

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

United States of America

Criminal No. 79-CR-124-C ✓

vs.

DORSEY G. TAULBEE

FILED
COURT

DEC 21 1979 *[Signature]*

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) Dorsey G. Taulbee defendant.

[Signature]
Clerk
DISTRICT COURT

HUBERT H. BRYANT
United States Attorney

Ethance Darden Thompson
Asst. United States Attorney

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

[Signature]
United States District Judge

Date: December 21, 1979

DEFENDANT **DORSEY G. TAULBEE**

DOCKET NO. **79-CR-124-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 DAY YEAR
12 21 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 **Jack Morgan, 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 42, U.S.C., Section 1382(a)(2), as charged in Count 1 of the Indictment.**

DEC 21 1979
Jack U. 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

Count One - One (1) Year

IT IS FURTHER ORDERED that the execution of sentence is hereby suspended and the defendant is placed on probation for a period of Five (5) Years from this date as to Count One.

On the motion of the Assistant U. S. Attorney, Counts Two and Three are hereby dismissed.

SPECIAL CONDITIONS OF PROBATION In addition to the usual conditions of probation, the defendant shall make restitution monthly in such sums and amounts as the Probation Office shall direct.

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

SIGNED BY U.S. District Judge **H. DALE COOK**
 U.S. Magistrate

Date **12-21-79**

THIS DATE _____
By _____
() CLERK
() DEPUTY

ho

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

STATE OF OKLAHOMA,)
)
 Plaintiff,)
)
 vs.) No. 79-CR-139
)
 DENISE MARIE BROUSSARD,)
)
 Defendant.)

FILED

DEC 19 1979

O R D E R

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

The Court now considers the Motion to Remand of Plaintiff State of Oklahoma. This is a prosecution for violation of state liquor law (Title 37 Okla.Stat.Annot. §538h), removed to this Court pursuant to Title 28 U.S.C. §1443.

Defendant states that "removal is sought to protect the rights guaranteed petitioner under the Due Process Clause of Section 1 of the Fourteenth Amendment in that the statute with which petitioner has been charged is vague and overbroad on its face and fails to provide petitioner with fair notice as to the prohibited actions."

The Court need only consider plaintiff's argument that defendant has failed to state proper grounds for removal. Section 1443 provides for the removal of criminal prosecutions that endanger Constitutional guarantees of equal civil rights. Defendant has failed to show the connection between the enforcement of state liquor laws and the deprivation of equal rights. Defendant has alleged that her rights are in jeopardy because the statute is vague and overbroad on its face and does not give fair notice as to the prohibited actions. This is a due process argument, and is not a proper claim for removal under Section 1443. State of Georgia v. Rachel, 384 U.S. 780, 86 S.Ct. 1783, 16 L.Ed.2d 925 (1966).

Furthermore, Section 1443 is designed to protect rights

arising under statutes dealing with racial equality.

Hetherington v. Griffin Television, Inc., 430 F.Supp. 493
(W.D.Okla. 1977). Defendant has alleged no such racial
basis in the state court prosecution.

Finally, even if the above inadequacies were not
present, or even if due process or non-racially based claims
were proper under Section 1443, the instant removal petition
is insufficient in that it states no factual allegations of
any kind from which this Court can surmise that protected
rights are in jeopardy. The removal petition sets forth
only conclusions of law, and is clearly insufficient.

For the foregoing reasons, plaintiff's Motion to Remand
is hereby sustained, and this action is remanded to the
District Court of Tulsa County, Oklahoma.

It is so Ordered this 19th day of December, 1979.


H. DALE COOK
Chief Judge, U. S. District Court

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 MARY ANNE ORIAN,)
)
 Defendant.)

No. 79-CR-84-C

FILED

DEC 18 1979

O R D E R

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

The Court now considers defendant's motion to reduce her sentence pursuant to Rule 35, Federal Rules of Criminal Procedure. Defendant was charged with possession of an unregistered firearm in violation of Title 26, U.S.C. §§5861(d) and 5871, and receiving an explosive in interstate commerce with the knowledge that such explosive would be used to kill or injure an individual, in violation of Title 18, U.S.C. §844(d). Defendant pleaded guilty to both counts on July 16, 1979, and on August 29, 1979, was sentenced to four years on each count, to run concurrently.

Defendant filed this motion on December 7, 1979, and was within the 120-day period required by Rule 35.

Having read the brief accompanying defendant's motion, as well as her earlier correspondence with the Court, both of which note her progress while incarcerated, and further having perused the record in this case, it is the opinion of this Court that defendant's sentence should be reduced to two (2) years on each count, to run concurrently. It is further ordered, pursuant to Title 18 U.S.C. §4205(b)(2), that the reduced two-year terms shall be the maximum period of imprisonment, and that the defendant may be released on parole at such time as the Commission may determine.

