

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 DEBBIE KAY ORR and)
 JAMES DARRIEL ORR,)
)
 Defendants.)

JAN 30 1987
CLERK
U.S. DISTRICT COURT

NO. 86-CR-38-02 and 03

O R D E R

This matter comes before the Court on defendant Debbie Orr's motion to dismiss Counts 58 through 63 in this action.

On May 17, 1986, defendant was charged in a sixty-four count indictment. The case was tried to a jury on September 15 through September 19, 1986. The defendant was acquitted on Counts 1 through 57 and Count 65. The jury failed to reach a verdict on Counts 58 through 63. The Court declared a mistrial on September 23, 1986.

The defendant now seeks to invoke the doctrine of collateral estoppel as incorporated into the double jeopardy clause to bar further prosecution and relitigation on the remaining counts of the indictment. The Supreme Court in Ashe v. Swenson, 397 U.S. 436 (1970) clearly recognized the use of collateral estoppel in a criminal context. See, United States v. Oppenheimer, 242 U.S. 85 (1916). In Ashe the Supreme Court also articulated the standard that the court must use in deciding whether an issue has been so litigated that collateral estoppel will bar further prosecution.

"Where a previous judgment of acquittal was based upon a general verdict, as is usually the case, this approach requires the court to 'examine the record of a prior proceeding, taking into account the pleadings, evidence, charge, and other relevant matter, and conclude whether a rational jury could have grounded its verdict upon an issue other than that which the defendant seeks to foreclose from consideration.' The inquiry 'must be set in a practical frame and viewed with an eye to all the circumstances of proceedings.' Sealfon v. United States, 332 U.S. 575, 579. Any test more technically restrictive would, of course, simply amount to a rejection of the rule of collateral estoppel in criminal proceedings, at least in every case where the first judgment was based upon a general verdict of acquittal."

The Tenth Circuit recognized the applicability of collateral estoppel in a criminal context and also embraced the Supreme Court's Ashe guidelines of analysis. Abramson v. Griffin, 693 F.2d 1009, 1011 (10th Cir. 1982).

After analysis of the case under the Ashe standards, the Court finds that the defendant can be retried on Count 58 of the indictment charging conspiracy and further finds that the government is collaterally estopped from retrying the mail fraud counts, 59 through 63, of the indictment. For the reasons set forth below, the defendant's motion to dismiss Count 58 of the indictment is denied and the motion to dismiss Counts 59 through 63 is hereby granted.

Count 58 of the indictment charged a violation of 18 U.S.C. §286 stating "whoever enters into any agreement, combination, or conspiracy to defraud the United States, or any department or agency thereof, by obtaining or aiding to obtain the payment or allowance of any false, fictitious, or fraudulent claim ..."

shall be guilty of a violation of the laws of the United States. It is well settled in the law that conspiracy and the substantive offenses which may be an object of the conspiracy are two distinct crimes. United States v. Khamis, 674 F.2d 390, 393 (5th Cir. 1982).

The Court's instruction on the conspiracy Count 58 required that four essential elements be proved in order to establish the offense: (1) that the conspiracy described was willfully formed; (2) that the accused willfully became a member of the conspiracy; (3) that one of the conspirators thereafter knowingly committed at least one of the overt acts charged in the indictment; and (4) that the overt act was knowingly done in furtherance of some object or purpose of the conspiracy as charged.

The indictment charging conspiracy lists some eleven overt acts the government contends may prove a conspiracy. The defendant, Debbie Kay Orr, is named in seven of the alleged overt acts. The Court finds that the acquittal on Counts 1 through 57 and Count 65 have not "necessarily resolved" in her favor the elements necessary for conviction on the remaining count of conspiracy. However, the Court does find that the overt act numbered 11 which incorporated the acts charged in Counts 1 through 57 is foreclosed from consideration in the second trial.

This approach finds support in the case of United States v. Mespouledé, 597 F.2d 329 (2d Cir. 1979), where a defendant was acquitted of a possession of cocaine charge and a mistrial was

declared as to a conspiracy to distribute cocaine count. The defendant was subsequently brought to trial on the mistried conspiracy count and the Second Circuit ruled that the government was precluded from introducing evidence of the previously acquitted possession charge in the conspiracy case. This preclusion of evidence, however, did not prevent the government from retrying the defendant on conspiracy. See, Mespouledé at 336.

