

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

United States of America

vs.

DELORES ANN SMITH

Criminal No. 78-C-53-B

FILED

JUL 31 1978

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

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~~ Counts 2 and 3 of the Indictment against (indictment, information, complaint)
Delores Ann Smith defendant.

HUBERT H. BRYANT
United States Attorney

United States Attorney

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

(Signed) ALLEN E. BARROW

United States District Judge

Date: July 31, 1978

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

United States of America

Criminal No. 78-CR-53-B

vs.

JACK LAVON SMITH

FILED

JUL 31 1978

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

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 ~~from~~ Count 3 of the Indictment against (indictment, information, complaint)
Jack Lavon Smith defendant.

HUBERT H. BRYANT
United States Attorney

United States Attorney

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

(Signed) ALLEN E. BARROW

United States District Judge

Date: July 31, 1978

DEFENDANT

BETTY JANE MARTIN

DOCKET NO.

78-CR-49

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 7 DAY 28 YEAR 78

COUNSEL

WITHOUT COUNSEL... WITH COUNSEL Phil Frazier, Nathan Graham and Paul Hodgson, Retained

PLEA

GUILTY... NOLO CONTENDERE... NOT GUILTY

FILED

JUL 28 1978

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

FINDING & JUDGMENT

There being a verdict of NOT GUILTY... GUILTY

Defendant has been convicted as charged of the offense(s) of having violated Title 25, U.S.C., Section 7201, as charged in Counts 1, 2 and 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...

Count One - Thirteen (13) Months, and pay a fine unto the United States of America in the amount of \$2,500. The execution of the sentence as to imprisonment only is suspended and the defendant is placed on probation for a period of Three (3) Years.

Count Two - Thirteen (13) Months, and pay a fine unto the United States of America in the amount of \$2,000. The execution of the sentence as to imprisonment only is suspended and the defendant is placed on probation for a period of Three (3) Years.

Count Three - Thirteen (13) Months, and pay a fine unto the United States of America in the amount of \$4,000. The execution of the sentence as to imprisonment only is suspended and the defendant is placed on probation for a period of Three (3) Years.

IT IS FURTHER ORDERED that the sentence imposed in Counts 1, 2 and 3 shall run concurrently, and the probation imposed in Counts 1, 2 and 3 shall run concurrently. IT IS FURTHER ORDERED that the defendant shall be ordered to stand committed until the fines are paid or until the defendant is otherwise discharged by due course 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.

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

H. DALE COOK

Date

7-28-78

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

() CLERK

() DEPUTY

DEFENDANT

JOHN HOLLIS MARTIN

DOCKET NO.

78-CR-49

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 7 DAY 28 YEAR 78

COUNSEL

WITHOUT COUNSEL... WITH COUNSEL Phil Frazier, Nathan Graham and Paul Hodgson, Retained

PLEA

GUILTY... NOLO CONTENDERE... NOT GUILTY

FILED

JUL 28 1978

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

FINDING & JUDGMENT

There being a verdict of GUILTY. Defendant has been convicted as charged of the offense(s) of having violated Title 28, U.S.C., Section 7201, as charged in Counts 1, 2 and 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...

Count One - Two (2) Years, and pay a fine unto the United States of America in the amount of \$5,000. The execution of the sentence as to imprisonment only is suspended and the defendant is placed on probation for a period of Three (3) Years.

Count Two - Two (2) Years, and pay a fine unto the United States of America in the amount of \$3,000. The execution of the sentence as to imprisonment only is suspended and the defendant is placed on probation for a period of Three (3) Years.

Count Three - Three (3) Years, and pay a fine unto the United States of America in the amount of \$7,000. The execution of the sentence as to imprisonment only is suspended and the defendant is placed on probation for a period of Three (3) Years.

IT IS FURTHER ORDERED that the sentence imposed in Counts 1, 2 and 3 shall run concurrently, and the probation imposed in Counts 1, 2 and 3 shall run concurrently. IT IS FURTHER ORDERED that the defendant shall be ordered to stand committed until the fines are paid or until the defendant is otherwise discharged by due course 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.

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

H. DALE COOK

Date

7-28-78

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

() CLERK

() DEPUTY

DEFENDANT

KENNETH ODELL CROFT

DOCKET NO.

77-CR-102-B

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 7 DAY 27 YEAR 78

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

Art Fleak, Appt.

(Name of counsel)

FILED

PLEA

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

NOLO CONTENDERE,

NOT GUILTY

JUL 27 1978

FINDING & JUDGMENT

There being a finding/verdict of

NOT GUILTY. Defendant is discharged
GUILTY.

