

entered

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 MINNIE LEE ROGERS,)
)
 Defendant.)

FILED

SEP 28 1990

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

Case No. 89-CR-96-C

ORDER REVOKING PROBATION

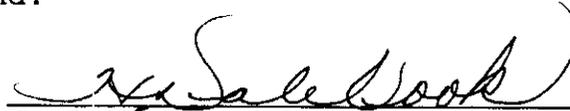
NOW, on this 20th day of September, 1990, this cause comes on for hearing on the Petition for Probation Action filed in open court on September 20, 1990. The defendant is present in person and by counsel, Richard Couch, Assistant Federal Public Defender, and the Government by Susan Pennington, Assistant United States Attorney.

The defendant was heretofore, on October 24, 1989, convicted on her plea of guilty to one count of Uttering a United States Treasury check, in violation of Title 18, United States Code, Section 510(a)(2), and was sentenced on December 18, 1989, to a probationary term of three years, and restitution totaling \$932. As a condition of defendant's probation, she was ordered to participate in an alcohol treatment program at the direction of the United States Probation Office. On July 6, the Probation Office filed a Petition for Probation Action, alleging that the defendant violated the conditions of her probation by failing to report for the months of January through May, 1990.

At the hearing held on July 17, 1990, the defendant confessed to the allegations of the petition and the Court ordered the defendant's sentence of probation to be modified to require her to stay at the Salvation Army for a period of 120 days. In addition, the defendant was ordered to abide by all rules and regulations of the Salvation Army.

Subsequent thereto, the defendant violated the rules and regulations of the Salvation Army, as memorialized in the petition filed September 20, 1990, by committing the following violations: (1) July 18, 1990 - two hours late; (2) July 19, 1990 - four hours and five minutes late, (3) July 22, 1990 - four hours and fifteen minutes late, and (4) July 23, 1990 - one hour and twenty-five minutes late. In addition, the defendant tested positive for alcohol consumption on July 23 and August 24, 1990. Also, in September 15, 1990, the defendant signed out to work from 8:25 a.m. to 7:00 p.m. when, in fact, she was not required to work on such date. Finally, on August 4 and August 25, 1990, the defendant signed out to work and did not appear at her job.

At the hearing, the defendant confessed to the allegations of the petition. Accordingly, the Court finds that the defendant's probation should be revoked. It is hereby ordered that the defendant is sentenced to the custody of the Bureau of Prisons for a term of four (4) months. It is also ordered that the defendant pay a \$50 special monetary assessment for deposit in the Crime Victims' Fund.



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

United States District Court

NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE

GRADY ALLEN McDONALD
1013 Summertree Circle
Plano, TX 75025

Case Number: 90-CR-64-C

FILED

SEP 28 1990

(Name and Address of Defendant)

Sharisse O'Carroll

Jack C. Silver, Clerk

Attorney for Defendant U.S. DISTRICT COURT

THE DEFENDANT ENTERED A PLEA OF:

guilty nolo contendere] as to count(s) One, Two & Three of the Information, and
 not guilty as to count(s) _____

THERE WAS A:

finding verdict] of guilty as to count(s) One, Two & Three 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:

BANK FRAUD
Title 18, United States Code, Section 1344

[Handwritten note:]
I have reviewed the original in file in this Court.

Jack C. Silver, Clerk
By: R. Muller
Deputy

IT IS THE JUDGMENT OF THIS COURT THAT:

As to Count I, the defendant is committed to the custody of the Bureau of Prisons for a period of three years on the condition that six months be spent in a jail-type facility with the execution of the remainder of the sentence of imprisonment suspended and the defendant be placed on probation for a period of 4½ years.

As to Counts II and III, the Imposition of Sentence is Suspended and the defendant is placed on probation for a period of 4½ years to commence upon his release from the custody sentence imposed in Count I. In addition, the defendant is ordered to pay a fine in the amount of \$5,000 for each count for a total of \$15,000, as directed by the U. S. Probation Office.

The execution of the sentence of imprisonment is suspended until November 5, 1990, at 9:00 a.m., at which time the defendant is to surrender to the designated facility.

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 \$ 150 pursuant to Title 18, U.S.C. Section 3013 for count(s) One, Two & Three as follows:

- Count One - \$50
- Count Two - \$50
- Count Three - \$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:

09-19-90

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

FILED

United States District Court

SEP 28 1990

NORTHERN DISTRICT OF OKLAHOMA

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

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE

James Joseph Backward
Rural Route 8, Box 606-A
Claremore, Oklahoma 74017

Case Number: 90-CR-031-008-E

(Name and Address of Defendant)

Ernest Bedford

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

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

THERE WAS A:

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

Interstate Travel to Facilitate a Narcotics Enterprise
Title 18, United States Code, Section 1952

IT IS THE JUDGMENT OF THIS COURT THAT:

The imposition of sentence is suspended and the Defendant is placed on probation for five (5) years.

United States District Court)
Northern District of Oklahoma) SS
I have read the foregoing
plea and judgment and find
it to be in accordance with
the law.

Jack C. Silver, Clerk

By B.M. Cullough
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 \$ 50.00 pursuant to Title 18, U.S.C. Section 3013 for count(s) One of the Information as follows:

As directed by the U.S. Probation Office.