The Court finds that reprosecution on the conspiracy charge absent evidence or introduction of the claims charged in Counts 1 through 57 does not offend double jeopardy. Under a conspiracy charge the government is required only to prove that at least one overt act was taken by one of the conspirators in furtherance of the conspiracy; it need not prove that the substantive offense was consummated. United States v. Todd, 735 F.2d 146, 151-52 (5th Cir. 1984).

Defendant Orr also seeks to preclude relitigation of Counts 59 through 63 of the indictment. Said counts charged a violation of 18 U.S.C. §1341 commonly referred to as mail fraud. The Court's instruction on Counts 59 through 63 required two elements be shown. First, that the defendant devised or intended to devise a scheme to defraud as charged in the indictment; Second, for the purposes of executing such a scheme the defendant placed or caused to be placed a letter or other communication in a post office or authorized mail depository, or that the defendant knowingly caused a letter to be delivered according to the

instructions thereon to the United States Postal Service by use of the mails. Each mail fraud count alleged in Counts 59 through 63 is linked to a specific tax return the subject of charges in Counts 1 through 57 of which the defendant has been acquitted. The Court finds that the acquittal on Counts 1 through 57 and Count 65 collaterally estops the government from future prosecution on Counts 59 through 63. The Court finds that the defendant has met the burden of establishing that the issue that she seeks to foreclose in the second litigation was "necessarily resolved in her favor by the first verdict." United States v. Seijo, 537 F.2d 694, 697 (2d Cir. 1976), cert. denied, 429 U.S. 1043 (1977).

The jury's verdict on Counts 1 through 57 and Count 65 acquitting the defendant of "willfully, knowingly and unlawfully presenting and causing to be presented to the Internal Revenue Service a federal income tax return ..." is the final decision on the issue that the government seeks to relitigate in the mail fraud counts. The proof required for the conviction on the remaining mail fraud counts will necessarily involve relitigation of the defendant's willful, knowing or unlawful presentation of a tax return or the defendant's knowledge of the falsity or fraudulent nature of the claim. Even the government, in explaining that general verdicts can be arrived at for different purposes said:

"Likewise, in this case, as previously suggested, the jury may very well have found that the defendant, Debbie Kay Orr, did not 'present or cause to be presented' the false federal income tax returns alleged in Counts 1-57, and that she

also did not 'open two checks,' as alleged in Count 65 of the Indictment--or at least that the government's burden of proof was not met on these issues at the first trial." Government's Reply Brief, p. 8.

For the very reasons just quoted from the government's brief, the court finds that the defendant will be exposed to repeated risks of conviction for the same conduct contrary to the protection of the double jeopardy clause of the Constitution if the mail fraud counts are retried, e.g., United States v. Mespouledé, 597 F.2d at 337.

The Court holds that the government may retry the conspiracy count of the indictment but is precluded from introducing evidence with respect to the filing of false returns alleged in Counts 1 through 57 and also evidence relating to the conduct charged in Count 65. The Court further finds that the defendant has sustained her burden of proof that an element essential to conviction has been determined in her favor by a valid and final judgment in the first trial. Essential elements of the mail fraud claims remaining are precluded by the acquittal and retrial is barred even though the charges are technically separate offenses. See, United States v. Bowman, 609 F.2d 11, 17 (D.C. Cir. 1979). The Court orders that Counts 59 through 63 alleging a mail fraud violation are hereby dismissed and the government may proceed on the remaining conspiracy count currently scheduled for trial on February 17, 1987.

The parties are to file any trial briefs, requested voir dire and requested instructions on or before February 10, 1987.

IT IS SO ORDERED, this 30th day of January, 1987.

A handwritten signature in cursive script, reading "Thomas R. Brett". The signature is written in dark ink and is positioned above a horizontal line.

THOMAS R. BRET
UNITED STATES DISTRICT JUDGE

DEFENDANT

HARRY JAMES WALKER a/k/a

NORTHERN DISTRICT OF OKLAHOMA

David Clay

DOCKET NO.

86-CR-161-C

JUDGMENT AND PROBATION COMMITMENT ORDER

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

MONTH DAY YEAR 01 28 1987

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

Wesley Gibson, Federal Public Defender

(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., §2252, as charged in Count 1 of the Indictment.

