, a 1973 Chevrolet Monte Carlo, from the State of Kansas to Tulsa, Oklahoma, in the Northern District of Oklahoma, and he then knew the motor vehicle to have been stolen, as charged in the indictment.

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for the maximum period of five (5) years for a study as described in T. 18, U.S.C., Sec. 4208(c), the results of such study to be furnished this Court within 90 days, whereupon the sentence of imprisonment herein imposed may be subject to modification in accordance with T. 18, U.S.C., Sec. 4208(b).

IT IS ADJUDGED THAT the execution of sentence is deferred to March 18, 1975, at 9:30 A.M.

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

U.S. District Judge

U.S. Magistrate

[Signature]

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

( ) CLERK

( ) DEPUTY

Date 2-19-75

DEFENDANT

SELMA DRAKE, JR.

DOCKET NO.

74-CB-127

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH 2 DAY 19 YEAR 75

COUNSEL

WITHOUT COUNSEL

However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL

Robert B. Copeland

(Name of counsel)

FILED

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea,

NOLO CONTENDERE,

FEB 19 1975

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

FINDING & JUDGMENT

There being a finding/verdict of

NOT GUILTY. Defendant is discharged

GUILTY.

Defendant has been convicted as charged of the offense(s) of having violated T. 18, U.S.C., Sec. 2384, in that on or about 11-1-74 & 11-8-74, the Defendant, with unlawful & fraudulent intent, did transport and cause to be transported in interstate commerce from Tulsa, Okla., in the North. Dist. of Okla., to Chicago, Ill., falsely made and forged securities, payable to Selma Drake, Jr., drawn on the Continental Illinois Nat'l Bank & Trust Co., Chicago, Ill., account of Wheatley Co., Operating Acct., knowing the securities to be falsely made and forged, as charged in Counts 1, 2 & 3 of the indictment.

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that:

Count 1 - The Imposition of sentence is suspended and Defendant is placed on Probation for a period of Three (3) years.

Count 2 - The Imposition of sentence is suspended and Defendant is placed on Probation for a period of Three (3) years, to run concurrently with sentence imposed in Count 1.

Count 3 - The Imposition of sentence is suspended and Defendant is placed on Probation for a period of Three (3) years, to run concurrently with sentence imposed in Count 1.

SPECIAL CONDITIONS OF PROBATION

The condition of probation is that the Defendant make complete restitution of money in 30 months from this date as ordered in sentence imposed in State Court.

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

U.S. District Judge

U.S. Magistrate

[Signature]

Date

2-19-75

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

( ) CLERK ( ) DEPUTY

DEFENDANT

LEWIS E. BRADEN

NORTHERN DISTRICT OF OKLAHOMA

DOCKET NO. 74-CR-130

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

COUNSEL

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH DAY YEAR 2 18 75

WITHOUT COUNSEL

However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL

H. G. E. Beauchamp

(Name of counsel)

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea,

NOLO CONTENDERE,

NOT GUILTY

FEB 18 1975

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

FINDING & JUDGMENT

There being a finding/verdict of

NOT GUILTY. Defendant is discharged

GUILTY.

Defendant has been convicted as charged of the offense(s) of having violated T. 18, USC, Sec. 641, in that on or about 7-26-74 in the Northern District of Oklahoma, Lewis E. Braden willfully and knowingly did receive, conceal and retain stolen property of the United States, that is, a 1970 Ford pickup truck, of a value in excess of one-hundred dollars, with intent to convert said property to his own use, Lewis E. Braden then knowing said property to have been stolen; as charged in the Indictment.

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: ~~The defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of~~

Imposition of sentence is hereby suspended and the Defendant is placed on probation for a period of Three (3) Years from this date.

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

U.S. District Judge

U.S. Magistrate

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

( ) CLERK

( ) DEPUTY

Date 2-18-75

DEFENDANT

WALTER R. STREHL

NORTHERN DISTRICT OF OKLAHOMA

DOCKET NO. 74-CR-143

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH DAY YEAR 2 18 75

COUNSEL

WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL Ted M. Riseling (Name of counsel)

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea, NOLO CONTENDERE, NOT GUILTY

FEB 18 1975

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

FINDING & JUDGMENT

There being a finding/verdict of NOT GUILTY. Defendant is discharged GUILTY.

