

FILED

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

MAY 30 1989  
Jack C. Silver, Clerk  
U. S. DISTRICT COURT

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 MARVIN DALE RODEN, )  
 )  
 Defendant. )

No. 88-CR-090-001-B

ORDER

The motion of the Defendant, Marvin Dale Roden, pursuant to Fed.R.Crim.P. 35(a) to reduce or modify the sentence imposed herein received by the Court on May 24, 1989, relative to the Judgment and Sentence imposed by the Court on February 10, 1989, is before the Court for decision. Under the facts and circumstances relative to Counts 1 and 2 as well as the Defendant's criminal history and background, the Court generally thinks the Judgment and Sentence pronounced on February 10, 1989 relative to Counts 1 and 2 is fair and reasonable. However, due to the possibility that there may be some relationship, directly or indirectly, between Defendant's conduct concerning Counts 1 and 2 and his confirmed post traumatic stress syndrome from his Vietnam military service, the Court hereby modifies said sentence entered on February 10, 1989 as follows:

Count 1 - Custody of the Attorney General for a term of Three (3) Years.

Count 2 - The imposition of sentence is suspended and the Defendant is placed on probation for a period of Three (3) Years, to commence upon expiration of the sentence imposed in Count One.

In all other respects the Judgment and Sentence entered by this on

February 10, 1989 relative to Counts 1 and 2 of the subject information remain in full force and effect.

The Defendant Marvin Dale Roden's motion to reduce or modify the subject sentence is therefore GRANTED IN PART, as specifically set forth herein, and is otherwise OVERRULED.

DATED this 30th day of May, 1989.

  
THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

FILED

# United States District Court

FEB 10 1989

NORTHERN DISTRICT OF OKLAHOMA

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

UNITED STATES OF AMERICA

## JUDGMENT IN A CRIMINAL CASE

V.  
MARVIN DALE RODEN  
Route 4, Box 228  
Afton, Oklahoma 74331  
SSN: 440-48-7638

Case Number: 88-CR-090-001-B

(Name and Address of Defendant)

R. Thomas Seymour

Attorney for Defendant

### THE DEFENDANT ENTERED A PLEA OF:

guilty  nolo contendere] as to count(s) One and Two of the Information, and  
 not guilty as to count(s) \_\_\_\_\_

### THERE WAS A:

finding  verdict] of guilty as to count(s) One and Two of the Information

### THERE WAS A:

finding  verdict] of not guilty as to count(s) \_\_\_\_\_

judgment of acquittal as to count(s) \_\_\_\_\_

The defendant is acquitted and discharged as to this/these count(s).

### THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

having violated Title 21, United States Code, Section 843(b), Use of Communication Facility in Commission of a Narcotic Felony, as charged in Count One; and Title 18, United States Code, Section 4, Misprison of a Felony, as charged in Count Two.

### IT IS THE JUDGMENT OF THIS COURT THAT:

Count One - Custody of the Attorney General for a term of Four (4) Years.

Count Two - The imposition of sentence is suspended and the defendant is placed on probation for a period of Three (3) Years, to commence upon expiration of the sentence imposed in Count One.

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

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UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY 30 1989

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 DEREK A. NELSON, )  
 LARRY DON MILLER, )  
 )  
 Defendants. )

No. 89-CR-29-EP<sup>-02,03,</sup>

ORDER DISMISSING INDICTMENT

The government has filed a Motion to Dismiss the indictment against the defendants, Derek A. Nelson and Larry Don Miller, on the ground that they are being prosecuted in state court for the same offense. There being no objection by the Defendant,

IT IS THEREFORE ORDERED this 30th day of May, 1989, that the indictment against Defendants Derek A. Nelson and Larry Don Miller shall be and are hereby dismissed without prejudice.



LAYN R. PHILLIPS

United States District Judge



FILED

# United States District Court

MAY 18 1989

NORTHERN

District of OKLAHOMA

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

UNITED STATES OF AMERICA

V.

## JUDGMENT INCLUDING SENTENCE UNDER THE SENTENCING REFORM ACT

Cynthia Gay Hill

Case Number 89-CR-003-001-C

(Name of Defendant)

June Tyhurst

Defendant's Attorney

United States District Court )  
Northern District of Oklahoma ) SS  
I hereby certify that the foregoing  
is a true copy of the original on file  
in this Court.