SENTENCE OR PROBATION ORDER

COUNT 1 - EIGHT (8) YEARS, together with a Special Assessment in the amount of \$50.00.

SPECIAL CONDITIONS OF PROBATION

IT IS FURTHER ORDERED that the above sentence shall run concurrent with the sentence imposed in Case #CR3-86-136-R, U. S. A. v. Harry James Walker, U. S. District Court, Northern District of Texas at Dallas.

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 be committed for evaluation and treatment at the FCI, Bastrop, Texas, as recommended by Judge Jerry Buchmeyer, in Case Cr. #3-86-136-R, U.S.D.C., N.D., Texas at Dallas.

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

H. DALE COOK

Date January 28, 1987

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 HARRY JAMES WALKER,)
)
 Defendant.)

FILED
IN OPEN COURT

JAN 28 1987 *im*

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

No. 86-CR-161-C

MOTION AND ORDER OF 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 moves to dismiss with prejudice Count Two of the Indictment against HARRY JAMES WALKER defendant.

LAYN R. PHILLIPS
United States Attorney

Keth Ward
Assistant United States Attorney

Leave of court is granted for the filing of the foregoing motion to dismiss and the Court hereby orders dismissal of the requested Counts of the Indictment.

W. J. Cook
United States District Judge

Date:

DEFENDANT

MICHAEL RAY RAMSEY

DOCKET NO.

86-CR-189-01-BT

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (9-82)

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

MONTH	DAY	YEAR
01	28	87

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 Phillip K. Blough, II, Appointed Counsel (Name of Counsel)

PLEA

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

FILED JAN 28 1987

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 2, 495 & 1708 as charged in Counts 1, 4 & 8 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, & 8 - Imposition of sentence is suspended and the Defendant is placed on probation for a period of Five (5) years.

SPECIAL CONDITIONS OF PROBATION

IT IF FURTHER ORDERED that the Defendant make restitution in the amount of \$483.00 as directed by the U.S. Probation Office and receive treatment and supervision for alcohol abuse.

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,

Approved as to form: Kenneth I. Snoke, AUSA

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

THOMAS R. BRETT

Date 1-28-87

CERTIFIED AS A TRUE COPY ON

THIS DATE

By Clerk DEPUTY

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED
IN OPEN COURT

JAN 28 1986

Jack C. Silver, Clerk
U. S. DISTRICT

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 GERLDENE RAMSEY,)
)
 Defendant.)

No. 86-CR-189-B

MOTION AND ORDER OF 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 moves to dismiss with prejudice Counts Five through Eight of the Indictment against GERLDENE RAMSEY, defendant.

LAYN R. PHILLIPS
United States Attorney


Assistant United States Attorney

Leave of court is granted for the filing of the foregoing motion to dismiss and the Court hereby orders dismissal of the requested Counts of the Indictment.


United States District Judge

Date: 1-28-86

DEFENDANT

GERALDENE PINNEY WAUSEY

DOCKET NO.

86-CR-189-02-88

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (9 82)

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

MONTH	DAY	YEAR
01	28	87

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 Wesley Gibson, Appointed Counsel (Name of Counsel)

PLEA

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

JAN 28 1987

FILED 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., Sections 2, 495 & 1708 as charged in Counts 1, 2 & 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, 2 & 4 - Imposition of sentence is suspended and the Defendant is placed on probation for a period of Five (5) years.

SPECIAL CONDITIONS OF PROBATION

IT IS FURTHER ORDERED that the Defendant make restitution in the amount of \$485.00 as directed by the U.S. Probation Office.

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,

Approved as to form. Kenneth F. Smoke, AUSA

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

THOMAS R. SULLIVAN

Date

1-28-87

CERTIFIED AS A TRUE COPY ON

THIS DATE

By CLERK DEPUTY

DEFENDANT

MICHAEL WELDON LEWIS

DOCKET NO

86-CR-112-10-C

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

MONTH	DAY	YEAR
01	27	1987

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 Joe Stanley Glenn, appointed
(Name of Counsel)

PLEA

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

VERDICT & SENTENCE

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

Defendant has been convicted as charged of the offense(s) of having violated Title 21, U.S.C., §§841(a)(1) and 846, as charged in Count 1 of the Superseding Indictment.