IT IS FURTHER ORDERED THAT counts One of the pending Indictment is ~~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:

September 20, 1990

Date of Imposition of Sentence

James O. Ellison

Signature of Judicial Officer
Honorable James O. Ellison,
U.S. District Judge

Name and Title of Judicial Officer

September 20, 1990

Date

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ Date _____ to _____ at _____

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

United States Marshal

By _____
Deputy Marshal

FILED

United States District Court

Northern District of Oklahoma

SEP 28 1990

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

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE (For Offenses Committed On or After November 1, 1987)

Mark Carden McNutt
(True Name: Markey Carden McNutt)
(Name of Defendant)

Case Number: 89-CR-016-001-C

Tony Laizure

Defendant's Attorney

THE DEFENDANT:

- pleaded guilty to count(s) _____
- was found guilty on count(s) One (I) of the Indictment 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	Date Offense Concluded	Count Number(s)
18:371; & 2512(1)(b)	Conspiracy, Traffic In Counterfeit Access Device	January 31, 1989	One (I)

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 R. Miller
Deputy

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.
- It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s) One (I) of the Indictment, which shall be due immediately as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 448-46-7977

Defendant's Date of Birth: 10-16-48

Defendant's Mailing Address:

149 Spunky Creek Drive
Catoosa, OK 74015

Defendant's Residence Address:

149 Spunky Creek Drive
Catoosa, OK 74015

September 26, 1990

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: McNutt, Mark Carden
Case Number: 89-CR-016-001-C

Judgment—Page 2 of 5**PROBATION**

The defendant is hereby placed on probation for a term of 3½ years.

While on probation, the defendant shall not commit another Federal, state, or local crime, shall not illegally possess a controlled substance, and shall not possess a firearm or destructive device. The defendant also shall comply with the standard conditions that have been adopted by this court (set forth below). 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:

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) 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;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) 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;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) 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;
- 10) 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;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) 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;
- 13) 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.
- 14) **You shall submit to urinalysis as directed by the U. S. Probation Office.**
- 15) **You shall not possess a firearm or other dangerous weapon without the permission of the U. S. Probation Office.**

Defendant: McNutt, Mark Carden
Case Number: 89-CR-016-001-C

FINE

The defendant shall pay a fine of \$ 5,000. The fine includes any costs of incarceration and/or supervision.

This amount is the total of the fines imposed on individual counts, as follows:

Count 1: \$5,000

The court has determined that the defendant does not have the ability to pay interest. It is ordered that:

- The interest requirement is waived.
- The interest requirement is modified as follows:

This fine plus any interest required shall be paid:

- in full immediately.
- in full not later than _____.
- in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- in installments according to the following schedule of payments:

To be paid as directed by the United States Probation Office.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: McNutt, Mark Carden
 Case Number: 89-CR-016-001-C

Judgment—Page 4 of 5

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Satellite Broadcasting and Communications Associations of America c/o Deppish Kirkland, Special Counsel and Director, Anti-Privacy Task Force 225 Reinkers Lane, Suite 600 Alexandria, Virginia 22314	\$5,000

Payments of restitution are to be made to:

- the United States Attorney for transfer to the payee(s).
- the payee(s).

Restitution shall be paid:

- in full immediately.
- in full not later than _____.
- in equal monthly instalments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- in installments according to the following schedule of payments:
 as directed by the United States Probation Office.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

FORFEITURE

The defendant is ordered to forfeit the following property to the United States:

Defendant: McNutt, Mark Carden
 Case Number: 89-CR-016-001-C

Judgment—Page 5 of 5

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 09

Criminal History Category: I

Imprisonment Range: 4 to 10 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 1,000 to \$ 210,000

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ 5,000

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):

All defendants are charged with the same offense stemming from the same set of facts. Because codefendants Kukral, Baker and Wilson pled guilty to misdemeanor offenses by reason of a plea agreement to an offense occurring prior to the effective date of the Sentencing Reform Act of 1984, it would be prejudicial to the defendant to sentence him by the guideline standards because he exercised his constitutional right to jury trial. Therefore, the Court believes a downward departure is warranted.

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BILLY L. FRAZIER,

Defendant.

No. 89-CR-124-01-E

FILED

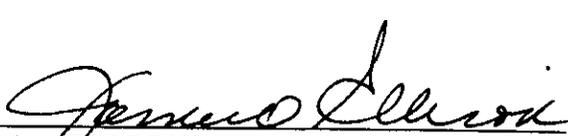
SEP 25 1990

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

ORDER

The Court has before it for consideration the motion of the Defendant, Billy L. Frazier for a reduction of sentence pursuant to Rule 35 of the Federal Rules of Criminal Procedure. This Court sentenced Defendant on March 2, 1990 on a conviction subject to the 1984 amendments to Fed.R.Crim.P. 35. Pursuant to those amendments the Court is without jurisdiction to modify or reduce the terms of a sentence upon the motion of Defendant.

It is so ORDERED this 25th day of September, 1990.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

FILED

United States District Court

SEP 21 1990

NORTHERN District of OKLAHOMA

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

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE (For Offenses Committed On or After November 1, 1987)

V.

TROY T. COLEMAN

Case Number: 89-CR-090-003-C

(Name of Defendant)

William Hughes

Defendant's Attorney (United States District Court) SS

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

after a
Jack C. Silver, Clerk

By *R. Miller*
Deputy

THE DEFENDANT:

- pleaded guilty to count(s)
- was found guilty on count(s) One & Two of the Indictment plea of not guilty.