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

Defendant has been convicted as charged of the offense(s) of having violated Title 18, U.S.C., Section 2312, 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

THREE (3) YEARS

IT IS FURTHER ADJUDGED that the Court directs a 90 day progress report.

IT IS FURTHER ADJUDGED that the defendant be considered for possible protective custody as defendant states that alleged lies against him may cause his life to be in danger.

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, placement in the Federal Correctional Institution, Lospos, California.

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

Allen G. [Signature]

Date 7-27-78

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

() CLERK

() DEPUTY

FILED

JUL 27 1978

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

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

United States of America,)
)
vs)
)
BOBBY DOYLE BARNARD)

74-CR-136-B

REVOCATION OF PROBATION

On December 20, 1974, came the attorney for the government and the defendant appeared in person and by counsel, James D. Bass.

IT WAS ADJUDGED that the defendant, upon his plea of guilty had been convicted of having violated Title 18, U.S.C., Section 2312, as charged in the Indictment.

IT WAS ADJUDGED that the defendant was guilty as charged and he was convicted.

IT WAS ADJUDGED that the defendant be committed to the custody of the Attorney General for a period of Sixty (60) months, and on the condition that the defendant be confined in a jail type institution for a period of Six (6) months, the execution of the remainder of the sentence of imprisonment is hereby suspended and the defendant is placed on probation for Fifty-four (54) months to commence at expiration of term defendant is now serving in state prison. The Six (6) month period of incarceration shall run concurrently with state sentence defendant is now serving.

Now, on this 27th day of July, 1978, came the attorney for the government, and the defendant appeared in person and with counsel, James D. Bass. It being shown to the Court that the defendant has violated the terms and conditions of said probation,

IT IS ADJUDGED that the Judgment and Commitment entered on December 20, 1974, be revoked and set aside and the defendant is committed to the custody of the Attorney General for Thirty (30) months.

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.



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,)

vs.)

JOHN HOLLIS MARTIN and)
BETTY JANE MARTIN,)

Defendants.)

No. 78-CR-49-C

FILED

JUL 26 1978

O R D E R

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

The defendants herein, John Hollis Martin and Betty Jane Martin, entered pleas of not guilty to each count of a three-count indictment charging them with violations of 26 U.S.C. § 7201. At the close of the Government's case-in-chief, the defendants moved for judgment of acquittal, which motion was overruled. On June 23, 1978, a jury returned verdicts finding both defendants guilty on all three counts. Now before the Court is the defendants' second Motion for Judgment of Acquittal.

In passing on a motion for judgment of acquittal, the Court must view all the evidence in the light most favorable to the Government, together with all reasonable inferences that may be drawn therefrom. See United States v. Downen, 496 F.2d 314 (10th Cir. 1974); Goff v. United States, 446 F.2d 623 (10th Cir. 1971). The question then becomes whether the evidence, when so viewed, is sufficient to justify a jury verdict of guilt beyond a reasonable doubt. See Goff, supra. However, it is not required "that the evidence foreclose every conceivable premise inconsistent with guilt." United States v. Carter, 522 F.2d 666, 682 (D.C. Cir. 1975).

It appears as though it is this latter standard that the defendants would have the Court apply to the Government's

evidence. To do so, however, would be a serious trespass upon the function of the jury. It is the Court's view that the evidence, when taken in its proper light, was sufficient to support the verdicts rendered by the jury.

It is therefore ordered that defendants' Motion for Judgment of Acquittal is hereby overruled.

It is so Ordered this 26th day of July, 1978.


H. DALE COOK
United States District Judge

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

UNITED STATES OF AMERICA,)
)
) Plaintiff,)
)
 vs.)
)
 GARY DEAN MILLS,)
)
) Defendant.)

No. 78-CR-32-C

FILED

JUL 26 1978

O R D E R

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

The Court has before it for consideration the motion of the defendant, Gary Dean Mills, for a reduction of sentence pursuant to Rule 35 of the Federal Rules of Criminal Procedure. The defendant entered a plea of not guilty to a five-count indictment charging him with violations of Title 18 U.S.C. § 656. On April 11, 1978, a jury returned verdicts of guilty on all five counts. He now asks the Court to modify the sentence imposed by it upon him on May 11, 1978.

In considering defendant's motion for reduction of sentence, the Court has carefully reviewed the entire record and finds that the sentence imposed was appropriate, just and reasonable under the circumstances of this case. Therefore, the motion for reduction of sentence is hereby overruled.

It is so Ordered this 25th day of July, 1978.