PERIOD OF PROBATION

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 - Four (4) Years, together with a Special Assessment in the amount of \$50.00.

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.

RECOMMENDATION

The court orders commitment to the custody of the Attorney General and recommends that the defendant be incarcerated in an institution where he will receive treatment for substance abuse.

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 January 27, 1987

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED
IN OPEN COURT

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	
)	
MICHAEL WELDON LEWIS,)	
)	
Defendant.)	No. 86-CR-112-C

rec JAN 27 1987

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

MOTION AND ORDER OF DISMISSAL

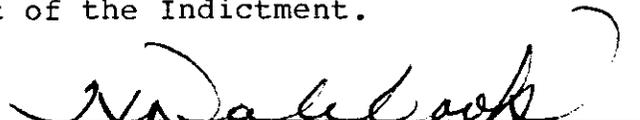
Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of court endorsed hereon, the United States Attorney for the Northern District of Oklahoma hereby moves to dismiss with prejudice Count Six of the Indictment against MICHAEL WELDON LEWIS, defendant.

LAYN R. PHILLIPS
United States Attorney



Assistant United States Attorney

Leave of court is granted for the filing of the foregoing motion to dismiss and the Court hereby orders dismissal of the requested Count of the Indictment.


UNITED STATES DISTRICT JUDGE

Date: January 27, 1987

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

mm JUN 23 1987

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
vs.)
)
)
JOHNNY L. EINERT,)
)
)
 Defendant.)

No. 84-CR-27-C

ORDER OF REVOCATION

On the 23rd day of May, 1984, came the attorney for the government, and the defendant appeared in person and by counsel.

IT WAS ADJUDGED that the defendant, upon a finding of guilty, was convicted of having violated Title 21, U.S.C., §§841(a)(1) and 846, as charged in Count 2 of the Indictment.

IT WAS FURTHER ADJUDGED that the imposition of sentence be suspended and the defendant was placed on probation for a period of Five (5) Years.

Thereafter, and on June 3, 1986, there having been filed an application by the supervising probation officer that the defendant's probation be revoked and the grounds therefor being set thereon, and upon approval of the Court, a summons was issued to said probationer.

Thereafter, and on July 14, 1986, said probationer having not appeared pursuant to summons issued, a warrant of arrest was issued.

Thereafter, and on January 5, 1987, pursuant to said warrant, the probationer appeared before the U. S. Magistrate for the

U

Northern District of Oklahoma and a preliminary hearing was conducted and concluded before the Magistrate and said probationer was bound over to the District Court for revocation hearing.

Thereafter, and on January 15, 1987, the case was called for revocation hearing before the District Court. The Court directed the Probation Officer to recite and advise the Court and the probationer the grounds of revocation. The probationer, having been given a written notice of the alleged violation of probation, and having been given an opportunity to present evidence in his own behalf and to question witnesses against him, admitted said violations and waives his right to an evidentiary hearing. The Court, having found that the probationer was in violation of the conditions of probation as alleged, found that probation should be revoked.

IT IS, THEREFORE, ORDERED that the Order of Probation, entered May 23, 1984, be revoked and set aside.

NOW, on this 23rd day of January, 1987, IT IS ORDERED that the defendant, Johnny L. Einert, is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of Three (3) Years, pursuant to Title 18, U.S.C., §4205(b)(2).

IT IS FURTHER ORDERED that the Clerk of the Court deliver a certified copy of this Order to the U. S. Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

DATED at Tulsa, Oklahoma, this 23rd day of January, 1987.


H. DALE COOK
Chief Judge

DEFENDANT

KENNETH JOHN GRIZAFEL

NORTHERN DISTRICT OF OKLAHOMA

DOCKET NO. 86-CP-158-R

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (9-82)

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

MONTH	DAY	YEAR
1	23	87

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 Susan Otto, PPD

(Name of Counsel)

FILED

PLEA

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

NOLO CONTENDERE,

NOT GUILTY 2/3/87

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 2314, 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

FOUR (4) YEARS.

IT IS FURTHER ORDERED that the defendant may become eligible for parole at such time as the Parole Commission may determine as provided under T. 1B, U.S.C., Sec. 4205(b)(2).

SPECIAL CONDITIONS OF PROBATION

IT IS FURTHER ORDERED that the execution of sentence is deferred until 12:00 noon on March 6, 1987, at which time the defendant is to report to designated institution.