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

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21 USC 846	CONSPIRACY	03-11-89	1
21 USC 841(a)(1)	POSSESSION WITH INTENT TO DISTRIBUTE CONTROLLED SUBSTANCE (COCAINE BASE)	03-11-89	2

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) Three of the Indictment and is discharged as to such count(s).
- Count(s) _____ (is)(are) dismissed on the motion of the United States.
- It is ordered that the defendant shall pay a special assessment of \$ 100, for count(s) One & Two of the Indictment, which shall be due immediately as follows: (\$50 per count)

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 570-27-5584

Defendant's Date of Birth: 09-28-66

Defendant's Mailing Address:
176 W. 8th, Apt. 209
San Bernardino, CA 92408

Defendant's Residence Address:
176 W. 8th, Apt. 209
San Bernardino, CA 92408

19 September 1990

Date of Imposition of Sentence

Signature of Judicial Officer
H. Dale Cook, Chief
U. S. District Judge

Name & Title of Judicial Officer

Date

Defendant: COLEMAN, TROY T.
Case Number: 89-CR-090-003-C

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 360 months - Count One
360 months - Count Two

Said sentences to run concurrently.

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 United States 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: COLEMAN, TROY T.
Case Number: 89-CR-090-003-C

Judgment—Page 3 of 4

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of _____
ten (10) years for each count, to run concurrently.

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). 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 report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- The defendant shall not possess a firearm or destructive device.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) 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;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) 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;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) 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;
- 10) 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;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) 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;
- 13) 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.
- 14) the defendant shall submit to urinalysis as directed by the U. S. Probation Office.

Defendant: COLEMAN, TROY T.
Case Number: 89-CR-090-003-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 38

Criminal History Category: V

Imprisonment Range: 360 to Life months

Supervised Release Range: to 10 years as to each count.

Fine Range: \$ 25,000 to \$ 16,000,000

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):

United States District Court

NORTHERN District of OKLAHOMA

UNITED STATES OF AMERICA

V.

Stacey Young

(Name of Defendant)

JUDGMENT IN A CRIMINAL CASE (For Offenses Committed On or After November 1, 1987)

Case Number: 90-CR-057-002-C

United States District Court)
Northern District of Oklahoma) SS

Steven Greubel

Defendant's Attorney

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

Jack C. Silver, Clerk

R. Miller
Deputy

THE DEFENDANT:

- pleaded guilty to count(s) _____
- was found guilty on count(s) One of the Indictment
plea of not guilty.

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

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:371 and 20:1097	Conspiracy to Defraud U.S. Government/ Use of Forgery To Obtain Student Assistance Funds	6/2/90	One

FILED

SEP 21 1990

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

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.
- It is ordered that the defendant shall pay a special assessment of \$ 50.00, for count(s) One of the Indictment, which shall be due immediately as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 572-43-1234

Defendant's Date of Birth: 9/13/64

Defendant's Mailing Address:

3122 Damascus Rd. #S3
Augusta, Georgia 30909

Defendant's Residence Address:

Same

September 19, 1990

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: YOUNG, Stacey
Case Number: 90-CR-057-002-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 13 months

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.
- at _____ p.m. on _____
- as notified by the United States marshal.

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

- ~~before 20:00:00~~ November 5, 1990, at 9:00 a.m.
- 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: YOUNG, Stacey
 Case Number: 90-CR-057-002-C

SUPERVISED RELEASE

De
 C 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 not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). 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 report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- The defendant shall not possess a firearm or destructive device.

Defendant shall make regular installment payments as directed by the U.S. Probation Office, until restitution in the amount of \$15,605.51 has been paid in full.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) 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;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) 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;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) 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;
- 10) 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;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) 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;
- 13) 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.
- 14) You shall submit to urinalysis as directed by the U.S. Probation Office.

Defendant: YOUNG, Stacey
Case Number: 90-CR-057-002-C

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Although the Indictment specifies that the total amount of the stolen checks was \$15,606.43, the three victim institutions are claiming a total loss of \$15,605.51. The three victim lending institutions and their reported losses are as follows:	

Stillwater National Bank ATTN: Tina Swafford P.O. Box 1986 Stillwater, OK 74076	-	\$4,830.92
--	---	------------

First Interstate Bank of Oklahoma %Kristine Early 8115 Knue Road Indianapolis, IN 42650	-	\$3,429.57
--	---	------------

Bank of Horton ATTN: Edith Allen 108 E. 8th St. Horton, KS 66439-1736	-	\$3,429.57
--	---	------------

Payments of restitution are to be made to:

- the United States Attorney for transfer to the payee(s).
- the payee(s).

Restitution shall be paid:

- in full immediately.
- in full not later than _____.
- in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- in installments according to the following schedule of payments:

In installments at a rate to be determined by the U.S. Probation Office until restitution in the amount of \$15,605.51 has been paid in full.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

FORFEITURE

The defendant is ordered to forfeit the following property to the United States:

Defendant: YOUNG, Stacey
Case Number: 90-CR-057-002-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 13

Criminal History Category: I

Imprisonment Range: 12 to 18 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 3,000 to \$ 30,000

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ 15,605.43

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):

VP

United States District Court

NORTHERN District of OKLAHOMA

UNITED STATES OF AMERICA
V.

JUDGMENT IN A CRIMINAL CASE (For Offenses Committed On or After November 1, 1987)

Case Number: 90-CR-062-001-C

ANDREW BURKES
(Name of Defendant)

Stephen Gruebel, FPD (United States District Court Northern District of Oklahoma) SS

Defendant's Attorney by certify that the foregoing is a true copy of the original on file in this Court.

Jack C. Silver, Clerk after a
By B. Miller Deputy

THE DEFENDANT:

- pleaded guilty to count(s) One of the Indictment
- was found guilty on count(s) _____ plea of not guilty.