It is so Ordered this 18th day of December, 19 79.


H. DALE COOK
Chief Judge, U. S. District Court

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
-vs-)
)
A. J. SHIELDS and)
JAY LEONARD SHIELDS,)
)
Defendants.)

No. 79-^{cl}8-56-C

FILED

DEC 17, 1979

ORDER REDUCING SENTENCE

NOW, on this 17th day of December, 1979, the Motion for Reduction of Sentence by the defendant, A. J. Shields, coming on for decision, and the Court having reviewed the files herein, together with the reasons set forth in the Motion for Reduction of Sentence, and after being fully advised in the premises,

FINDS that the October 25, 1979 sentence imposed herein on Count I of the Indictment could be reduced by four days without being contrary to the considerations by the Court in imposing the sentence. The Court further

FINDS that the fine imposed by the October 25, 1979 sentence in the total amount of \$15,000.00 has been paid to the United States District Court Clerk by the defendant, A. J. Shields. The Court further

FINDS that the United States Attorney for the Northern District of Oklahoma has no objection to the granting of the Motion for Reduction of Sentence. It is therefore

ORDERED, ADJUDGED AND DECREED that for good cause shown, the October 25, 1979 sentence imposed herein on Count I of the Indictment with regard to the defendant, A. J. Shields, be and the same is hereby reduced by four days.


H. DALE COOK,
CHIEF JUDGE

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

United States of America)

vs.)

LARRY CARL THARPE)

Criminal No. 79-CR-147-C ✓

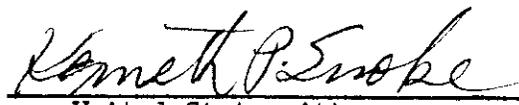
FILED

DEC 14 1979

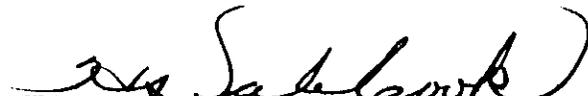
ORDER FOR DISMISSAL

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 Indictment - Counts 1 and 4 ONLY against (indictment, information, complaint) LARRY CARL THARPE defendant.


United States Attorney
KENNETH P. SNOKE

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


United States District Judge

Date: December 14, 1979

DEFENDANT

DORRISANN SHANE

DOCKET NO. 79-CR-142-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	DAY	YEAR
12	14	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

DEC 14 1979

FINDING & JUDGMENT

There being a finding of GUILTY. Defendant is discharged.

Defendant has been convicted as charged of the offense(s) of having violated Title 42, U.S.C., Section 408(d), as charged in the Information.

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

SPECIAL CONDITIONS OF PROBATION

In addition to the usual conditions of probation, the defendant is to make restitution in such amounts and at such times as the Probation Department shall determine.

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

SIGNED BY U.S. District Judge

H. DALE COOK

THIS DATE

Date 12-14-79

By

() CLERK

() DEPUTY

U.S. Magistrate

DEFENDANT

ROXIE D. ROBISON (Bond) (45)

DOCKET NO.

79-CR-126-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	DAY	YEAR
12	14	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 Kenneth L. Stainer, 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.

DEC 14 1979

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

Defendant has been convicted as charged of the offense(s) of having violated Title 42; U.S.C., Section 408(d), 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 Five (5) Years from this date.

SPECIAL CONDITIONS OF PROBATION

In addition to the usual conditions of probation, the defendant is to make restitution in the amount of \$3,817.00, in such regular amounts and at such times as may be 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

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

H. DALE COOK

Date 12-14-79

THIS DATE

By () CLERK () DEPUTY

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DEFENDANT

ROBERT PAUL ALYEA

DOCKET NO.

79-CR-100-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	DAY	YEAR
12	11	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 Whitman, 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

There being a finding of

NOT GUILTY. Defendant is discharged

GUILTY.

DEC 11 1979

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., Sec. 1703(a), as charged in Count 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 maximum period of five (5) years, for a study as described in Title 18, U.S.C., Section 4205(d), the results of such study to be furnished this Court within three months, whereupon the sentence of imprisonment herein imposed may be subject to modification in accordance with Title 18, U.S.C., Section 4205(c).

IT IS FURTHER ORDERED that the execution of sentence is stayed until December 17, 1979, at 9:00 a.m., at which time the defendant shall report to the United States Marshal.

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

U.S. Magistrate

By

() CLERK

Date 12-11-79

() DEPUTY

DEFENDANT

SHIRLEY J. TAULBEE

DOCKET NO.