H. DALE COOK
United States District Judge

JUL 21 1978

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

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

ROBERT JERRY LEE, # 93690,)	
)	
Movant,)	
v.)	NO. 76-CR-142
)	
UNITED STATES OF AMERICA,)	
)	
Respondents.)	

O R D E R

The Court has for consideration the pro se motion filed June 9, 1978, of Robert Jerry Lee for withdrawal of plea of guilty and for arrest of judgment. The motion was filed the same date that he filed his notice of appeal of his § 2255 motion in this criminal case which was also assigned civil case No. 77-C-450. As grounds for the motion presently pending before the Court, Movant asserts that he entered his plea of guilty herein "believing (though not promised)" his Federal sentence would run concurrently with his State sentence; he had defenses to offer which might prove that no Federal crime was ever committed; and he had been in a drunken stupor for six months prior to plea.

Since notice of appeal has been filed on Movant's § 2255 motion, the Court questioned its jurisdiction to proceed on the pending motion. The Court finds that the issues raised in the pending motion are separate and distinct from those raised in the § 2255 motion, and the present motion being without merit, jurisdiction remains in the District Court for denial. See, United States v. Hays, 454 F.2d 274 (9th Cir. 1972).

The motion for arrest of judgment pursuant to Rule 34, Federal Rules of Criminal Procedure, is out of time. Such motion must be filed within seven days after plea of guilty, or within such further time as the Court may fix during the seven-day period. Movant pled guilty on October 21, 1976, and no timely motion for arrest of judgment was filed and no timely request for additional time was filed. The motion for arrest of judgment should be overruled.

The motion to withdraw plea of guilty pursuant to Rule 32(d), Federal Rules of Criminal Procedure, is also without merit and should be overruled. Movant has failed to meet his burden of establishing manifest injustice as required following the imposition of sentence upon a plea of guilty. Miles v. United States, 385 F.2d 541 (10th Cir. 1967).

At Movant's plea of guilty the charge and maximum possible sentence were explained to him by the Court. It was carefully determined that

plea of guilty was entered of his own free choice, without force, threat or promise. Movant admitted under oath that he took the car, knowing it was stolen and crossed the state line as charged. Movant had been in custody, in jail, in an alcohol-free environment from his arrest by police officers in Claremore, Oklahoma, until his appearance in this Court on October 21, 1976, when he entered his plea of guilty to the Federal charge herein. He was at all times before this Court in possession of his faculties and able to understand and respond to the Court's questions. He was alert and gave no indication of dull-wittedness, incoherence or intoxication. Movant's plea of guilty was free and knowing, it was competently and voluntarily entered in full compliance with Rule 11, Federal Rules of Criminal Procedure, and constitutional safeguards as clearly appears of record and from this Court's memory of the proceedings. Wall v. United States, 500 F.2d 38 (10th Cir. 1974) cert. denied 419 U. S. 1025 (1974); Williams v. United States, 500 F.2d 42 (10th Cir. 1974). His valid plea of guilty waives all prior non-jurisdictional defects. United States v. Soltow, 444 F.2d 59 (10th Cir. 1971); United States v. Nooner, 565 F.2d 633 (10th Cir. 1977). Petitioner at sentencing on November 3, 1977, personally advised the Court of his alcoholism and requested that his Federal sentence be run concurrently with his State of Oklahoma sentences. This the Court declined to so order and the Court has since overruled three Rule 35, Federal Rules of Criminal Procedure, motions for reduction of sentence by Orders dated November 22 and December 9, 1976, and April 13, 1977.

IT IS, THEREFORE, ORDERED that the motion for withdrawal of plea of guilty and for arrest of judgment be and it is hereby overruled.

Dated this 21st day of July, 1978, at Tulsa, Oklahoma.


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

UNITED STATES DISTRICT COURT

NORTHERN District of OKLAHOMA

United States of America

vs.

BILLY DON STARR

Criminal No. 78-CR-69 ✓

FILED
IN OPEN COURT

JUL 7 1978 *pm*

ORDER FOR DISMISSAL

Jack C. Silver, Clerk

U.S. DISTRICT COURT

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)

Billy Don Starr defendant.

Kenneth P. Sunde
Asst. United States Attorney

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

W. Dale Cook
United States District Judge

Date: *July 7, 1978*

DOJ

FORM OBD-113

8-27-74

DEFENDANT

DONA MARIE HERRINGTON

DOCKET NO.

77-CR-139-B

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 7 DAY 11 YEAR 78

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

Michael P. Atkinson, Appt.

(Name of counsel)

FILED

PLEA

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

NOLO CONTENDERE,

NOT GUILTY 1973

There being a finding/verdict of

NOT GUILTY. Defendant is discharged

GUILTY.