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

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:511(a)	Removal of Motor Vehicle Identification Numbers	July 26, 1988	One (1)

FILED

SEP 21 1990

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

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 of the Indictment (is)(are) dismissed on the motion of the United States.
- It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s) One of the Indictment, which shall be due immediately as follows:

As directed by the probation officer.

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 587-32-5199

Defendant's Date of Birth: 11-20-49

Defendant's Mailing Address:
2564 East 48th Street North
Tulsa, Oklahoma 74130

Defendant's Residence Address:

SAME AS ABOVE

September 18, 1990
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

September 18, 1990

Date

Defendant: BURKES, Andrew
Case Number: 90-CR-062-001-C

Judgment—Page 2 of 3**PROBATION**

The defendant is hereby placed on probation for a term of 36 months.

While on probation, the defendant shall not commit another Federal, state, or local crime, shall not illegally possess a controlled substance, and shall not possess a firearm or destructive device. The defendant also shall comply with the standard conditions that have been adopted by this court (set forth below). 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:

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) 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;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) 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;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) 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;
- 10) 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;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) 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;
- 13) 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.

Defendant: BURKES, Andrew
Case Number: 90-CR-062-001-C

Judgment—Page 3 of 3

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 6

Criminal History Category: I

Imprisonment Range: 0 to 6 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 500 to \$ 5,000

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):

FILED

IN THE UNITED STATES DISTRICT COURT SEP 20 1990
FOR THE NORTHERN DISTRICT OF OKLAHOMA

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

UNITED STATES OF AMERICA)
)
 Plaintiff,)
)
 vs.)
)
 ANTHONY J. DIGERONIMO)
)
 Defendant.)

No. 89-CR-153-001-B

O R D E R

Before the Court is Defendant Anthony J. Digeronimo's Motion for Reduction of Sentence pursuant to Fed.R.Cr.P. 35(b). Defendant was sentenced on March 29, 1990 to eighteen months incarceration and four years probation. The underlying objective of Rule 35 is to "give every convicted defendant a second round before the sentencing judge, and [afford] the judge an opportunity to reconsider the sentence in the light of any further information about the defendant or the case which may have been presented to him in the interim." United States v. Ellenbogen, 390 F.2d 537, 543 (2d Cir. 1968).

Upon further consideration and for good cause shown, it is hereby ORDERED that Defendant's term of imprisonment be reduced from eighteen months to eight months, with four years probation.

DATED, this 20th day of September, 1990.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

revokes the defendant's probation and commits him to the custody of the Bureau of Prisons for a period of eight (8) months, to be followed by a three (3) year term of supervised release. In addition, the defendant is ordered to pay \$500 restitution in installments as directed by the U.S. Probation Office, and to pay a special monetary assessment of \$50 for deposit in the Crime Victims' Fund.

Dated this 18th day of September, 1990.



JAMES O. ELLISON
U.S. District Judge

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

FILED

SEP 17 1989

JAMES S. STANLEY, CLERK
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
LATHAN E. WILLEFORD,)
)
Defendant.)

No. 85-CR-149-C
89-c-68-C

ORDER

Before the Court is defendant's motion under 28 U.S.C. §2255 challenging his 1986 conviction to manufacture amphetamine and interstate travel in aid of racketeering. Defendant's conviction was upheld by the Tenth Circuit Court of Appeals on August 28, 1987.

Defendant moves for relief under §2255 alleging (1) his sentence was based on false information contained in the Presentence Report, (2) failure of the Court to properly instruct the jury on hearsay evidence, (3) insufficient evidence to support conviction, (4) illegal search and seizure, and (5) ineffective assistance of counsel at trial and sentencing.

Grounds (2) through (5) are precluded from review in a federal habeas corpus proceeding for failure of petitioner to raise these issues on direct appeal following his sentencing on June 26, 1986. As stated in Peoples v. United States, 365 F.2d 284, (10th Cir. 1966):

Section 2255 may not be used as a substitute for a direct appeal. It is only where the judgment was rendered without jurisdiction, the sentence imposed was not authorized by

93/8

law, or there was such a denial or infringement of the constitutional rights of the prisoner as to render the judgment vulnerable to collateral attack, that a motion to vacate will lie under §2255.

Therefore the only issue which arguably has not been waived and is available for collateral review is that contained in defendant's first ground for relief, i.e., alleged inaccurate information contained in the Presentence Report and statements made by the prosecutor during sentencing.

Defendant contends the following statement made by the prosecutor at the sentencing resulted in the Court imposing a harsher sentence due to the alleged inaccuracy.

The second aggravating factor is the type of drug in this instance. It's methamphetamine, and in methamphetamine cases I feel like perhaps in the past I haven't done a good enough job informing the Court of the dangers of methamphetamine I don't feel five years is enough for this particular crime because methamphetamine is so dangerous.

Defendant was charged and convicted of manufacturing amphetamine rather than methamphetamine. Defendant contends that at no time during sentencing was the correct drug named by the prosecutor in his comments to the Court. Defendant contends his sentence was more harsh because of this inaccurate information.

Defendant's contention is without merit. There is very little technical difference in the two drugs. Amphetamine and methamphetamine are both Schedule II non-narcotic drugs. Both are treated identically under the Parole Commission guidelines, then in effect. Both carry the same maximum penalty under law, and both are highly dangerous drugs.

