

DEFENDANT

EARL ARMAND BOLTON, JR.

DOCKET NO.

79-CR-99-C

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO-245 (5/75)

COUNSEL

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

MONTH 9 DAY 28 YEAR 79

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

Jay C. Baker, Retained

(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 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 2312, as charged in Counts 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 - One and one-half (1 1/2) Years
Count 2 - One and one-half (1 1/2) Years

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

IT IS FURTHER ADJUDGED that the execution of sentence be suspended until October 22, 1979, at 9:00 A.M., at which time the defendant shall report to the United States Marshal's Office.

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.

CERTIFIED AS A TRUE COPY ON

THIS DATE

SIGNED BY

U.S. District Judge

H. DALE COOK

Date 9-28-79

By

CLERK

DEPUTY

U.S. Magistrate

ho

DEFENDANT

DAVID GEORGE ROBERTS

DOCKET NO.

79-CR-101-C

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO-245 (5/75)

COUNSEL

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

MONTH 9 DAY 17 YEAR 79

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

Charles H. Froeb, 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

FILED

FINDING & JUDGMENT

There being ~~XXXXX~~ verdict of

NOT GUILTY. Defendant is discharged

GUILTY.

Defendant has been convicted as charged of the offense(s) of having violated Title 45, U.S.C., Section 559, as charged in Counts 1, 2, 3, 4, 5, 6, 7 and 8 of the Indictment.

SEP 17 1979

Jack C. ... U.S. District Judge

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 in Counts 1, 2, 3, 4, 5, 6, 7 and 8 is hereby suspended and the defendant is placed on probation as to each Count for a period of Three (3) Years; said probation imposed in Counts 2, 3, 4, 5, 6, 7 and 8 shall run concurrently with the probation imposed in Count 1.

SPECIAL CONDITIONS OF PROBATION

In addition to the usual conditions of probation, the defendant is directed to make restitution in the sum of \$1,725.00, at the rate of \$50.00 per month.

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 COMMENTATION

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

H. DALE COOK

THIS DATE

Date 9-17-79

By

() CLERK () DEPUTY

DEFENDANT

CYNTHIA MARIE MASSA

DOCKET NO. 79-CR-119-C

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO-245 (5/75)

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

MONTH 9 DAY 14 YEAR 79

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 Mack Muratet Braly, 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 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 1701 and 641

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 of imprisonment as to each of the counts suspended and defendant placed on probation for a period of six (6) months. Defendant ordered to pay a fine of \$100.00 on Count 1 and \$100.00 on Count 2, to be paid prior to the end of the six months probationary period.

SPECIAL CONDITIONS OF PROBATION

Defendant to make restitution to the U. S. Court Clerk's Office prior to the end of the six months probationary period in the sum of \$244.90

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, 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

SIGNED BY

U.S. District Judge

U.S. Magistrate

Date 9-14-79

ho

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

United States of America

vs.

Robert J. Whitson

Criminal No. 79-CR-105 ✓

FILED

SEP 14 1979

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~~ Count II of the Indictment against (indictment, information, complaint) Robert J. Whitson, defendant.

HUBERT H. BRYANT
United States Attorney

E. George Nester, Jr.
ASST. United States Attorney

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

[Signature]
United States District Judge

Date: September 14, 1979

DEFENDANT

ROBERT J. WHITSON

DOCKET NO. 79-CR-105-C

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO-245 (5/75)

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

MONTH DAY YEAR 9 14 79

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 Dan R. Kramer, Court Appointed (Name of counsel)

FILED

PLEA

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

SEP 14 1979

FINDING & JUDGMENT

There being a finding 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 26, U.S.C., Section 5861(f) and 5871, and Title 18, U.S.C., Section 844(i), as charged in Counts 1 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, 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 & 3 - Four (4) Years, on the condition that the defendant be confined in a jail-type or treatment institution for a period of Six (6) Months, the execution of the remainder of the sentence is hereby suspended and the defendant is placed on probation for a period of Forty-two (42) Months; said period of probation to commence at the expiration of the sentence of confinement.