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

FINDING & JUDGMENT

Defendant has been convicted as charged of the offense(s) of having violated Title 18, U.S.C., Sections 1708 and 495, as charged in Counts one, four and nine 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

Counts 1 and 4 - Three (3) years as to each count. Sentence imposed in Count 4 to run concurrently with sentence in Count 1.

Count 9 - The imposition of sentence is suspended and the defendant is placed on probation for a period of three (3) years following incarceration.

IT IS FURTHER ADJUDGED by the Court that the defendant be given a complete eye examination by a local eye doctor before transport to institution.

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 7-11-78

FILED

UNITED STATES DISTRICT COURT

JUL 11 1978

Handwritten initials

Northern District of Oklahoma

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

United States of America

Criminal No. 78-CR-20 - B

vs.

GREG GREER

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 Indictment against (indictment, information, complaint) Greg Greer defendant.

Kenneth P. Enders
Asst United States Attorney

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

Allen E. Bowen
United States District Judge

Date: July 11, 1978

DOJ

FORM OBD-113

8-27-74

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

United States of America)

vs.)

JAMES ROY WHITBY,)

Criminal No. 77-CR-119-B

FILED

JUL 10 1978

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

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 Indictment against (indictment, information, complaint) James Roy Whitby, defendant.

Kenneth P. Swoboda
Asst. United States Attorney

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

Allen E. Barrow
United States District Judge

Date: July 10, 1978

DOJ

FORM OBD-113

8-27-74

DEFENDANT

DELORIS ANN SMITH

DOCKET NO. ➔

78-CR-53-B

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 7 DAY 18 YEAR 78

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

Larry A. Gullekson, Retained

(Name of counsel)

FILED

PLEA

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

NOLO CONTENDERE,

NOT GUILTY

JUL 10 1978

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 Title 18, U.S.C., Section 371, as charged in Count one 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 Imposition of sentence is suspended and the defendant is hereby 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 7-18-78

DEFENDANT

JACK LAVON SMITH

DOCKET NO. →

78-CR-53-B

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
7	10	78

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

Larry A. Gullakson, Retained

(Name of counsel)

FILED

PLEA

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

NOLO CONTENDERE,

NOT GUILTY

JUL 10 1978

FINDING & JUDGMENT

There being a finding/verdict of

NOT GUILTY. Defendant is discharged

GUILTY.

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

Defendant has been convicted as charged of the offense(s) of **having violated Title 18, U.S.C., Sections 371 and 2312 & 2, as charged in Counts one and two 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 - Five (5) years, and it is recommended that this sentence run concurrently with the State of Kansas sentence of ten years which is presently on appeal, if the State of Kansas Judgment & Sentence is affirmed on the pending appeal or if the appeal is dismissed. If the Kansas conviction is reversed on appeal, the Court directs that the defendant report immediately to start service of this sentence and that a 90 day progress report be prepared and submitted to the Court.

Count 2 - The imposition of sentence is suspended and the defendant is placed on probation for a period of three (3) years following incarceration imposed in Count 1.

SPECIAL CONDITIONS OF PROBATION

IT IS FURTHER ADJUDGED that the execution of the sentence on Count one is deferred until after the disposition of the case presently on appeal in the State of Kansas.

The special condition of probation is that the defendant not associate with persons involved in stolen cars or other known criminals.

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.

CERTIFIED AS A TRUE COPY ON

THIS DATE _____

By _____

() CLERK
() DEPUTY

Date 7-10-78

SIGNED BY

U.S. District Judge

~~XXXXXXXXXX~~

DEFENDANT

JAMES RUSSELL CYPHERT, a/k/a
JAMES L. WILLIAMS

DOCKET NO.

76-CR-97

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
7	10	78

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

John W. Hampton, Court Appointed

(Name of counsel)

PLEA

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

NOLO CONTENDERE,

NOT GUILTY

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 Title 26, U.S.C., Section 7212(b), as charged in the indictment.**

FILED

JUL 10 1978

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

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

Thirteen (13) Months

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, **that the defendant receive such treatment as the institution to which he may be committed can provide for his alcohol addiction.**

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

H. DALE COOK

Date 7-10-78

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

() CLERK

() DEPUTY

DEFENDANT

MORRIS GENE FERGUSON

DOCKET NO.

78-CR-53-B

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 7 DAY 14 YEAR 78

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

Joel Wahlquist, Appt.

(Name of counsel)

PLEA

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

NOLO CONTENDERE,

NOT GUILTY

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 Title 18, U.S.C., Section 371, as charged in Count One of the Indictment.