The Presentence Report¹ lists the offense as involving amphetamine and it is the Presentence Report that is viewed by the

¹Addendum No. 1, attached

Court prior to sentencing. Therefore, the mere fact that the prosecutor referenced the drug methamphetamine, rather than amphetamine, did not alter the sentence that was imposed by the Court.

Additionally, the defendant contends that the Presentence Report contained inaccurate information. He states that when he informed his attorney of the inaccuracies, his attorney told him "not to worry" about the inaccuracies.

A habeas corpus petition is an inappropriate forum for objecting to matters contained in the Presentence Report. This Court provides ample safeguards for defendants to inform the Court of any objections. The Presentence Report has a separate section permitting the defendant to provide his version of the facts. Defendants are informed by the probation officer that they can formally file objections to the Presentence Report, and that this pleading will be reviewed by the Court prior to sentencing. Defendants are required to personally sign a form² indicating that they have read the Presentence Report and that it is accurate and correct.

At the time of sentencing in open court, the Court inquires directly of the defendant whether he has read the Presentence Report and whether it is accurate and correct.³ To each of these questions, the defendant therein answered "Yes, sir."

² *Addendum No. 2, attached.*

³ *Copy of sentencing transcript attached as Addendum No. 3.*

The defendant now comes before the Court seeking habeas relief, advising the Court, in essence, that his prior comments to the Court were perjured. He asserts that his attorney advised him not to object, and that he remained silent on advice of counsel.

At this juncture, the Court is faced with evaluating which statements of the defendant are perjured, since they are contradictory. At sentencing the Court provided defendant an opportunity to state any further additional information he wished the Court to consider in imposing sentencing. If at that moment the defendant does not impose his objections to the Presentence Report, the Court will not permit a defendant to use post judgment relief to impose the same. The Court must be able to rely on the responses given by defendants to specific inquiries of the Court in order for the Court to properly conduct the proceedings, make informed determinations and enter a final judgment. Absent extraordinary circumstances, not shown in this case, the Court will not inquire into matters involving private communications between criminal defendants and their attorneys which are inconsistent with statements by the defendant in open court.

Accordingly, defendant's motion pursuant to 28 U.S.C. §2255 is hereby DENIED.

IT IS SO ORDERED this 17th day of September, 1990.


H. DALE COOK

Chief Judge, U. S. District Court

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA
PRESENTENCE REPORT

NAME (Last, First, Middle) WILLEFORD, Lathan E.					DICTION DATE June 6, 1986
ADDRESS Chaparral West Parker County, TX 76108			LEGAL RESIDENCE		SCHEDULED SENT. DATE June 19, 1986
AGE 50			RACE White	DATE OF BIRTH 08-11-35	DOCKET NO. 85-CR-149-01
MARITAL STATUS Married			PLACE OF BIRTH Italy, TX	SEX Male	CITIZENSHIP United States
FBI NO. 636-294-C			DEPENDENTS 4 - Wife and 3 children		EDUCATION Nine (9) Years
OFFENSE			U.S. MARSHAL NO. 05454-062		SOC. SEC. NO. 458-52-8249
Count 1: Conspiracy to Manufacture Amphetamine; Title 18, United States Code, Section 846					OTHER IDENTIFYING NO. TX DOC - 00790486
Counts 4, 5, 6 and 8: Interstate Travel in Aid of Racketeering; Title 18, United States Code, Section 1952					

PENALTY
Count 1: 15 Years and/or \$250,000, plus a \$50 Special Monetary Assessment
Counts 4, 5, 6 and 8: 5 Years and/or \$250,000, plus a \$50 Special Monetary Assessment as to each count. Total: 35 Years and/or \$500,000, plus \$250 in Special Monetary Assessments

CUSTODIAL STATUS At liberty on \$25,000 Surety Bond since November 22, 1986	DATE OF ARREST November 22, 1986
---	--

PLEA

Not Guilty

VERDICT

Guilty of Counts 1, 4, 5, 6 and 8

DETAINEES OR CHARGES PENDING

None

OTHER DEFENDANTS

Leon Benjamin Coleman - Set for Sentencing on June 19, 1986

ASSISTANT U.S. ATTORNEY Mr. Keith Ward	DEFENSE COUNSEL Mr. Charles Roach (Retained) 1300 Summit Avenue, Suite 400 Ft. Worth, TX 76102 Telephone: (817) 332-1333
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DISPOSITION

SENTENCING JUDGE The Honorable H. Dale Cook, Chief United States District Judge	DATE June 19, 1980	PROBATION OFFICER Robert E. Boston
--	------------------------------	--

OFFENSE:

Prosecution Version. On May 15, 1986, the defendant, Lathan E. Willeford, was convicted by a jury of Counts One, Four, Five, Six and Eight, of an eight-count Indictment which charged that he and codefendant, Leon Benjamin Coleman, participated together in a clandestine amphetamine manufacturing enterprise between July and November, 1985, in the Northern District of Oklahoma and elsewhere. Count One charged both defendants with Conspiracy to Manufacture Amphetamine, in violation of Title 21, United States Code, Section 846. Count Four charged both defendants with Interstate Travel in Aid of Racketeering in violation of Title 18, United States Code, Section 1952. Counts Five, Six and Eight charged only Willeford with Racketeering violations. Counts Three and Seven charged only Coleman with Racketeering violations. Count Two, which was dismissed by the Court, charged both defendant's with Conspiracy to Possess and Distribute Amphetamine.