SPECIAL CONDITIONS OF PROBATION

IT IS FURTHER ADJUDGED that the sentence imposed in Count 3 shall run concurrently with the sentence in Count 1.

IT IS FURTHER ORDERED that the execution of the sentence is suspended until October 1, 1979, at 9:00 a.m., at which time the defendant shall report to the United States Marshal.

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

H. DALE COOK

By

() CLERK

() DEPUTY

U.S. Magistrate

Date 9-14-79

ho

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

United States of America }
vs. }
Doris Jane Sneed (Medford) }

Criminal No. 79-CR-79 ✓

FILED

SEP 14 1979

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~~ Count I of the Indictment against (indictment, information, complaint) Doris Jane Sneed Medford, defendant.

HUBERT H. BRYANT
United States Attorney

Chara Walker Thompson
Asst. United States Attorney

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

Verla [Signature]
United States District Judge

Date: September 14, 1979

FORM OBD-113

DOJ

8-27-74

40

DEFENDANT

DORIS JANE MEDFORD

DOCKET NO. 79-CR-79-C

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (5/75)

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

MONTH 9 DAY 14 YEAR 79

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 Charles W. Whitman, Court Appointed (Name of counsel)

FILED

PLEA

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

SEP 14 1979

There being a finding of GUILTY. Defendant is discharged.

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., Section 495, 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 for a period of

The imposition as to Count 2 is hereby suspended and the defendant is placed on probation for a period of Three (3) Years from this date.

On the motion of the Assistant U. S. Attorney, Count 1 is dismissed.

SPECIAL CONDITIONS OF PROBATION

In addition to the usual conditions of probation, the defendant shall make restitution in the amount of \$410.76; further that the defendant receive on-the-job training or enroll in an educational course to further her education and to develop employment skills, and that the defendant further seek psychological counseling as directed and approved by the Probation Department.

Restitution to be made as directed by the Probation Department.

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

H. DALE COOK

By

CLERK DEPUTY

U.S. Magistrate

Date 9-14-79

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

UNITED STATES OF AMERICA,)
Plaintiff-Respondent,)
v.)
VERNON JOHN LANE,)
Defendant-Movant.)

NOS. 79-C-522-D
78-CR-110-B

FILED

SEP 13 1979

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

O R D E R

The Court has for consideration a pro se motion pursuant to 28 U.S.C. § 2255 filed by Vernon John Lane. The cause has been assigned civil Case No. 79-C-522-D and docketed in Movant's criminal Case No. 78-CR-110-B.

In the criminal case, Movant and a co-defendant were charged by indictment with a Dyer Act in violation of 18 U.S.C. §§ 2312 and 2. On November 13, 1978, Movant changed his plea to guilty and he was sentenced December 14, 1978, to an indeterminate period under the Youth Corrections Act, 18 U.S.C. § 5010(b), as a young adult offender as provided by 18 U.S.C. § 4216. Thereafter, a Rule 35, Federal Rules of Criminal Procedure, motion to modify sentence was sustained by Order of the Court dated and filed January 5, 1979, providing as follows:

"The Defendant, Vernon John Lane, is hereby committed to the custody of the Attorney General or his authorized representative for a period of two (2) years, regular adult sentence, and it is recommended that said sentence shall run concurrently with the sentence imposed December 27, 1978, in Case No. CRF-78-2882, by the District Court of Tulsa County, Oklahoma." (Emphasis added.)

The United States District Judge who conducted the plea and sentencing proceedings and granted the reduction of sentence has since died, but as a regularly assigned judge of this Court having reviewed the motion and file, and being fully advised in the premises, the Court finds that no response or evidentiary hearing is required and the present motion is without merit and should be overruled.

Movant in his pending motion states that he has made parole on his state sentence in Case No. CRF-78-2882 and a federal hold for the sentence herein has been placed against him. He contends that he has not been given credit on his federal sentence while in state custody and asserts that his co-defendant received only a 90-day sentence and

he received two years for the same crime. He asks that he be given credit on his federal sentence for the time served on the state sentence and placed on parole or that his federal sentence be reduced.