Defendant has been convicted as charged of the offense(s) of having violated T. 26, USC, Sections 5861(d) and 5871, in that on or about 11-1-74 at Tulsa, Oklahoma in the Northern District of Oklahoma, Walter R. Strehl, willfully and knowingly possessed a firearm which had not been registered to him in the National Firearms Registration and Transfer Record as required by Section 5841, Title 26, United States Code, as charged in Count 1 of the Indictment.

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The defendant hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of

Imposition of sentence is hereby suspended and the defendant is placed on probation for a period of Two (2) Years from this date.

SPECIAL CONDITIONS OF PROBATION

A SPECIAL CONDITION of probation is that the defendant neither own, nor possess, nor use any guns of any kind.

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

U.S. District Judge U.S. Magistrate

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

( ) CLERK ( ) DEPUTY

Date 2-18-75

DEFENDANT **JAMES DEWAYNE KERR**

NORTHERN DISTRICT OF OKLAHOMA

DOCKET NO. **74-CR-142**

**JUDGMENT AND PROBATION/COMMITMENT ORDER** AO 245 (9/74)

In the presence of the attorney for the government the defendant appeared in person on this date MONTH DAY YEAR  
**2 18 75**

COUNSEL  WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL **George Briggs**  
(Name of counsel)

PLEA  GUILTY, and the court being satisfied that there is a factual basis for the plea,  NOLO CONTENDERE,  NOT GUILTY

There being a finding/verdict of  NOT GUILTY. Defendant is discharged  
 GUILTY.

FINDING & JUDGMENT Defendant has been convicted as charged of the offense(s) of **having violated T. 18, USC, Sec. 922(a)(6), in that on or about 12-13-73, at Tulsa, Okla., in the No. Dist. of Okla. James Dewayne Kerr did, in connection with the acquisition of a firearm from Leboyles Dept. Store, in Tulsa, Okla., a licensed dealer in firearms, knowingly & intentionally cause to be made a false written statement intended to deceive said dealer with respect to a fact material to the lawfulness of the sale of said firearm, in that he caused James Ray Bishop to furnish personal identification to said dealer & sign Treas. Form 4473 as the purchaser of said firearm, when in fact, the deft. was the actual purchaser of said firearm & was by law prohibited from purchasing said firearm, having been convicted of a crime punishable by imprisonment for a term exceeding one year, as charged in the indictment.**

The Court, after which the defendant had the opportunity to be heard and no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered 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**

SENTENCE OR PROBATION ORDER **Imposition of sentence is hereby suspended and the defendant is placed on probation for a period of Four (4) Years, to begin at the expiration of and run consecutive to the sentence the defendant is now serving in the Oklahoma State Penitentiary at Stringtown, Oklahoma.**

SPECIAL CONDITIONS OF PROBATION **A SPECIAL CONDITION of probation is that the defendant neither own, nor possess, nor handle guns of any kind during this term of probation.**

ADDITIONAL CONDITIONS OF PROBATION In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY  U.S. District Judge  U.S. Magistrate

By \_\_\_\_\_ ( ) CLERK ( ) DEPUTY

Date **2-18-75**

CERTIFIED AS A TRUE COPY ON THIS DATE \_\_\_\_\_

**FILED**

FEB 13 1975

UNITED STATES DISTRICT COURT

NORTHERN District of OKLAHOMA

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

United States of America )  
vs. )  
THEODORE BERT YORK, et al. )

Criminal No. 75-CR-3

ORDER FOR DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure and by leave of court endorsed hereon the United States Attorney for the Northern District of Oklahoma hereby dismisses the Information against Theodore Bert York, James ~~W. York~~ David Olin, Anthony Wayne Hunter, and Jimmy Roger Steely, defendants herein.

NATHAN G. GRAHAM  
United States Attorney

Asst. United States Attorney

Leave of court is granted for the filing of the foregoing dismissal.

(Signed) ALLEN E. BARROW

United States District Judge

Date: February 13, 1975

FILED

FEB 13 1975

Jack C. Silver, Clerk *js*

UNITED STATES DISTRICT COURT

Northern District of Oklahoma U. S. DISTRICT COURT

United States of America

Criminal No. 74-CR-128 ✓

vs.