Evidence presented at trial revealed that during the summer of 1985, Willeford and Coleman made several trips from Texas to a chemical business in Tulsa where they purchased chemicals, glassware and other supplies used to manufacture amphetamine. The Government presented a witness who was a salesman at the chemical outlet. This witness testified to the purchases made by Willeford and Coleman, and to conversations he had with the men during which they discussed their illegal enterprise. Willeford told the witness that he was the man in charge of their operation from start to finish. During one visit to the business, Willeford asked the salesman what Coleman had purchased the previous day. Willeford told the witness that if they were caught with glassware and chemicals, they could be charged with attempt to manufacture. On one visit to the chemical company, Coleman ordered a pair of gloves. He told the salesman that he had been burned in a manufacturing accident and wanted to avoid a similar injury. On September 25, 1985, Willeford was followed by agents from Tulsa, where he had purchased some chemicals, to his home near Fort Worth. Willeford spotted the surveillance team and led them on a long circuitous route in the area. The agents finally stopped his vehicle. They told Willeford they knew he had all the chemicals in his possession needed to manufacture amphetamine. Willeford told the agents they were mistaken, that he lacked two of the required chemicals. The agents searched his vehicle and discovered Willeford was correct. On the same date, agents searched Willeford's property. They found diluents and repackaging materials associated with amphetamine manufacturing and distribution. After this, Willeford called the chemical salesman in Tulsa and told him about the incident and warned the salesman that their place was "hot." Later, Coleman went to a chemical company in Houston where he purchased more precursor chemicals.

DEA Agents calculated that the products purchased by Willeford and Coleman, if efficiently used, would have produced 380 pounds of amphetamine having a street value of \$16,000 per pound, or a total of \$6,080,000.

Victim Impact Statement. Restitution is not applicable in this case.

Defendant's Version. Willeford said that he was hired by Bob Madison and Sherry Little to purchase chemicals, glassware, and other supplies for them. He admitted that he knew what the chemicals would be used for but that he "didn't ask questions." Willeford claimed that he didn't know Coleman, and had never seen him until their trial. He said that he didn't think it was illegal to do what he did.

PRIOR RECORD:

Adult Record.

<u>Age</u>	<u>Charge</u>	<u>Place</u>	<u>Disposition</u>
32	02-02-68, Burglary with Intent To Commit Theft	Ector County, TX	Pleaded guilty 08-19-68. Sentenced to 4 years, suspended for 4 years probation. Rep. by Jack Tidwell.

No details of this offense were available. The records reflected that Willeford was arrested on March 18, 1971, for Auto Theft and Probation Violation. The Auto Theft charge was dismissed on June 3, 1971. He was then sentenced to serve two to four years in custody. He was represented by counsel at the revocation hearing. The records showed that Willeford posted an appeal bond. The next item that could be found concerning his criminal history is the following entry.

35	06-08-71, Burglary with Intent to Commit Theft	Johnson County, TX	Convicted. Sentenced to 6 years. Rep. by Counsel.
----	---	-----------------------	---

The defendant reported that he stole a new El Camino from a dealership in Cleburne, Texas, and was arrested in the vehicle moments after he took it.

36	09-02-71, Burglary with Intent to Commit Theft	Greenville, TX (Hunt County)	Convicted. Sentenced to 6 years. Paroled 03-07-74. Rep. by Counsel.
----	---	---------------------------------	--

Willeford said that he was arrested for burglarizing a tire store. The sentence in this case ran concurrently with the Johnson County case.

47	02-02-82, Theft over \$200 under \$10,000	Fort Worth, TX	Convicted. Sentenced to 6 years custody. Rep. by Counsel. Paroled 09-07-83. Discharge date 02-06-88.
----	---	----------------	--

Willeford said that he was arrested while in possession of a stolen pickup, which was being "cut up" at his shop.

Willeford has several more arrests on his record. They resulted in dismissals, no prosecution, or the dispositions were not clear.

PERSONAL AND FAMILY DATA:

Defendant. Willeford was born in Italy, Texas, on August 11, 1935. He was the only surviving child of parents who enjoyed a good relationship and provided a good home for their son. Willeford reported that he grew up in the Fort Worth area, and that he experienced no significant problems as a youngster. He dropped out of school at age 16, and left home at age 17 when he joined the Air Force. Willeford makes his home in a rural area outside Fort Worth where he lives with his wife, a son, a daughter and one stepson.

Parents and Siblings. The defendant's father, Johnnie James Willeford, died at age 62 in 1969. He had worked as a heavy equipment operator. The defendant's mother, Billie Louise nee Mitchell, died at age 70 in 1985. She spent most of her adult life working in factories. The couple had one other son who died in infancy.

Marital. Nancy Jean Malloy and the defendant were married from 1956 until 1958. They had a son, Paul Thomas, who would be 29 years of age now. Willeford has never seen the son. The defendant married Linda Fletcher in 1969, and divorced her in 1974. They had a daughter, Kissia, age 15, who lives with her father. In 1975, Nancy Waits married Willeford. They had a son, Lathan Jr., age 10, who lives with his father. Nancy was divorced from Willeford in 1984. She is now in a Texas prison. On January 6, 1985, Martha Roseman married Willeford. She has a 14 year old son, Johnny Moore, who lives with his mother and the defendant.

Education. Willeford reported that he completed the ninth grade at North Side High School in Fort Worth in 1951. He also said he received his GED Certificate in 1956, at the University of New Mexico.

Employment.