FILED

JUL 14 1978

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

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

Thirty-six (36) months, and on the condition that the defendant be confined in a jail type institution for a period of Seventy-two (72) days, the execution of the remainder of the sentence of imprisonment is hereby suspended and the defendant is placed on probation for One thousand twenty-three (1,023) days.

SPECIAL CONDITIONS OF PROBATION

IT IS FURTHER ADJUDGED that the defendant be allowed to serve the seventy-two (72) days incarceration on weekends. The defendant is to report to the U.S. Marshal in Los Angeles, California at 9:30 P.M. on Friday's and is to be released each Sunday at 9:30 P.M., until sentence is served, to commence 7-21-78.

IT IS FURTHER ADJUDGED that the Court directs a thirty (30) day report.

IT IS FURTHER ADJUDGED that the probation supervision is transferred to Los Angeles, California, and this Court will retain jurisdiction.

ADDITIONAL CONDITIONS OF PROBATION

THE DEFENDANT IS ORDERED to report to the U. S. Marshal in Los Angeles, California by 3:30 P.M. on July 19, 1978, for instructions on serving sentence. It is further ordered that the U. S. Marshal in Los Angeles advise this Court on defendant's arrival in order that bond may be excused.

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.

CERTIFIED AS A TRUE COPY ON

SIGNED BY

U.S. District Judge

THIS DATE

By

() CLERK

() DEPUTY

Date 7-14-78

DEFENDANT

JAMES R. COBBERT

DOCKET NO.

78-CR-58-B

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 7 6 78

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

John W. Hampton, Aapt.

(Name of counsel)

PLEA

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

NOLO CONTENDERE,

NOT GUILTY

FILED

JUL 9 1978

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 Title 18, U.S.C., Section 3150, 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 period of Three (3) years from this date.

SPECIAL CONDITIONS OF PROBATION

The special condition of probation is that the defendant seek employment, stay employed and for one (1) day each week the defendant is to work an eight (8) hour day for charity, or a non-profit organization, and the Court will leave the supervision and choice of installation to work for to the probation office, unless the Court should deem it necessary to intervene.

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.

CERTIFIED AS A TRUE COPY ON

THIS DATE

SIGNED BY

U.S. District Judge

U.S. Magistrate

Allen E. [Signature]

By

() CLERK

() DEPUTY

Date 7-6-78

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

F I L E D

JUL 9 1978

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

United States of America,)
)
vs)
)
ALLEN JAMES GREEN)

76-CR-137-B

REVOCATION OF PROBATION

On October 26, 1976, came the attorney for the government and the defendant appeared in person and by counsel, Irvine Ungerman.

IT WAS ADJUDGED that the defendant, upon his plea of guilty had been convicted of having violated Title 18, U.S.C., Section 371 and 472, as charged in the Indictment.

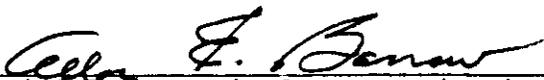
IT WAS ADJUDGED that the defendant was guilty as charged and he was convicted.

IT WAS ADJUDGED that the defendant be committed to the custody of the Attorney General for a period of Two (2) years. IT WAS FURTHER ADJUDGED that the imposition of sentence be suspended and the defendant was placed on probation for a period of Two (2) years pursuant to T. 18, U.S.C., Section 4216:5010(a), under the provisions of the Young Adult Youth Correction Act. IT WAS FURTHER ADJUDGED that if the defendant received parole in Nebraska he would be allowed to go to Chicago for employment and this Court would retain jurisdiction.

Now, on this 6th day of July, 1978, came the attorney for the government, and the defendant appeared in person and with counsel, Irvine Ungerman. It being shown to the Court that the defendant has violated the terms and conditions of said probation,

IT IS ADJUDGED that the Order of Probation entered on October 26, 1976, be revoked and set aside and the defendant is committed to the custody of the Attorney General for Three (3) years, and further ordered that the defendant may become eligible for parole at such time as the Parole Commission may determine as provided in T. 18, U.S.C., Sec. 4205(b)(2).

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.



Chief Judge, United States District
Court for the Northern District of
Oklahoma

FILED

UNITED STATES DISTRICT COURT

JUL 3 1978

Northern District of Oklahoma

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

United States of America

Criminal No. 78-CR-69

vs.

Russell Dean Barnes

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 ~~xxxx~~ Count I of the Indictment against (indictment, information, complaint) Russell Dean Barnes, defendant.

HUBERT H. BRYANT
United States Attorney

Kenneth P. Snob
Asst. United States Attorney

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

W. Dale Book
United States District Judge

Date: July 3, 1978

FORM OBD-113

DOJ

8-27-74