Jack C. Silver, Clerk

By A. Muncy  
Deputy

### THE DEFENDANT:

- pleaded guilty to count(s) One of the Indictment
- was found guilty on count(s) \_\_\_\_\_ after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

| <u>Title &amp; Section</u> | <u>Nature of Offense</u>       | <u>Count Number(s)</u> |
|----------------------------|--------------------------------|------------------------|
| 18:495                     | Forging A U. S. Treasury Check | One                    |

The defendant is sentenced as provided in pages 2 through 3 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s) \_\_\_\_\_, and is discharged as to such count(s).
- Count(s) Two and Three ~~(is)~~(are) dismissed on the motion of the United States.
- The mandatory special assessment is included in the portion of this Judgment that imposes a fine.
- It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of residence or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Defendant's Soc. Sec. Number:

443-68-0026

Defendant's mailing address:

1624 North Yorktown

Tulsa, Oklahoma 74110

Defendant's residence address:

1624 North Yorktown

Tulsa, Oklahoma 74110

May 16, 1989

Date of Imposition of Sentence

H. Dale Cook  
Signature of Judicial Officer

H. Dale Cook, Chief U. S. District Judge

Name & Title of Judicial Officer

Date

Defendant: Cynthia Gay Hill  
Case Number: 89-CR-003-001-C

**PROBATION**

The defendant is hereby placed on probation for a term of Three (3) years.

While on probation, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this Judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant pay any such fine or restitution. The defendant shall comply with the following additional conditions:

To participate and successfully complete a drug screening program approved by the U. S. Probation Office.

Defendant: Cynthia Gay Hill  
Case Number: 89-CR-003-001-C

### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 9) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 10) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 15) You shall submit to urinalysis as directed by the U. S. Probation Office.  
These conditions are in addition to any other conditions imposed by this Judgment.
- 16) You shall not possess any firearms or other dangerous weapons.

FILED

MAY 17 1989

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

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 RILEY MITCHELL JONES, )  
 )  
 Defendant. )

✓  
140  
No. 84-CR-410-B

ORDER

This matter comes before the Court upon Defendant Riley Mitchell Jones's Motion to Vacate, Set Aside or Correct a sentence pursuant to 28 U.S.C. § 2255. Defendant asserts the District Court and the United States Court of Appeals for the Tenth Circuit failed to test the veracity of an affidavit used to establish probable cause for a search warrant pursuant to the dictates of Franks v. Delaware, 438 U.S. 154 (1978). Further, Defendant asserts the search warrant was overly broad and allowed the police to conduct a fishing expedition. Defendant does not assert the Court was without jurisdiction to render judgment, or that the sentence imposed was illegal.

The United States Court of Appeals for the Tenth Circuit addressed the veracity of the affidavit and the information contained therein and concluded the Magistrate had probable cause to issue the search warrant. United States v. Jones, No. 85-1691, slip op. at 10, 13 (10th Cir. May 8, 1986). The Court of Appeals also noted the District Court's judicial notice "of the sufficient and logical nexus between drug trafficking and firearms to ratify the seizure of the firearms."

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The issues Defendant presents have already been addressed by this Court and the Court of Appeals. If Defendant is not satisfied with the decisions rendered by the Court of Appeals, Defendant's appropriate course of action is to timely seek review by the United States Supreme Court. Therefore, Defendant's Motion to Vacate or Set Aside Sentence is DENIED.

IT IS SO ORDERED, this 17 day of May, 1989.

A handwritten signature in black ink, appearing to read "Thomas R. Brett", written over a horizontal line. The signature is stylized and cursive.

THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

**FILED**  
**IN OPEN COURT**  
MAY 15 1989 *B*

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 ROSE WALLACE, )  
 )  
 Defendant. )

No. 89-CR-007-02-E ✓

ORDER

For good cause being shown, leave of court is granted for the filing of the foregoing motion to dismiss and the Court hereby orders dismissal of Count One of the Indictment.

Date this 15 day of May, 1989.

*James D. ...*  
\_\_\_\_\_  
United States District Judge

JSM:ddb

FILED

# United States District Court

MAY 12 1989

NORTHERN

DISTRICT OF

OKLAHOMA

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

UNITED STATES OF AMERICA

V.

## JUDGMENT IN A CRIMINAL CASE

James Alan Waltrip  
619 North Cleveland  
Sand Springs, OK 74063

Case Number: 88-CR-090-010-B

SSN: 444-54-4031

(Name and Address of Defendant)

Larry Gullekson

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

guilty  nolo contendere] as to count(s) One of Information, and  
 not guilty as to count(s) \_\_\_\_\_

THERE WAS A:

finding  verdict] of guilty as to count(s) One of Information

THERE WAS A:

finding  verdict] of not guilty as to count(s) \_\_\_\_\_  
 judgment of acquittal as to count(s) \_\_\_\_\_

The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

Simple Possession of Marijuana, Title 21, United States Code, Section 844(a)

IT IS THE JUDGMENT OF THIS COURT THAT:

The imposition of sentence is hereby suspended and the defendant placed on probation for a period of Four (4) years.