Gary Wayne Wofford

ORDER FOR DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure and by leave of court endorsed hereon the United States Attorney for the Northern District of Oklahoma hereby dismisses ~~the~~ Count I of the Indictment against (indictment, information, complaint) Gary Wayne Wofford, defendant.

NATHAN G. GRAHAM  
United States Attorney

*Hubert H. Bryant*  
Asst. United States Attorney  
HUBERT H. BRYANT

Leave of court is granted for the filing of the foregoing dismissal.

*Allen E. Barron*  
United States District Judge

Date: February 13<sup>th</sup>, 1975



JOHN WILLIAM HARRIS

NORTHERN DISTRICT OF OKLAHOMA

DEFENDANT

DOCKET NO.

75-62-4

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH DAY YEAR 2 11 75

COUNSEL

WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL David Griffith

(Name of counsel)

FILED

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea, NOLO CONTENDERE, NOT GUILTY 1975

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

FINDING & JUDGMENT

There being a finding of NOT GUILTY. Defendant is discharged GUILTY.

Defendant has been convicted as charged of the offense(s) of having violated T. 18, U.S.C. Sec. 2313, in that on or about 11-12-74, at Tulsa, Oklahoma, in the Northern District of Oklahoma, the Defendant, did receive and conceal a stolen motor vehicle, that is a 1974 Chevrolet, which was a part of and constituted interstate commerce, and he then knew the motor vehicle to have been stolen; as charged in the Information.

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The imposition of sentence is hereby suspended and the Defendant is placed on probation for a period of Two (2) years from this date pursuant to the Federal Youth Corrections Act, T. 18, U.S.C. Sec. 5010(a).

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

U.S. District Judge

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

( ) CLERK

( ) DEPUTY

Date 2-11-75

CARL KEVIN SALLES

NORTHERN DISTRICT OF OKLAHOMA

DEFENDANT

DOCKET NO.

75-CR-3

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH DAY YEAR 2- 11 75

COUNSEL

WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL Rick Loewenhorz

(Name of counsel)

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea, NOLO CONTENDERE, NOT GUILTY

There being a finding/verdict of NOT GUILTY. Defendant is discharged GUILTY.

FINDING & JUDGMENT

Defendant has been convicted as charged of the offense(s) of having violated T. 21, U.S.C. Sec. 846, in that on or about 12-8-74 & 12-9-74, at Tulsa, Okla., in the North Dist. of Okla., the Defendant & others did willfully & knowingly conspire, combine, confederate, & agree together & with each other & with others whose names are probably unknown to distribute a Schedule III non-narcotic controlled substance, Amphetamine. It was part of said conspiracy that the Defendant & others negotiated for the delivery and sale of amphetamine to Warren Henderson & John Nelson, as charged in the Information.

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The imposition of sentence is hereby suspended and the Defendant is placed on probation for a period of Two (2) years, to run concurrently with sentence imposed in 75-CR-2.

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

U.S. District Judge

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

( ) CLERK

( ) DEPUTY

Date 2-11-75

CARL EDWIN SAMPSON

NORTHERN DISTRICT OF OKLAHOMA

DEFENDANT

DOCKET NO.

75-08-2

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH 2 DAY 11 YEAR 75

COUNSEL

WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL Rick Lowenbors

(Name of counsel)

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea, NOLO CONTENDERE, NOT GUILTY

There being a finding of GUILTY.

FINDING & JUDGMENT

Defendant has been convicted as charged of the offense(s) of having violated T. 18, U.S.C. Sec. 924(c)(2), in that on or about 12-9-74, at Tulsa, Okla., in the Northern Dist. of Okla., the Deft. did intentionally and unlawfully carry a firearm during the commission of a felony for which he could be prosecuted in a Court of the United States, to wit: conspiracy to possess with intent to distribute, manufacture, a Schedule III Non-narcotic controlled substance, as charged in the Information.

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that:

The imposition of sentence is hereby suspended and the Defendant is placed on probation for a period of Two (2) years.