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

JAMES O. ELLISON

Date

1-23-87

THIS DATE

By

() CLERK

() DEPUTY

DEFENDANT

JERRY DEAN HILL

DOCKET NO. 86-CR-169-F

JUDGMENT AND PROBATION/COMMITMENT ORDER AO 245 (9/82)

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

MONTH 1 DAY 23 YEAR 87

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 Van Hise, Ct. App'd (Name of Counsel)

FILED

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 GUILTY. Defendant has been convicted as charged of the offense(s) of having violated Title 21, U.S.C., Sections 841(a)(1) and 844(a), as charged in Counts 1 and 3 of the Indictment.

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

COUNT 1 - FOUR (4) YEARS
COUNT 3 - ONE (1) YEAR, to run concurrently with sentence imposed in Count 1.

SPECIAL CONDITIONS OF PROBATION

IT IS 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 FURTHER ORDERED that the defendant pay an assessment of \$75.00.

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

JAMES O. ELLISON Date 1-23-87

THIS DATE

By

() CLERK () DEPUTY

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED
OPEN COURT

JAN 23 1987

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 JERRY DEAN HILL,)
)
 Defendant.)

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

No. 86-CR-169-E

MOTION AND ORDER OF 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 moves to dismiss with prejudice Counts Two, Four, and Five of the Indictment against JERRY DEAN HILL, defendant.

LAYN R. PHILLIPS
United States Attorney

Frank H. McCarthy
Assistant United States Attorney

Leave of court is granted for the filing of the foregoing motion to dismiss and the Court hereby orders dismissal of the requested Counts of the Indictment.

James D. Olson
United States District Judge

Date: Jan 23, 1987

DEFENDANT

RUBY A. BROOKS

DOCKET NO.

86-CR-105-E

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (9-82)

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

MONTH	DAY	YEAR
1	23	87

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

[X] WITH COUNSEL Larry Gullekson, Retained (Name of Counsel)

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

FILED

MAR 25 1987

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

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

FINDING & JUDGMENT Defendant has been convicted as charged of the offense(s) of having violated Title 18, U.S.C. Section 1344, as charged in counts one through five of the Indictment.

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

SENTENCE OR PROBATION ORDER COUNTS 1 - 5 - THREE (3) YEARS as to each count, counts 2 through 5 to run concurrently with sentence imposed in count 1.

IT IS 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).

SPECIAL CONDITIONS OF PROBATION IT IS FURTHER ORDERED that the execution of sentence is deferred until 12:00 noon on March 3, 1987, at which time the defendant is to report to designated institution.

IT IS FURTHER ORDERED that the defendant make restitution in the amount of \$738,547.19 and pay an assessment in total of \$250.00.

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 at FCI, Ft. Worth Texas and that the defendant be allowed to have her baby at a private hospital near institution.

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 [X] U.S. District Judge

THIS DATE

[] U.S. Magistrate

James O. Ellison

By

Date 1-23-87

() CLERK () DEPUTY

DEFENDANT RICKEY ZANTZ WARD

DOCKET NO. 86-CR-112-06-C

JUDGMENT AND PROBATION/COMMITMENT ORDER

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

MONTH	DAY	YEAR
01	22	1987

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 Jack M. Short, appointed
(Name of Counsel)

PLEA

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

FINDINGS & 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 21, U.S.C., §843(b) as charged in Counts 1 and 2 of the Superseding 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 is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of

Count 1 - Two (2) Years, together with a Special Assessment in the amount of \$50.00.

Count 2 - Two (2) Years, to run concurrent with the sentence imposed in Count 1, together with a Special Assessment in the amount of \$50.00.

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

H. Dale Cook
Date January 22, 1987

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED
IN OPEN COURT

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 RICHARD Z. WARD,)
)
 Defendant.) No. 86-CR-112-C

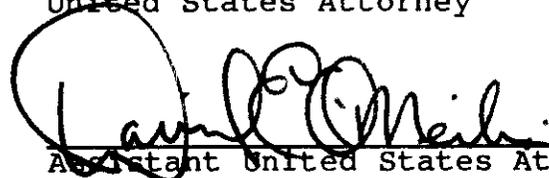
JAN 22 1987

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

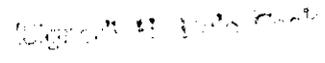
MOTION AND ORDER OF DISMISSAL

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 moves to dismiss with prejudice the Indictment filed August 6, 1986, against RICHARD Z. WARD, defendant.