IT IS FURTHER ORDERED that the defendant pay a fine in the amount of \$1,500 within the first six months of probation.

United States District Court )  
Northern District of Oklahoma ) SS  
I hereby certify that the foregoing  
is a true copy of the original on file  
in this Court.

Jack C. Silver, Clerk

By [Signature]  
Deputy

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

**CONDITIONS OF PROBATION**

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

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 the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 25.00 pursuant to Title 18, U.S.C. Section 3013 for count(s) One of Information as follows:

IT IS FURTHER ORDERED THAT counts N/A are DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

The Court orders commitment to the custody of the Attorney General and recommends:

May 12, 1989

Date of Imposition of Sentence

Signature of Judicial Officer

Thomas R. Brett, United States District Judge

Name and Title of Judicial Officer

May 12, 1989

Date

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_ Date

\_\_\_\_\_, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By \_\_\_\_\_ Deputy Marshal

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

MAY 12 1989

JUDICIAL CLERK  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
JUDY PINKSTON SAYLOR, )  
 )  
Defendant. )

No. 87-CR-177-C

ORDER

Now before the Court for its consideration is the motion of the defendant to vacate sentence under Rule 2255 and/or 18 U.S.C. §3553(D).

As best the Court can determine, defendant is concerned with (1) overcrowding in the facility in which she is imprisoned, and (2) the possible presence of asbestos in that facility. Such concerns have no effect on the validity of sentence imposed, and do not implicate the provisions cited.

It is the Order of the Court that the motion of the defendant to vacate sentence is hereby DENIED.

IT IS SO ORDERED this 12<sup>th</sup> day of May, 1989.

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

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

FILED

MAY 12 1989

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUDY PINKSTON SAYLOR,

Defendant.

No. 87-CR-177-C

ORDER

Now before the Court for its consideration is the motion of the defendant to correct presentence report and sentencing guidelines.

The defendant states that her motion is pursuant to Rule 32(c)(3)(D). That provision deals with objections which the defendant may make to the presentence report at the time of sentencing. The Court has reviewed a tape recording of the sentencing in question, and neither defendant nor her attorney objected to the report. A defendant who wishes to challenge factual statements in a presentence report must follow the procedures set out in Rule 32. United States v. Edmondson, 818 F.2d 768 (11th Cir. 1987). Defendant asserts that she "was not shown the same presentence report that has been submitted to the

Bureau of Prisons and presumably to the Parole Board." However, a bald assertion without supporting information is insufficient.

It is the Order of the Court that the motion of the defendant to correct presentence report and sentencing guidelines is hereby DENIED.

*IT IS SO ORDERED* this 12<sup>th</sup> day of May, 1989.

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

Report and Order Terminating Probation  
Prior to Original Expiration Date

United States District Court  
FOR THE

*J*  
MAY 11 1989

U.S. DISTRICT COURT

NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Crim. No. 86-CR-38-004-B

MARC TODD JOHNSON

On September 25, 1986 the above named was placed on probation for a period of 3 years. The probationer has complied with the rules and regulations of probation and is no longer in need of probation supervision. It is accordingly recommended that the probationer be discharged from probation.

Respectfully submitted,

*Robert E. Boston*

U.S. Probation Officer

ORDER OF COURT

Pursuant to the above report, it is ordered that the probationer be discharged from probation and that the proceedings in the case be terminated.

Dated this 11<sup>th</sup> day of May, 19 89

*James L. Smith*  
United States District Judge

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

FILED

MAY 11 1989

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

UNITED STATES OF AMERICA, }

Plaintiff, }

vs. }

FRED BENNETT WELCH, }

Defendant. }

No. 82-CR-97-C

ORDER

Pursuant to the Order and Judgment of the Tenth Circuit Court of Appeals in the above-styled case, No. 82-2368 (Feb. 27, 1989), the sentence imposed against defendant Fred Bennett Welch as to Counts 1, 2, 3, and 4 is hereby vacated. Additionally, the conviction imposed against defendant Fred Bennett Welch as to Counts 2, 3 and 4 is hereby vacated.

Defendant having been found guilty by a jury for violation of 18 United States Code §1708, the conviction stands as to Count 1 of the Indictment.

As to Count 1, the defendant is committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of five years. The Court imposes the maximum term of imprisonment authorized under 18 United States Code §1708.

At the prior sentencing, the Court imposed an aggregate term of imprisonment of seven years as to the four counts of guilty returned by the jury. At that time, under the circumstances of this case, the Court would have imposed the maximum permissible sentence authorized under the statute if the defendant had been sentenced as to one count only, thus warranting imposition of the maximum sentence at this time.