SENTENCE OR PROBATION ORDER

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

U.S. District Judge

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

( ) CLERK ( ) DEPUTY

Date 2-11-75

GARY WAYNE WOFFORD

NORTHERN DISTRICT OF OKLAHOMA

DEFENDANT

DOCKET NO.

74-CR-128

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH DAY YEAR 2 11 75

COUNSEL

WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL Donald H. Monk

(Name of counsel)

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea, NOLO CONTENDERE, NOT GUILTY

FEB 11 1975

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

FINDING & JUDGMENT

There being a verdict of NOT GUILTY. Defendant is discharged GUILTY.

Defendant has been convicted as charged of the offense(s) of having violated T. 18, U.S.C., Sec. 659, in that on or about 8-26-74, in the North. Dist. of Okla., the Defendant and others, willfully & knowingly, & with intent to convert to their own use, did steal, take & carry away from Central Okla. Freight Lines, Inc. terminal located in Tulsa, Okla., a tractor trailer truck containing chattels of a value in excess of \$100 which were being so, used for, & constituted an interstate shipment of freight & equipment from Tulsa, Okla., to the States of Ca., Wa., & Tx., as charged in Count 2 of the indictment.

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of

Count 2 - Six (6) years, and further ordered that the Defendant may become eligible for parole at such time as the board of parole may determine as provided in T. 18, U.S.C., Section 4208(a)(2).

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

U.S. District Judge

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

( ) CLERK

( ) DEPUTY

Date 2-11-75

BILLY FOWLER

NORTHERN DISTRICT OF OKLAHOMA

DEFENDANT

DOCKET NO. 74-CR-146

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (b), (4)

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH DAY YEAR 2 11 75

COUNSEL

[X] WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

[ ] WITH COUNSEL Thomas D. Frazier (Name of counsel)

FILED

PLEA

[X] GUILTY, and the court being satisfied that there is a factual basis for the plea, [ ] NOLO CONTENDERE, [ ] NOT GUILTY

JACK O. SILVER, CLERK U.S. DISTRICT COURT

FINDING & JUDGMENT

There being a finding of [ ] NOT GUILTY. Defendant is discharged [X] GUILTY.

Defendant has been convicted as charged of the offense(s) of having violated T. 18, USC, Sections 922(a)(5) and 924(a), in that on or about 7-11-74 at Tulsa, Oklahoma, in the Northern District of Oklahoma, Billy Fowler, not being a licensed importer, manufacturer, dealer, or collector of firearms, knowingly did sell firearms to Jesse Raper, a person other than a licensed importer, manufacturer, dealer or collector of firearms, Billy Fowler knowing and having reasonable cause to believe that the said Jesse Raper then resided in the State of Texas, a state other than that in which Billy Fowler resided at the time of the aforesaid sale, as charged in Cts. 1&2

The court asked whether defendant had anything to say why judgment should not be pronounced, but defendant made no statement to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that:

SENTENCE OR PROBATION ORDER

Count 1 - The imposition of sentence is hereby suspended and the defendant is placed on probation for a period of Five (5) Years from this date.

Count 2 - The imposition of sentence is hereby suspended and the defendant is placed on probation for a period of Five (5) Years from this date.

IT IS ADJUDGED that the sentence imposed in Count 2 shall run concurrently with the sentence in Count 1.

SPECIAL CONDITIONS OF PROBATION

A SPECIAL CONDITION of probation is that the defendant shall not deal in firearms.

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

[X] U.S. District Judge

[ ] U.S. Magistrate

CERTIFIED AS A TRUE COPY ON

THIS DATE

By ( ) CLERK

( ) DEPUTY

Date 2-11-75

DEFENDANT

RAY HAROLD BOHLANDER

NORTHERN DISTRICT OF OKLAHOMA

DOCKET NO.

74-CR-141

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH	DAY	YEAR
2	11	75

COUNSEL

WITHOUT COUNSEL

However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL

Gary H. Baker

(Name of counsel)

FILED

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea,

NOLO CONTENDERE,

NOT GUILTY

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

FINDING & JUDGMENT

There being a finding of

NOT GUILTY. Defendant is discharged

GUILTY.