LAYN R. PHILLIPS
United States Attorney


Assistant United States Attorney

For the filing of the foregoing motion to dismiss the Court hereby orders dismissal of the requested Indictment.


UNITED STATES JUDGE

Date: January 22, 1987

DEFENDANT

EDISON W. HUBERT

DOCKET NO

86-CR-166-BT

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (9-82)

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

MONTH 01 DAY 21 YEAR 86

COUNSEL

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

WITH COUNSEL Robert W. Booth, Retained Counsel (Name of Counsel)

FILED

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea, NOLO CONTENDERE, NOT GUILTY JAN 21 1987

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 237 & 2 as charged in the five count indictment.

SENTENCE OR PROBATION ORDER

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

Count 1 - Imposition of sentence is suspended and the Defendant is placed on probation for a period of Six (6) months with a special condition of probation that the Defendant be confined in the Salvation Army Pre-Release Center for a period of Four (4) months and a \$50.00 Special Assessment.

Counts 2, 3, 4, 5 - Imposition of sentence is suspended and the Defendant is placed on probation for a period of Four and one half (4 & 1/2) years to run consecutive to the sentence imposed in Count 1 and a \$50.00 Special Assessment as to each count.

SPECIAL CONDITIONS OF PROBATION

IT IS FURTHER ORDERED that the Defendant make restitution as directed by the U.S. Probation Office. The amount of restitution to be determined in a further order of this Court.

ADDITIONAL CONDITIONS OF PROBATION

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

COMMITMENT RECOMMENDATION

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

Approved as to form:

Frank E. McCarthy, AUSA

SIGNED BY

U.S. District Judge

U.S. Magistrate

THOMAS R. BRETT

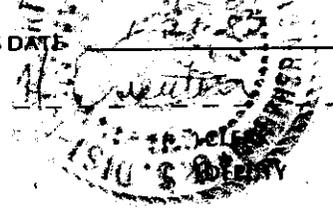
Date 1-21-87

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



DEFENDANT

JAMES WELLMAN

DOCKET NO

86-CR-89-02-C

JUDGMENT AND PROBATION/COMMITMENT ORDER

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

MONTH	DAY	YEAR
01	21	1987

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 Wesley Gibson, Federal Public Defender
(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 ~~and~~ of NOT GUILTY. Defendant is discharged.

GUILTY.

Defendant has been convicted as charged of the offense(s) of having violated Title 21, U.S.C., §§841(a)(1) and 846, as charged in Count 1 of the Indictment.

SENTENCE OR PROBATION ORDER

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

Two (2) Years, together with a Special Assessment in the amount of \$50.00.

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

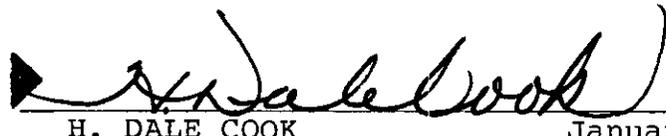
The court orders commitment to the custody of the Attorney General and recommends.

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


H. DALE COOK

Date January 21, 1987

FILED
JAN 21 1987
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

DEFENDANT

STEPHEN EDWARD BALLARD

DOCKET NO

86-CR-168-C

JUDGMENT AND PROBATION/COMMITMENT ORDER

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

MONTH DAY YEAR 01 15 1987

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 Susan Otto, Federal Public Defender (Name of Counsel)

FILED

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea, NOLO CONTENDERE, NOT GUILTY JAN 15 1987

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

FINDING & JUDGMENT

There being a finding/XXXX 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., §472, as charged in Counts 1 through 9 of the Indictment.

SENTENCE OR PROBATION ORDER

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

Count 1 - Three (3) Years.

Counts 2 through 9 - IT IS ORDERED that the imposition of sentence is hereby suspended and the defendant is placed on probation for a period of Five (5) Years, to commence upon expiration of sentence imposed in Count 1.

SPECIAL CONDITIONS OF PROBATION

IT IS FURTHER ORDERED that the defendant shall pay a Special Assessment in the amount of \$50.00 as to each count, for a total of \$450.00. Further, the defendant shall make restitution in the amount of \$1,800, in such amounts and at such times as set out by the Probation Office.