*IT IS SO ORDERED* this 10<sup>th</sup> day of May, 1989.

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

# United States District Court

for

NORTHERN DISTRICT OF OKLAHOMA

MAY 11 1989

U.S. DISTRICT COURT

U.S.A. vs. MARC TODD JOHNSON

Docket No. 86-CR-38-004-B

### Petition for Probation Action

COMES NOW Robert E. Boston, Senior PROBATION OFFICER OF THE COURT presenting an official report upon the conduct and attitude of probationer Marc Todd Johnson who was placed on probation by the Honorable Thomas R. Brett sitting in the court at Tulsa, Oklahoma, on the 25th day of September, 19 88 who fixed the period of probation supervision at three years, and imposed the general terms and conditions of probation theretofore adopted by the court and also imposed special conditions and terms as follows:

Pay \$1,000.00 Fine

### RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach)

Probationer has conducted himself in an exemplary manner since being placed on probation. He has paid the \$1,000.00 principle on the imposed fine. His income is limited and payment of the accrued interest would impose an undue hardship on him and his family.

PRAYING THAT THE COURT WILL ORDER that the probationer be relieved of the obligation to pay interest accrued on the fine, and that probation be terminated at this time.

### ORDER OF COURT

Considered and ordered this 11<sup>th</sup> day of May, 1989 and ordered filed and made a part of the records in the above case.

Thomas R. Brett  
U.S. District Judge

Respectfully,  
Robert E. Boston  
Probation Officer

Place Tulsa, Oklahoma

Date May 2, 1989

# United States District Court

NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

V.

FRED BENNETT WELCH  
Oklahoma Department of  
Corrections  
Oklahoma City, Oklahoma

(Name and Address of Defendant)

AMENDED

## JUDGMENT IN A CRIMINAL CASE

Pursuant to Order No. 82-2368 From Tenth Circuit  
Court of Appeals filed on February 27, 1989  
Case Number:

82-CR-097-001-C

Fred Bennett Welch, Pro Se  
Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

**FILED**

guilty  nolo contendere] as to count(s) \_\_\_\_\_, and  
 not guilty as to count(s) One (I) **MAY 10 1989**

THERE WAS A:

finding  verdict] of guilty as to count(s) One (I)

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

THERE WAS A:

finding  verdict] of not guilty as to count(s) \_\_\_\_\_  
 judgment of acquittal as to count(s) \_\_\_\_\_

The defendant is acquitted and discharged as to this/these count(s).

THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

Possession of Stolen Mail, 18:1708

IT IS THE JUDGMENT OF THIS COURT THAT:

Defendant sentenced to the custody of the Attorney General  
for a term of five (5) years.

(NOTE: District Court vacates findings of guilt entered in  
Counts, Two, Three and Four. Counts Two, Three and  
Four are dismissed pursuant to Order No. 82-2368 of  
the Tenth Circuit Court of Appeals filed on  
February 27, 1989.)

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of proba-  
tion set out on the reverse of this judgment are imposed.

**CONDITIONS OF PROBATION**

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
- (2) associate only with law-abiding persons and maintain reasonable hours;
- (3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
- (4) not leave the judicial district without permission of the probation officer;
- (5) notify your probation officer immediately of any changes in your place of residence;
- (6) follow the probation officer's instructions and report as directed.

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 the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ N/A pursuant to Title 18, U.S.C. Section 3013 for count(s) N/A as follows:

IT IS FURTHER ORDERED THAT counts \_\_\_\_\_ are DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

The Court orders commitment to the custody of the Attorney General and recommends:

May 10, 1989

Date of Imposition of Sentence

*H. Dale Cook*

Signature of Judicial Officer

H. Dale Cook, Chief U. S. District Judge

Name and Title of Judicial Officer

Date

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_ Date

\_\_\_\_\_, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States Marshal

By \_\_\_\_\_ Deputy Marshal

# United States District Court

MAY 10 1989

NORTHERN DISTRICT OF OKLAHOMA

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

UNITED STATES OF AMERICA

V.

## JUDGMENT IN A CRIMINAL CASE

KENNETH DOUGLAS MOYES  
4139 Bretton Bay  
Dallas, Texas 75287  
SSN: 446-56-0605

Case Number: 89-CR-008-001-B

(Name and Address of Defendant)

Frank McCarthy

Attorney for Defendant

### THE DEFENDANT ENTERED A PLEA OF:

guilty  nolo contendere] as to count(s) 1 and 2 of the Indictment, and  
 not guilty as to count(s) \_\_\_\_\_

### THERE WAS A:

finding  verdict] of guilty as to count(s) 1 and 2 of the Indictment

### THERE WAS A:

finding  verdict] of not guilty as to count(s) \_\_\_\_\_  
 judgment of acquittal as to count(s) \_\_\_\_\_

The defendant is acquitted and discharged as to this/these count(s).