Considering the motion as a request for reduction of sentence pursuant to Rule 35, Federal Rules of Criminal Procedure, 120 days has expired from the date sentence was imposed and the motion must be overruled as out of time. The 120-day time limitation of Rule 35 is both mandatory and jurisdictional. United States v. Regan, 503 F.2d 234 (Eighth Cir. 1974) cert. denied Sub. Nom. 420 U. S. 1006 (1975); United States v. Flores, 507 F.2d 229 (Fifth Cir. 1975); United States v. United States District Court for the Central District of California, 509 F.2d 1352 (Ninth Cir. 1975); United States v. Robinson, 361 U. S. 220, 224-226 (1960); Urry v. United States, 316 F.2d 185 (Tenth Cir. 1963).

Considering the motion as a request for vacation of sentence pursuant to § 2255, the Court finds that Movant's federal sentence has been running concurrently with his state sentence, he has simply not completed his federal sentence although parole to the Horace Mann Community Treatment Center has been granted on the state sentence. Further, even if Movant were correct that the federal time were not running concurrently with the state sentence, the concurrency language was merely a recommendation as appears on the face of the modification order of January 5, 1979. Pursuant to 18 U.S.C. §§ 3568 and 4082(A), the Attorney General has the exclusive power to designate the place where federal sentences shall be served. Stillwell v. Looney, 207 F.2d 359, 361 (Tenth Cir. 1953); Werntz v. Looney, 208 F.2d 102, 103 n. 2 (Tenth Cir. 1953). The Tenth Circuit Court of Appeals has held that the place of confinement is not part of the sentence, but is a matter for the determination of the Attorney General; and therefore, that it is beyond the power of a federal court to order that its sentence be served concurrently with a state sentence. The concurrency language is surplusage or a recommendation as to place of confinement. Bowen v. United States, 174 F.2d 323 (Tenth Cir. 1949); Joslin v. Moseley, 420 F.2d 1204 (Tenth Cir. 1969); Sluder v. Malley, No. 77-1454 Unpublished

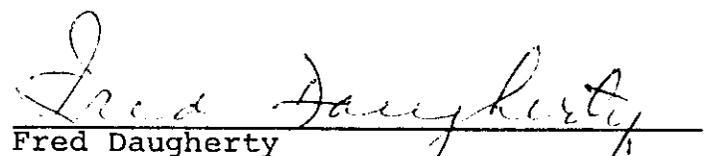
(Tenth Cir. filed Dec. 22, 1977). As has been done in this instance, the Attorney General has the discretion, may, and frequently does, honor the recommendation that the federal sentence be served concurrently with a state sentence in a state institution. See, Stillwell v. Looney, Supra.; Werntz v. Looney, Supra. However, the Attorney General is under no obligation to do so and could disregard the sentencing court's recommendation. See, Bowen v. United States, Supra.

Movant's claim of excessive sentence as compared to that of his co-defendant is without merit. Identical punishment for like crimes is not required by the Fourteenth Amendment of the United States Constitution; and there is no constitutional requirement that prisoners charged under the same statute, or different statutes, should receive like or comparable sentences so long as each sentence imposed is within the range provided by law. Williams v. Oklahoma, 358 U. S. 576, 585 (1959) reh. denied 359 U. S. 956; Williams v. New York, 337 U. S. 241 (1949) reh. denied 337 U. S. 961, 338 U. S. 841; Andrus v. Turner, 421 F.2d 290 (Tenth Cir. 1970).

If Movant wishes to challenge the parole commission's application of its guidelines to his case, that is an administrative responsibility unrelated to the sentencing process. That issue should be presented by way of habeas corpus, or possibly mandamus, to the United States District Court having jurisdiction over the South Central Region of the United States Parole Commission in Dallas, Texas.