1/84 to Present	Auto Bumper Company Fort Worth, TX	Sales and Delivery, Earns \$275 weekly.
9/83 to 1/84	Underwood Tire Company Fort Worth, TX	Sales and Service, \$200 weekly.
2/79 to 2/81	North Main Auto Salvage Fort Worth, TX	Part Owner, \$150 weekly.
3/74 to 2/79	Willeford Tire Service Fort Worth, TX	Owner, \$250 weekly.

HEALTH:

Physical. The defendant is 6'2" tall and weighs 250 pounds. He has blue eyes and gray hair. Willeford has numerous scars on his hands and a long surgical scar on his abdomen. He lost his spleen from injuries sustained in an auto accident in 1962. Willeford said that he does not use drugs or alcohol.

Mental and Emotional. Willeford presents no symptoms of mental or emotional problems.

MILITARY SERVICE:

Willeford said that he joined the Air Force in September, 1952, and was honorably discharged four years later.

FINANCIAL CONDITION: (According to defendant)

<u>Assets.</u>		<u>Liabilities.</u>	
Home and 12 acres	\$150,000	Sharon Ainsworth	\$20,000
Home in Fort Worth (3147 Oscar)	50,000	Merchant's Bank of Fort Worth	<u>40,000</u>
½ Interest in Home (Mother's home)	20,000		
1983 AMC Eagle	4,200		
Old Cars	3,550		
Jewelry	2,000		
Home Furnishings	5,000		
Building on 3 Acres (in Parker County)	<u>50,000</u>		
Totals:	\$284,750		\$60,000
	Net Worth:	\$224,750	

EVALUATION:Probation Officer's Assessment.

The Court has for sentencing a 50 year old Texas native and resident, who was found guilty by a jury of participating in a very large scale amphetamine manufacturing enterprise. Evidence produced at the trial makes it apparent that Willeford was the organizer and manager of the operation. Willeford denied being involved in manufacturing or distributing drugs, but admitted that he knew the chemicals he was purchasing would be used to make drugs. This defendant has served two previous prison sentences and obviously was not deterred enough to prevent him from further criminal activity. He is viewed to be an individual bent on bettering himself regardless of what effect he has on society.

Supervision Plan. When the defendant comes under the supervision of the probation office he should be classified for special, high activity supervision. His financial condition, travel, associates, and use of leisure time should be closely monitored.

Parole Guideline Data.

(Estimate) Offender Characteristics (SFS): 4; Offense Category: 7; Adult Guideline Range: 78-110 months.

Sentencing Data. The following information was obtained from the Statistical Analysis and Reports Division of the Administrative Office of the U. S. Courts for 19 85 . (The data could contain statistical errors and it is provided only to give a national or district pattern.)

Offense: Conspiracy to Manufacture Amphetamine; Title 21, USC, Section 846
Interstate Travel in Aid of Racketeering; Title 18, USC, Section 1952

	NATIONAL		DISTRICT: ND/OK	
	NUMBER	PERCENT	NUMBER	PERCENT
Total defendants sentenced:	1248		24	
Imprisonment:	1027	82	24	100
1-12 months:	58	5	0	
13-35 months:	168	14	1	
36-59 months;	232	19	7	4
60 months and over:	341	27	3	13
Average number of months of imprisonment:	70.1		58.4	
Split Sentence:	148	12	7	29
Indeterminate:	69	6	4	17
YCA:	11	1	2	8
Probation:	209	17	0	
Average number of months:	46.6		0	
Fine only:	3		0	
Other:	9		0	

Special Sentencing Provisions. \$250 in Special Monetary Assessments.

Respectfully submitted,

Robert E. Boston

Robert E. Boston,
U. S. Probation Officer



WILLEFORD, LATHAN E.
Docket No. 85-CR-149-01

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

UNITED STATES OF AMERICA,

Plaintiff

VS.

Lathan E. Willeford
Defendant

Criminal Case

No. 85 CR 149-02

NOTICE REGARDING PRESENTENCE REPORT

By direction of the Court you are hereby notified that the defendant and counsel for the defendant are to read the presentence report in this case ten (10) days prior to sentence date.

You are hereby notified to appear in the U. S. Probation Office, Room 460, Federal Building, 333 West Fourth Street, Tulsa, Oklahoma, to read the presentence report concerning the above named defendant at 2:00 PM o'clock on June 9, 1986.

RE Boston

U. S. Probation Officer

5-15-86

Date

Acknowledged:

Lathan E. Willeford

Defendant

5-15-86

Date

Robert H. Paul

Attorney

5-15-86

Date

Addendum No. 2

1
2
3 IN THE UNITED STATES DISTRICT COURT
4 FOR THE NORTHERN DISTRICT OF OKLAHOMA

5
6 UNITED STATES OF AMERICA

7
8 Plaintiff,

9 VS

10 LATHAN E. WILLEFORD,

11 Defendant.

FILED

JUN 27 1987

Jack C. Silver, Clerk
U.S. DISTRICT COURT
No. 85-C-149 ✓
85-C-149-C

12
13 TRANSCRIPT OF SENTENCING

14 HAD ON JUNE 26TH, 1986

15 BEFORE THE HONORABLE H. DALE COOK, CHIEF JUDGE

16
17 APPEARANCES:

18 For the Plaintiff:

19 Mr. Keith Ward
20 Assistant U.S. Attorney
21 3600 Federal Bldg.
22 333 W. 4th St.
23 Tulsa, Ok. 74103

24 For the Defendant:

25 Mr. Charles Roach

Additional 1b.3

1 PROCEEDINGS

2 THE COURT: 85 Criminal 149, United States of America
3 versus Lathan E. Willeford, matter comes on for sentencing.
4 You are Lathan E. Willeford?