### THE DEFENDANT IS CONVICTED OF THE OFFENSE(S) OF:

- Count 1: Embezzlement from Employee Benefit Plan  
Title 18, United States Code, Section 664
- Count 2: False Statement in Document Required by the Employment  
Retirement Income Security Act of 1974  
Title 18, United States Code, Section 1027

IT IS THE JUDGMENT OF THIS COURT THAT: in Count 1, the imposition of sentence is suspended and the defendant is placed on probation for a period of five (5) years on the condition that four (4) months be spent in a Community Treatment Center in Dallas, TX. The four (4) months placement to begin on May 22, 1989 at 11:00 a.m.

In Count 2 the imposition of sentence is suspended and the defendant is placed on probation for a period of five (5) years.

In addition to the usual conditions, the following Special Condition is ordered: Defendant is to make restitution in the amount of \$472,991.56 as directed by the Probation Office, with relation to Count 1 of the Indictment. Said restitution sum is not dischargeable under the bankruptcy laws of the United States.

In addition to any conditions of probation imposed above, IT IS ORDERED that the conditions of probation set out on the reverse of this judgment are imposed.

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

- (1) refrain from violation of any law (federal, state, and local) and get in touch immediately with your probation officer if arrested or questioned by a law-enforcement officer;
(2) associate only with law-abiding persons and maintain reasonable hours;
(3) work regularly at a lawful occupation and support your legal dependents, if any, to the best of your ability. (When out of work notify your probation officer at once, and consult him prior to job changes);
(4) not leave the judicial district without permission of the probation officer;
(5) notify your probation officer immediately of any changes in your place of residence;
(6) follow the probation officer's instructions and report as directed.

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 the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 100 pursuant to Title 18, U.S.C. Section 3013 for count(s) 1 and 2 of the Indictment as follows:

Count 1 - \$50

Count 2 - \$50

IT IS FURTHER ORDERED THAT counts N/A are DISMISSED on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall pay to the United States attorney for this district any amount imposed as a fine, restitution or special assessment. The defendant shall pay to the clerk of the court any amount imposed as a cost of prosecution. Until all fines, restitution, special assessments and costs are fully paid, the defendant shall immediately notify the United States attorney for this district of any change in name and address.

IT IS FURTHER ORDERED that the clerk of the court deliver a certified copy of this judgment to the United States marshal of this district.

[ ] The Court orders commitment to the custody of the Attorney General and recommends:

May 10, 1989

Date of Imposition of Sentence

Signature of Judicial Officer

Thomas R. Brett, U.S. District Judge

Name and Title of Judicial Officer

Date

RETURN

I have executed this Judgment as follows:

[Blank lines for execution details]

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_ Date

\_\_\_\_\_, the institution designated by the Attorney General, with a certified copy of this Judgment in a Criminal Case.

United States District Court )
Northern District of Oklahoma ) SS

I hereby certify that the foregoing is a true copy of the original on file in this Court.

Jack C. Silver, Clerk

By [Signature] Deputy

United States Marshal

By \_\_\_\_\_ Deputy Marshal

# United States District Court

MAY 10 1989

NORTHERN District of OKLAHOMA

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

UNITED STATES OF AMERICA

V.

## JUDGMENT INCLUDING SENTENCE UNDER THE SENTENCING REFORM ACT

LARRY WAYNE KOICHEVAR

Case Number 88-CR-148-001-E

(Name of Defendant)

Roy "Bud" Byars  
Defendant's Attorney

### THE DEFENDANT:

- pleaded guilty to count(s) One (I)
- was found guilty on count(s) \_\_\_\_\_ after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

| <u>Title &amp; Section</u> | <u>Nature of Offense</u>              | <u>Count Number(s)</u> |
|----------------------------|---------------------------------------|------------------------|
| 21:846 & 841(a)(1)         | Conspiracy to Manufacture Amphetamine | One (I)                |

The defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s) \_\_\_\_\_, and is discharged as to such count(s).
- Count(s) II through V ~~(is)~~(are) dismissed on the motion of the United States.
- The mandatory special assessment is included in the portion of this Judgment that imposes a fine.
- It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of residence or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Defendant's Soc. Sec. Number:

556-06-9028

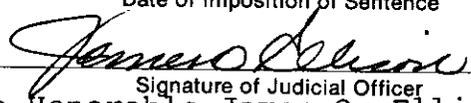
May 10, 1989

Date of Imposition of Sentence

Defendant's mailing address:

c/o Janet Hill  
9179 E. Marshall Place

Tulsa, OK 74115

  
Signature of Judicial Officer

The Honorable James O. Ellison  
United States District Judge

Name & Title of Judicial Officer

Defendant's residence address:

Same as above

Date

Defendant: Larry Wayne Kochevar  
Case Number: 88-CR-148-001-E

Judgment—Page 2 of 4

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of sixty (60) months

The Court makes the following recommendations to the Bureau of Prisons:

That the defendant be confined in an institution with a drug rehabilitation program. Further, that the institution be in California so the defendant can be near his family members.