Defendant has been convicted as charged of the offense(s) of **having violated T. 18, USC, Sec. 2312, in that on or about 10-28-74, Ray Harold Bohlander, did transport in interstate commerce from Macomb, Illinois, to Tulsa, Oklahoma, in the Northern District of Oklahoma, a stolen 1967 Dodge Monaco, he then knowing the same to have been stolen, as charged in the Indictment.**

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered 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

SENTENCE OR PROBATION ORDER

**IT IS FURTHER ADJUDGED that the imposition of sentence is hereby suspended and the defendant is placed on probation for a period of Four (4) Years, to begin at the expiration of and run consecutive to the Oklahoma State sentence the defendant is now serving at the Granite Reformatory.**

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

U.S. District Judge

U.S. Magistrate

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

( ) CLERK  
( ) DEPUTY

Date 2-11-75

DEFENDANT

JANA LOU BLAYLOCK

NORTHERN DISTRICT OF OKLAHOMA

DOCKET NO. 74-CB-134

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (6/74)

COUNSEL

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH DAY YEAR 2 11 75

WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL O. B. Graham (Name of counsel)

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea, NOLO CONTENDERE, NOT GUILTY

FILED FEB 11 1975

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

FINDING & JUDGMENT

There being a finding of NOT GUILTY. Defendant is discharged GUILTY.

Defendant has been convicted as charged of the offense(s) of having violated T. 18, USC, Sec. 2314, in that on or about 2-26-74, Jana Lou Blaylock did, with unlawful and fraudulent intent, transport and cause to be transported in interstate commerce from Tulsa, Oklahoma, in the Northern District of Oklahoma, to Faribault, Minnesota, a falsely made and forged security, knowing the same to be falsely made and forged, as charged in the Indictment.

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The defendant is hereby committed to the custody of the Attorney General or his authorized representative for treatment and supervision until discharged by the Federal Youth Correction Act as provided by T. 18, USC, Section 5010(b).

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

U.S. District Judge

U.S. Magistrate

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

( ) CLERK

( ) DEPUTY

Date 2-11-75

FILED  
IN OPEN COURT

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

FEB 11 1975

Jack C. Silver  
Clerk, U. S. District Court

UNITED STATES OF AMERICA, )  
 )  
 ) Plaintiff, )  
vs. )  
 )  
LOU WANDA POWDRILL, )  
 )  
 ) Defendant. )

NO. 74-CR-129

O R D E R

The Court has for consideration a motion for discretionary modification of sentence pursuant to Rule 35, Federal Rules of Criminal Procedure filed by counsel on behalf of the Defendant.

Upon review, study, and reflection, and being fully advised in the premises, the Court finds that the motion should be sustained.

IT IS, THEREFORE, ORDERED that the Judgment and Sentence entered herein on January 14, 1975, be and it is hereby modified to read as follows:

The defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of Count One--28 days.

Count Three--Imposition of sentence is hereby suspended and the Defendant is placed on probation for a period of ~~five~~ (5) years to commence at the expiration of the sentence imposed in Count One.

The conditions of probation are that Defendant make restitution of \$344.00 in equal payments, such payments to begin one (1) month after release. The full amount is to be paid before the expiration of probation.

It is the intention of this Order of Modification of Sentence that the Defendant Lou Wanda Powdrill be released from jail-type or institutional custody forthwith this date.

Dated this 11th day of February, 1975, at Tulsa, Oklahoma.

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

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

UNITED STATES OF AMERICA, )  
 )  
 ) Plaintiff, )  
 )  
 ) -v- )  
 )  
 ) RICHARD LEE MOORE, )  
 )  
 ) Defendant. )

**FILED**

FEB 7 - 1975

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

No. 73-CR-134

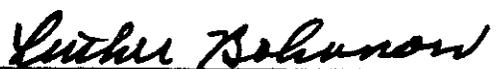
O R D E R

NOW on this 31st day of January, 1975, there came on for consideration the pro se motion for reduction or modification of sentence as filed by the defendant, Richard Lee Moore, on January 3, 1975.