IT IS, THEREFORE, ORDERED that Vernon John Lane be and is permitted to file his motion pursuant to 28 U.S.C. § 2255 in forma pauperis, and said § 2255 motion be and it is hereby overruled without prejudice to his presenting his challenge of the parole commission's application of its guidelines to his case in the proper forum in Texas, if necessary after his administrative remedies have been exhausted.

Dated this 13th day of September, 1979.


Fred Daugherty
United States District Judge

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

United States of America

vs.

JAMES CALVIN GILNER

Criminal No. 79-CR-104 ✓

FILED
U.S. DISTRICT COURT

SEP 7 1979 *hm*

Jack G. Smith, 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 1, 2 and 4 of the indictment against (indictment, information, complaint) JAMES CALVIN GILNER, defendant.

Kenneth P. Sobel
Asst. United States Attorney

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

Jack G. Smith
United States District Judge

Date: *September 7, 1979*

DEFENDANT

LUIS SOLANO-HERNANDEZ

DOCKET NO.

79-CR-109-C

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO-245 (5/75)

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

MONTH 9 DAY 6 YEAR 79

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

Eric E. Anderson, Court Appointed

(Name of counsel)

FILED

PLEA

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

NOLO CONTENDERE,

NOT GUILTY

SEP 6 1979

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., §911, 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 hereby suspended and the defendant is placed on probation for a period of One (1) Year from this date.

SPECIAL CONDITIONS OF PROBATION

Conditions of probation are that the defendant be returned to Mexico, his native country, and that he not illegally re-enter the United States.

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

H. DALE COOK

U.S. Magistrate

Date

9-6-79

By

() CLERK

() DEPUTY

ho

UNITED STATES DISTRICT COURT

NORTHERN District of OKLAHOMA

United States of America
vs.
John Doe "Jim",

Criminal No. 78-CR-86

FILED

SEP 6 1979

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) John Doe "Jim", (ONLY) defendant.

Kenneth P. Swick
Asst. United States Attorney

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

W.H. Dale Cook
United States District Judge

Date: September 6, 1979

UNITED STATES DISTRICT COURT

NORTHERN District of OKLAHOMA

United States of America

vs.

John Doe "Jim",

Criminal No. 78-CR-20

FILED

SEP 6 1979

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) John Doe "Jim". (ONLY) defendant.

Kenneth R. Snobce
Assx. United States Attorney

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

1514-Dale Cook
United States District Judge

Date: 9-6-79

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

United States of America
vs.
JOHN EDWARD THOMPSON

Criminal No. 79-CR-77-C

FILED

SEP 5 1979

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)
John Edward Thompson, defendant.

HUBERT H. BRYANT
United States Attorney

Kenneth P. Snider
ASST. United States Attorney

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

W. J. [Signature]
United States District Judge

Date: September 5, 1979

DEFENDANT

GONZALO MALDONADO-MACIAS

DOCKET NO.

79-CR-113

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO-245 (5/75)

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

MONTH DAY YEAR 9 4 79

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

Eric Anderson, Court Appointed

(Name of counsel)

FILED

PLEA

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

NOLO CONTENDERE,

NOT GUILTY

SEP 4 1979

There being a finding 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 8, U.S.C., §1325, 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 defendant be committed to the custody of the Attorney General or his authorized representative.

The imposition of sentence is hereby suspended and the defendant is placed on probation for a period of One (1) Year from this date.

SPECIAL CONDITIONS OF PROBATION

Conditions of probation are that the defendant shall not illegally re-enter the United States and that he shall return to his native country.

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

H. DALE COOK

BY

CLERK DEPUTY

U.S. Magistrate

Date 9-4-79

wo

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

United States of America

vs.

GONZALO MALDONADO-MACIAS

Criminal No. 79-CR-95

FILED

SEP 4 1979

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) Gonzalo Maldonado-Macias defendant.

HUBERT H. BRYANT
United States Attorney

George Annunzio
Asst. United States Attorney

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

W. J. Salbock
United States District Judge

Date: *September 4, 1979*