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district,

at \_\_\_\_\_ a.m.  
p.m. on \_\_\_\_\_ .

as notified by the Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons

before 2 p.m. on \_\_\_\_\_ .

as notified by the United States Marshal.

as notified by the Probation Office.

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_ , with a certified copy of this Judgment.

United States Marshal

By \_\_\_\_\_  
Deputy Marshal

Defendant: Larry Wayne Kochevar  
Case Number: 88-CR-148-001-E

**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of \_\_\_\_\_  
Three (3) years

While on supervised release, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.

Defendant: Larry Wayne Kochevar  
Case Number: 88-CR-148-001-E

United States District Court )  
Northern District of Oklahoma ) SS

I hereby certify that the foregoing  
is a true copy of the original on file  
in this Court.

Jack C. Silver, Clerk

By B.M. Lullough  
Deputy

### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 9) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 10) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 15) That the defendant shall not possess any firearm or other dangerous weapon.  
These conditions are in addition to any other conditions imposed by this Judgment.
- 16) That the defendant participate in a program approved by the U. S. Probation Officer for substance abuse.

# United States District Court **FILED**

NORTHERN District of OKLAHOMA

MAY 10 1989

UNITED STATES OF AMERICA

V.

GEORGE RONALD BRISCOE

JUDGMENT INCLUDING SENTENCE, Clerk  
UNDER THE SENTENCING REFORM ACT

Case Number 88-CR-138-001-C

(Name of Defendant)

James Fransein  
Defendant's Attorney

THE DEFENDANT:

- pleaded guilty to count(s) One (I) and Two (II) of the Indictment.
- was found guilty on count(s) \_\_\_\_\_ after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

| Title & Section | Nature of Offense                           | Count Number(s)      |
|-----------------|---|----------------------|
| 18:2312         | Interstate Transportation of Stolen Vehicle | One (I) and Two (II) |

The defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s) \_\_\_\_\_, and is discharged as to such count(s).
- Count(s) Three (III) (is/are) dismissed on the motion of the United States.
- The mandatory special assessment is included in the portion of this Judgment that imposes a fine.
- It is ordered that the defendant shall pay to the United States a special assessment of \$ 100.00, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of residence or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Defendant's Soc. Sec. Number:  
514-42-2040

Defendant's mailing address:  
P. O. Box 618  
Quapaw, Oklahoma 74363

Defendant's residence address:  
Same as above

May 9, 1989  
Date of Imposition of Sentence

H. Dale Cook  
Signature of Judicial Officer

The Honorable H. Dale Cook  
Chief United States District Judge  
Name & Title of Judicial Officer

May 10, 1989  
Date

Defendant: GEORGE RONALD BRISCOE  
Case Number: 88-CR-138-001-C

Judgment—Page 2 of 5

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of six (6) months

Count One (I) - Six (6) months,

Count Two (II) - Six (6) months to run concurrent with Count One (I),

Both Count One (I) & Two (II) to run concurrent with 89-CR-051-001-C

The Court makes the following recommendations to the Bureau of Prisons:

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district,

at \_\_\_\_\_ a.m.  
p.m. on \_\_\_\_\_.

as notified by the Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons

before 2 p.m. on June 12, 1989.

as notified by the United States Marshal.

as notified by the Probation Office.

RETURN

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

Defendant: GEORGE RONALD BRISCOE  
Case Number: 88-CR-138-001-C

**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of \_\_\_\_\_

Three (3) years

While on supervised release, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.

Defendant: GEORGE RONALD BRISCOE  
Case Number: 88-CR-138-001-C

### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
  - 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
  - 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
  - 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
  - 5) the defendant shall support his or her dependents and meet other family responsibilities;
  - 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
  - 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
  - 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances except as prescribed by a physician;
  - 9) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed or administered;
  - 10) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
  - 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
  - 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
  - 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
  - 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
  - 15) the defendant shall submit to urinalysis as directed by the U. S. Probation Office.
- These conditions are in addition to any other conditions imposed by this Judgment.