The Court finds that the motion for reduction or modification of sentence is out of time and that the Court is without jurisdiction to hear same. The 120-day time limitation set by Rule 35 of the Federal Rules of Criminal Procedure during which the Court may reduce a lawful sentence is jurisdictional and cannot under any circumstances be extended or enlarged by an order of the Court to permit a defendant to move for such reduction out of time. United States -v- Estela, D.C.Puerto Rico 1972, 58 FRD 210; United States -v- Mehrtens, 494 F.2d 1172, 5th Cir. 1974; U.S. -v- Borman, 431 F.2d 632, 5th Cir. 1970.

The Court further finds that the defendant's attorneys of record, Tom Mason and Jim Fransein, have each completed their work in the case in a highly professional manner and are relieved from any further duty in this case.

IT IS THEREFORE ORDERED that the pro se motion for reduction or modification of sentence herein imposed be and the same is hereby denied.

  
United States District Judge



WILLIAM LESTER JENSON

NONNIE DISTRICT OF OKLAHOMA

DEFENDANT

DOCKET NO.

74-CR-128

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 243 (11/74)

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH 2 DAY 3 YEAR 75

COUNSEL

WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL Jim Henlet

(Name of counsel)

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea,

NOLO CONTENDERE, FILING

FEB 3 1975

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

FINDING & JUDGMENT

There being a finding of

NOT GUILTY. Defendant is discharged

GUILTY.

Defendant has been convicted as charged of the offense(s) of having violated T. 18, U.S.C., Sec. 659 in that on or about 8-25-74 & 8-26-74, in the No. Dist. of Ok. Dist. & Others, willfully & knowingly, & with intent to convert to their own use, did steal, take & carry away from terminals located in Tulsa, Ok., a van-trailer & a tractor trailer truck containing chattels of value in excess of \$100 which were moving as, were part of, & constituted an interstate shipment of freight & express from Ft. Smith, Ark. to Tulsa, Ok. & from Tulsa, Ok. to States of Ga., Ok., & Tx., as charged in Count 1 and 2 of the indictment.

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of...

Count 1 - Three (3) years, and further ordered that the Defendant may become eligible for parole at such time as the board of parole may determine as provided in T. 18, U.S.C., Sec. 4208(a)(2).

Count 2 - The imposition of sentence is suspended and the Defendant is placed on probation for a period of Two (2) years, to begin at the expiration of sentence imposed in Count 1.

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends, minimum security at the Federal Correctional Institution, Texarkana, Texas, and therein learn a trade.

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY

U.S. District Judge

Allen E. Brown

CERTIFIED AS A TRUE COPY ON

THIS DATE

By ( ) CLERK

( ) DEPUTY

Date 2-3-75

JACKIE EUGENE JEWELL

NORTHEAST DISTRICT OF OKLAHOMA

DEFENDANT

DOCKET NO. 74-CR-112

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (Rev. 11-73)

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH 2 DAY 3 YEAR 75

COUNSEL

WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.

WITH COUNSEL Delbert Brock (Name of counsel)

FILED

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea, NOLO CONTENDERE,

NOT GUILTY FEB 3 - 1975

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

There being a finding of GUILTY.

FINDING & JUDGMENT

Defendant has been convicted as charged of the offense(s) of having violated 18, U.S.C., Sec. 2313, in that on or about 5-20-74 and 6-11-74, the Defendant did sell and dispose of stolen motor vehicles which were part of and constituted interstate commerce, and he then knew the motor vehicles to have been stolen, as charged in Count 1 and 2 of the indictment.

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for

Count 1 - The Maximum period of five (5) years, for a study as described in 18, U.S.C. Sec. 4208(c), the results of such study to be furnished this court within 90 days, whereupon the sentence of imprisonment herein imposed may be subject to modification in accordance with 18 U.S.C., Sec. 4208(b).

Count 2 - The Maximum period of five (5) years, for a study as described in 18, U.S.C. Sec. 4208(c), the results of such study to be furnished this court within 90 days, whereupon the sentence of imprisonment herein imposed may be subject to modification in accordance with 18 U.S.C. Sec. 4208(b).

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends, the U. S. Medical Center for Federal Prisoners, Springfield, Missouri.

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

SIGNED BY U.S. District Judge

[Signature]

CERTIFIED AS A TRUE COPY ON

THIS DATE

By ( ) CLERK ( ) DEPUTY

Date 2-3-75