79-CR-125-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 12 DAY 7 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

Sondra Fogley Houston, 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

DEC 7 1979

There being a finding of

NOT GUILTY. Defendant is discharged

GUILTY.

Jack C. Silver, Clerk

FINDING & JUDGMENT

Defendant has been convicted as charged of the offense(s) of having violated this DISTRICT COURT Section 1303(a)(2), 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, 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, 2 and 3 - One (1) Year

IT IS FURTHER ORDERED that the execution of sentence is hereby suspended and the defendant is placed on probation for a period of Five (5) Years from this date.

IT IS FURTHER ORDERED that Counts 2 and 3 shall run concurrently with the sentence imposed in Count 1.

SPECIAL CONDITIONS OF PROBATION

In addition to the usual conditions of probation, the defendant is directed to make restitution in such amounts and at such regular times as the Probation office will direct.

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

12-7-79

By

() CLERK () DEPUTY

U.S. Magistrate

DEFENDANT

BRUCE LEROY LOGAN

DOCKET NO.

79-CR-141-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
12	6	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

S. Thomas Coleman, 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 guilty 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 656, as charged in the Indictment.

FILED

DEC 6 1979

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 of 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, 2, 3 & 4 - Five (5) Years, on the condition that the defendant be confined in a jail-type or treatment institution for a period of Three (3) Months, the execution of the remainder of the sentence is hereby suspended and the defendant is placed on probation for a period of Four (4) Years and Nine (9) Months, to commence upon release from confinement.

IT IS FURTHER ORDERED that Counts 2, 3 and 4 shall run concurrently with the sentence imposed in Count 1.

SPECIAL CONDITIONS OF PROBATION

IT IS FURTHER ORDERED that the execution of the period of imprisonment is suspended until 9:00 a.m., December 17, 1979.

In addition to the usual conditions of probation, the defendant shall make restitution, and in such amounts each month as may be 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

U.S. Magistrate

Date 12-6-79

() CLERK

() DEPUTY

h

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

United States of America

Criminal No. 79-CR-115-C

vs.

DEBORAH ANN FORREST a/k/a
MRS. J.E. MERTES, JR.)

FILED

DEC 6 1979

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 Indictment against
(indictment, information, complaint)

Deborah Ann Forrest a/k/a defendant.
Mrs. J.E. Mertes, Jr.

HUBERT H. BRYANT
United States Attorney

Eleanor Thompson
Asst. United States Attorney

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

J. H. Dale Cook
United States District Judge

Date: December 6, 1979

UNITED STATES DISTRICT COURT

Northern District of Oklahoma

United States of America }
vs. }
Jesse Eugene Tecumseh }

Criminal No. 79-CR-106 ✓

FILED

pm DEC 6 1979

ORDER FOR DISMISSAL

Jack G. 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 Indictment against
(indictment, information, complaint)
JESSE EUGENE TECUMSEH defendant.

Kenneth P. Snoke

Asst. United States Attorney
KENNETH P. SNOKE

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

W. Dale Cook
United States District Judge

Date: *December 6, 1979*

DEFENDANT

KIMBERLY ANN PALMER

DOCKET NO.

79-CR-132

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 12 DAY 5 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

William J. Wenzel, 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

DEC 5 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 21, U.S.C., Section 841(a)(1), as charged in the indictment.

It is the finding of the Court that at the date of conviction, the defendant was 19 years of age, and therefore subject to the Youth Corrections Act, and it is the further finding of the Court that the defendant would not derive appropriate benefit from the Youth Corrections Act and is therefore sentenced under the applicable statute.

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

SENTENCE OR PROBATION ORDER

IT IS FURTHER ORDERED that the defendant is sentenced to a special parole term of Three (3) Years, to commence at the expiration of the sentence imposed herein.

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 12-5-79

By

() CLERK

() DEPUTY

U.S. Magistrate

ho

DEFENDANT

ROBERT DENVER JONES

DOCKET NO.

79-CR-131-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
12	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

Frank Pacenza, 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

DEC 4 1979

There being a finding of guilty 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., Section 472, as charged in Counts 1 and 4 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 - 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, to commence at the expiration of the sentence of confinement.

IT IS FURTHER ORDERED that Count 4 shall run concurrently with the sentence imposed in Count 1.

SPECIAL CONDITIONS OF PROBATION

IT IS FURTHER ORDERED that the execution of sentence is stayed until 9:00 a.m., December 11, 1979, at which time the defendant is to 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

U.S. Magistrate

Date 12-4-79

() CLERK

() DEPUTY

hs