Defendant: GEORGE RONALD BRISCOE  
Case Number: 88-CR-138-001-C

RESTITUTION, FORFEITURE, OR  
OTHER PROVISIONS OF THE JUDGMENT

The defendant shall make restitution which shall be equally  
disbursed as directed by the U. S. Probation Office:

- 1) Mid Continent Casualty Company  
P. O. Box 1409  
Tulsa, Oklahoma 74101

In the amount of \$4,738.40

- 2) CNA Insurance Company  
P. O. Box 305123  
Nashville, Tennessee 37230-9924

In the amount of \$8,970.00

FILED

# United States District Court

MAY 10 1989

NORTHERN District of OKLAHOMA

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

UNITED STATES OF AMERICA

V.

## JUDGMENT INCLUDING SENTENCE UNDER THE SENTENCING REFORM ACT

LARRY WAYNE KOCHEVAR

Case Number 89-CR-047-001-E

(Name of Defendant)

Roy "Bud" Byars

Defendant's Attorney

### THE DEFENDANT:

- pleaded guilty to count(s) One (I)
- was found guilty on count(s) \_\_\_\_\_ after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

| Title & Section | Nature of Offense | Count Number(s) |
|-----------------|-------------------|-----------------|
| 18:751          | Escape            | One (I)         |

The defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s) \_\_\_\_\_, and is discharged as to such count(s).
- Count(s) \_\_\_\_\_ (is)(are) dismissed on the motion of the United States.
- The mandatory special assessment is included in the portion of this Judgment that imposes a fine.
- It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of residence or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Defendant's Soc. Sec. Number:

556-06-9028

May 10, 1989

Date of Imposition of Sentence

Defendant's mailing address:

9179 E. Marshall Place

Tulsa, Oklahoma 74115



Signature of Judicial Officer

The Honorable James O. Ellison  
United States District Judge

Name & Title of Judicial Officer

Defendant's residence address:

Same as above

Date

Defendant: Larry Wayne Kochevar  
Case Number: 89-CR-047-001-E

Judgment—Page 2 of 4

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of twenty-four months

The term of imprisonment shall run consecutive to the term of imprisonment imposed in Case No. 88-CR-148-001-E

The Court makes the following recommendations to the Bureau of Prisons:

That the defendant be confined in an institution with a drug rehabilitation program. Further, that the institution be in California, so the defendant can be near his family members.

The defendant is remanded to the custody of the United States Marshal.

The defendant shall surrender to the United States Marshal for this district,

at \_\_\_\_\_ a.m. / p.m. on \_\_\_\_\_.

as notified by the Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons

before 2 p.m. on \_\_\_\_\_.

as notified by the United States Marshal.

as notified by the Probation Office.

**RETURN**

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_, with a certified copy of this Judgment.

United States Marshal

By \_\_\_\_\_  
Deputy Marshal

Defendant: Larry Wayne Kochevar  
Case Number: 89-CR-047-001-E

**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of \_\_\_\_\_  
One (1) year

While on supervised release, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.

Defendant: Larry Wayne Kochevar  
 Case Number: 89-CR-047-001-E

United States District Court )  
 Northern District of Oklahoma ) SS

I hereby certify that the foregoing  
 is a true copy of the original on file  
 in this Court.

Jack C. Silver, Clerk

By B. M. Lullough  
 Deputy

### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 9) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 10) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 15) That the defendant shall not possess any firearm or other dangerous weapons.

These conditions are in addition to any other conditions imposed by this Judgment.

- 16) That the defendant shall participate in a program approved by the U. S. Probation Office for substance abuse.

# United States District Court

NORTHERN District of OKLAHOMA

FILED

MAY 10 1989

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

UNITED STATES OF AMERICA

V.

JUDGMENT INCLUDING SENTENCE  
UNDER THE SENTENCING REFORM ACT

GEORGE RONALD BRISCOE

Case Number 89-CR-051-001-C

(Name of Defendant)

James Fransein

Defendant's Attorney

### THE DEFENDANT:

- pleaded guilty to count(s) One (I) of the Information after a
- was found guilty on count(s) \_\_\_\_\_ after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

| <u>Title &amp; Section</u> | <u>Nature of Offense</u>               | <u>Count Number(s)</u> |
|----------------------------|--|------------------------|
| 18:511. & 2                | Altering Vehicle Identification Number | One (I)                |

The defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found not guilty on count(s) \_\_\_\_\_ and is discharged as to such count(s).
- Count(s) \_\_\_\_\_ (is)(are) dismissed on the motion of the United States.
- The mandatory special assessment is included in the portion of this Judgment that imposes a fine.
- It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, which shall be due immediately.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of residence or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Defendant's Soc. Sec. Number:  
514-42-2040

Defendant's mailing address:

P. O. Box 618  
Quapaw, Oklahoma 74363

Defendant's residence address:  
Same as above

May 9, 1989

Date of Imposition of Sentence

*H. Dale Cook*

Signature of Judicial Officer

The Honorable H. Dale Cook  
Chief United States District Judge

Name & Title of Judicial Officer

May 10, 1989

Date

Defendant: GEORGE RONALD BRISCOE  
Case Number: 89-CR-051-001-C

Judgment—Page 2 of 5

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 6 months to run concurrent with 88-CR-138-001-C.