ADDITIONAL CONDITIONS OF PROBATION

IT IS FURTHER ORDERED that the execution of sentence is deferred until February 23, 1987, 9 a.m., at which time defendant shall surrender directly to the designated institution as directed by the Attorney General, through the Bureau of Prisons, in execution of said sentence. 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

H. Dale Cook

Date January 15, 1987

NORTHERN DISTRICT OKLAHOMA

DEFENDANT

JEFFREY M. MITCHELL

DOCKET NO.

86-CR-124-F

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (9-82)

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

MONTH	DAY	YEAR
1	15	87

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 Susan Otto, FPD (Name of Counsel)

PLEA

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

JAN 15 1987

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 1341, as charged in Count 1 of the Indictment.

SENTENCE OR PROBATION ORDER

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

COUNT 1 - 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

IT IS ORDERED that the defendant make restitution in the amount of \$1,576.00, in payments as determined by the Probation office. Defendant is to pay assessment of \$50.00.

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

James O. Ellison

Date 1-15-87

THIS DATE

By

() CLERK () DEPUTY

DEFENDANT

DOROTHY RUTH RIDDLE

DOCKET NO.

86-CR-81-C

JUDGMENT AND PROBATION/COMMITMENT ORDER

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

MONTH	DAY	YEAR
01	13	1987

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 R. Edmison, 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 18, U.S.C.,
§1071, as charged in the Superseding 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 is hereby committed to the custody of the Attorney General or his or her representative for imprisonment for a period of~~

IT IS ORDERED that the imposition of sentence is hereby suspended and the defendant is placed on probation for a period of Eighteen (18) months.

IT IS FURTHER ORDERED that the defendant shall pay a Special Assessment in the amount of \$25.00.

SPECIAL
CONDITIONS
OF
PROBATION

FILED

JAN 13 1987

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

ADDITIONAL
CONDITIONS
OF
PROBATION

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

COMMITMENT
RECOMMEN-
DATION

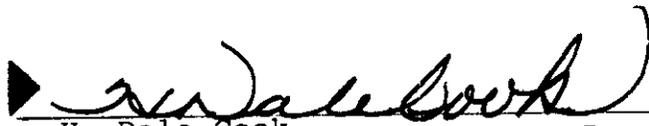
The court orders commitment to the custody of the Attorney General and recommends,

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 January 13, 1987

DEFENDANT

WAYNE LEE ROBERTSON

DOCKET NO.

86-CR-165-F

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (9-82)

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

MONTH	DAY	YEAR
1	7	87

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 Ed Morrison, Ct. Apptd.

(Name of Counsel)

FILED

PLEA

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

NOLO CONTENDERE,

NOT GUILTY

JAN 7 1987

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 659, 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~~

The imposition of sentence is suspended and the defendant is hereby placed on probation for a period of THREE (3) YEARS from this date.

IT IS FURTHER ORDERED that the defendant make restitution of \$1,050.00 in payments as determined by probation and pay \$50.00 assessment.

IT IS FURTHER ORDERED that defendant receive out-patient counseling.

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
RECOMMEN-
DATION

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

James O. Allison

Date

1-7-87

THIS DATE

By

() CLERK
() DEPUTY

DEFENDANT

JACK KLINGLER

DOCKET NO. 86-CR-98-03-7

C O R R E C T E D

JUDGMENT AND PROBATION/COMMITMENT ORDER AO 245 (9/82)

COUNSEL

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

MONTH DAY YEAR
1 7 87

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 Shields, 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

JAN 7 1987

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 21, U.S.C., Section 843(b), as charged in Count 2 of the Indictment.**

SENTENCE OR PROBATION ORDER

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

COUNT 2 - THREE (3) YEARS.

IT IS 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), and pay a FINE of \$3,000.00.

SPECIAL CONDITIONS OF PROBATION

IT IS FURTHER ORDERED THAT the execution of sentence is deferred until 12:00 noon on February 5, 1987, at which time the defendant is to report to designated institution.