The Court makes the following recommendations to the Bureau of Prisons:

- The defendant is remanded to the custody of the United States Marshal.
- The defendant shall surrender to the United States Marshal for this district,

at \_\_\_\_\_ a.m. / p.m. on \_\_\_\_\_.

as notified by the Marshal.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons

before 2 p.m. on 06/12/89.

as notified by the United States Marshal.

as notified by the Probation Office.

RETURN

I have executed this Judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_, with a certified copy of this Judgment.

\_\_\_\_\_  
United States Marshal

By \_\_\_\_\_  
Deputy Marshal

Defendant: GEORGE RONALD BRISCOE  
Case Number: 89-CR-051-001-C

**SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of \_\_\_\_\_  
Three (3) years to run concurrent with 88-CR-138-001-C

While on supervised release, the defendant shall not commit another Federal, state, or local crime and shall comply with the standard conditions that have been adopted by this court (set forth on the following page). If this judgment imposes a restitution obligation, it shall be a condition of supervised release that the defendant pay any such restitution that remains unpaid at the commencement of the term of supervised release. The defendant shall comply with the following additional conditions:

- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.

Defendant: GEORGE RONALD BRISCOE  
Case Number: 89-CR-051-001-C

### STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation or supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another Federal, state or local crime;
- 2) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 3) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 4) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 5) the defendant shall support his or her dependents and meet other family responsibilities;
- 6) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 7) the defendant shall notify the probation officer within seventy-two hours of any change in residence or employment;
- 8) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 9) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed or administered;
- 10) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 11) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 12) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 13) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 14) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 15) the defendant shall submit to urinalysis as directed by the U. S. Probation Office. These conditions are in addition to any other conditions imposed by this Judgment.

Defendant: GEORGE RONALD BRISCOE  
Case Number: 89-CR-051-001-C

RESTITUTION, FORFEITURE, OR  
OTHER PROVISIONS OF THE JUDGMENT

The defendant shall make restitution as directed by the U. S. Probation Office in the amount of \$3,388.86 payable to:

State Farm Insurance  
2702 East 32nd Street  
Joplin, Missouri 64803



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

FILED

MAY -4 1989

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

UNITED STATES OF AMERICA, )  
)  
)  
)  
)  
Plaintiff, )  
)  
vs. ) No. 88-CR-69-C  
)  
MARTIN GLEN PERRY, )  
)  
)  
)  
)  
Defendant. )

ORDER

Now before the Court for its consideration is the motion of defendant pursuant to Rule 35 F.R.Cr.P. Defendant was sentenced on September 21, 1988. He was placed on probation for five years and was ordered to pay restitution in the amount of \$2,385.70 to H.U.D. and in the amount of \$20,681.80 to FirstTier Mortgage Company.

Defendant's motion challenges the imposition of restitution to FirstTier Mortgage Company. Defendant asserts that neither he nor the United States Probation Office has been able to determine the basis for the restitution amount.

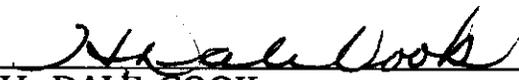
At the Court's request, Supervising U. S. Probation Officer Rod Baker has submitted a memorandum detailing how the calculation was arrived at. Upon review of these materials, which shall be

7

made a part of the record, the Court has determined that the amount of restitution assessed should not be disturbed at this time.

It is the Order of the Court that the motion of the defendant under Rule 35 is hereby DENIED.

*IT IS SO ORDERED* this 4<sup>th</sup> day of May, 1989.

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

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

FILED

MAY -4 1989

CLERK  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 LOUIS "CAP" BRIANT, )  
 )  
 Defendant. )

No. 88-CR-109-01-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 the Indictment and First Superseding Indictment, against LOUIS CAP BRIANT, defendant.

TONY M. GRAHAM  
United States Attorney

  
Assistant United States Attorney

FILED  
MAY 10 1989  
CLERK  
U.S. DISTRICT COURT

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

  
United States District Judge

Date:

NOTE: THIS ORDER IS TO BE MAILED  
BY MOVANT TO ALL COUNSEL AND  
PRO SE LITIGANTS IMMEDIATELY  
UPON RECEIPT.