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

James D. Ellison
James D. Ellison

Date 1-7-87

THIS DATE _____

By _____
() CLERK
() DEPUTY

DEFENDANT

WILLIAM D. HARPER

NORTHERN DISTRICT OF OKLAHOMA

DOCKET NO. 86-CR-133-F

JUDGMENT AND PROBATION/COMMITMENT ORDER AO 245 (9/82)

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

MONTH	DAY	YEAR
1	7	-87

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 Alvin Hayes, Jr., Ct. Apptd. (Name of Counsel)

FILED

PLEA

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

JAN 7 1987 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 1341, as charged in Count 1 of the Indictment.

SENTENCE OR PROBATION ORDER

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

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

IT IS FURTHER ORDERED that the defendant pay restitution of \$1,638.00, and a \$50.00 assessment.

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

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

COMMITMENT RECOMMENDATION

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

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

SIGNED BY

X U.S. District Judge

U.S. Magistrate

James O. Ellison Date 1-7-87

CERTIFIED AS A TRUE COPY ON

THIS DATE

By

() CLERK () DEPUTY

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED
IN OPEN COURT

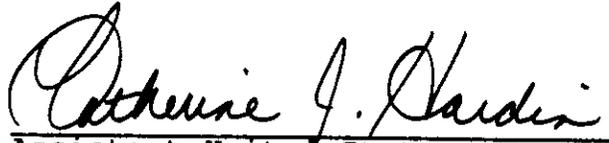
JAN 7 1987

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

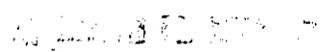
UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	
)	
WILLIAM D. HARPER,)	
)	
Defendant.)	No. 86-CR-133-E

ORDER ~~FOR~~ DISMISSAL

Pursuant to Rule 43(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 moves to dismiss, with prejudice, Counts Two through Twenty-one of the Indictment in this case, filed September 4, 1986, against William D. Harper, defendant.


Assistant United States Attorney

Good cause appearing, it is so ORDERED.


JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

Date: 1-7-87

DEFENDANT

WILEY RICHMOND HILL

DOCKET NO. 86 CR 173 E

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (9-82)

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

MONTH	DAY	YEAR
1	5	87

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 Wesley Johnson, Ct. Apptd.

(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 2113(a), 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

TWELVE (12) YEARS.

IT IS 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),

SPECIAL CONDITIONS OF PROBATION

IT IS FURTHER ORDERED that defendant pay \$50.00 assessment.

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

James O. Ellison

Date

1-5-87

THIS DATE

By

() CLERK () DEPUTY

DEFENDANT

NORTHERN DISTRICT OF OKLAHOMA

WILEY RICHMOND HILL

DOCKET NO. 86 CR 188 E

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (9/82)

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

MONTH DAY YEAR 1 5 87

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 Wesley Johnson, Ct. Apptd. (Name of Counsel)

FILED

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea, NOLO CONTENDERE, NOT GUILTY JAN 5 1987

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 2113(a), 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

TWELVE (12) YEARS

IT IS 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).

SPECIAL CONDITIONS OF PROBATION

IT IS FURTHER ORDERED that the sentence imposed in this case will run concurrently with the sentence imposed in case 86-CR-173-E.

IT IS FURTHER ORDERED that defendant pay \$50.00 assessment.

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

James O. Ellison Date 1-5-87

THIS DATE

By

() CLERK () DEPUTY

DEFENDANT

JACK KLINGER

DOCKET NO.

86-CR-98-03-E

JUDGMENT AND PROBATION/COMMITMENT ORDER

AO 245 (9/82)

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

MONTH	DAY	YEAR
1	5	87

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 Jay Shields, 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

JAN 5 1987

Jack C. Siver, 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 21, U.S.C., Section 843(b), as charged in Count 2 of the Indictment.

SENTENCE OR PROBATION ORDER

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

COUNT 2 - THREE (3) YEARS.

IT IS FURTHER ORDERED that the defendant may become eligible for parole at such time as the Parole Commission may determine and provided in T. 18, U.S.C., Sec. 4205(b)(2), and pay a FINE of \$3,000.00.

IT IS FURTHER ORDERED that the execution of sentence is deferred until 12:00 noon on February 5, 1987, at which time the defendant is to report to designated 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.

CERTIFIED AS A TRUE COPY-ON

SIGNED BY

U.S. District Judge

U.S. Magistrate

James O. Ellison

James O. Ellison

Date

1-5-87

THIS DATE

By

() CLERK () DEPUTY