5 THE DEFENDANT: Yes, sir.

6 THE COURT: Do you know of any reason why the Court
7 shouldn't pronounce sentence?

8 THE DEFENDANT: No, sir.

9 THE COURT: Have you read the presentence report, and
10 is it accurate and correct?

11 THE DEFENDANT: Yes, sir.

12 THE COURT: Mr. Roach, do you know of any reason why
13 the Court shouldn't pronounce sentence?

14 MR. ROACH: No, sir.

15 THE COURT: And have you read the presentence report?

16 MR. ROACH: Yes, sir.

17 THE COURT: Is it accurate and correct?

18 MR. ROACH: Yes, sir.

19 THE COURT: Mr. Ward, I will be pleased to hear
20 anything you have to say before sentencing.

21 MR. WARD: Thank you, Your Honor. I have had an
22 opportunity to read the presentence report. I find it to be
23 accurate and correct also. I do have just a few words I'd like
24 to give to the Court. As I came up to -- prepared to come up
25 to Court today, I recall when I first started as a United

1 States prosecutor, almost three years ago under Mr. Keating, I
2 remembered on one particular occasion during a staff meeting
3 Mr. Keating said, We're winning trials, but we're losing at
4 sentencing. We're not being prepared for sentencing. We're
5 not giving the courts enough information to get some of the
6 sentences that some of the defendants deserve. And with that
7 thought in mind, Your Honor, I reflected on this particular
8 case. It's not -- the typical case in this Courtroom, might be
9 a person buying, manufacturing, or selling ounces, pounds,
10 kilograms of marijuana, cocaine, or methamphetamine. And many
11 times there are mitigating factors, the age of the person, the
12 fact that they are a first offender, or the fact that they're
13 from extremely low socio-economic levels which, if you will,
14 might mitigate their -- their crime somewhat, but in this
15 particular case -- this is an atypical case, and I have
16 identified what I believe to be three very aggravating factors
17 in this case. I'll -- I'll go through this laundry list of --
18 of the factors if you -- if the Court please, only one time. I
19 won't repeat it when Mr. Coleman comes on for sentencing
20 because I think they're applicable to both defendants.

21 First of all, the person in this particular instance,
22 these two defendants epitomize the cold blooded drug dealer of
23 today's society. They are a -- a -- grown men. They're old
24 enough to know better. They can't blame it upon their youth,
25 their naivete. They're both ex-convicts. They've been to

1 prison. They've been convicted of felonies, and even Mr.
2 Willeford admits that he gained much of his knowledge, much of
3 his expertise in this area from what he learned in prison, so
4 he had a long time to reflect on -- on this before he ever
5 engaged in it. And these people are not users as far as I can
6 determine, as far as the presentence report indicates. They
7 just don't have the look of users, if you will, in that -- that
8 they simply manufacture for their own profit, greed, money.

9 The second aggravating factor is the type of drug in this
10 instance. It's methamphetamine, and in methamphetamine cases I
11 feel like perhaps in the past I haven't done a good enough job
12 informing the Court of the dangers of methamphetamine. I
13 recall also, about a year or so ago I tried a continuing
14 criminal enterprise case before Judge Brett, which is
15 methamphetamine laboratory, and at that particular time, in
16 November of '84 -- the acts had been committed prior to -- the
17 maximum punishment was five years in prison, and when the co-
18 conspirators came on for sentencing, I told Judge Brett, I
19 said, I think personally Congress is wrong. I don't think five
20 years is enough for this particular crime because
21 methamphetamine is so dangerous, so debilitating to its users.
22 And Judge Brett found my comments interesting but gratuitous in
23 that the law was different. Well, since that time, in fact a
24 year -- a month prior to the time I made those comments,
25 Congress had already changed methamphetamine manufacture from a

1 five year felony to a fifteen year felony. Congress has
2 recognized the dangerousness of methamphetamine and there's an
3 old saying which Your Honor is familiar with, that is
4 applicable in this case. Speed kills. Speed, methamphetamine,
5 is in my opinion, the most dangerous of all drugs.

6 The third aggravating factor is the amount of drugs that
7 these defendants apparently, which the jury found beyond
8 reasonable doubt, conspired to manufacture. You'll recall I
9 believe, testimony of Special Agent Coonse, who testified -- or
10 I don't believe he testified, but I said after the conviction,
11 that -- or perhaps he did testify, but in any case he said that
12 the way you determine how much methamphetamine can be
13 manufactured is by dividing the amount of -- of phenylacetic
14 acid -- acid approximately by four because it cooks down to --
15 a -- a -- the P2P and then down to methamphetamine and in this
16 case these defendants purchased a total of one thousand five
17 hundred and forty pounds of phenylacetic acid. That's almost a
18 ton of phenylacetic acid. And if you divide that number by
19 four, you come with three hundred and eighty-five, which would
20 be the pounds -- the approximate pounds that that amount of
21 phenylacetic acid would yield. Simple mathematics, the street
22 price of uncut methamphetamine on the street is sixteen
23 thousand dollars and that totals about six million dollars
24 worth of methamphetamine, if they were reasonably efficient in
25 their operation. Even if they weren't, it's a multimillion

1 dollar operation and these defendants were right in the middle
2 of it.

3 Some people in this district, when they go into chemical
4 supply houses, they buy pounds or tens of pounds of
5 phenylacetic acid, but these people were buying hundreds of
6 pounds of phenylacetic acid and other -- and similar amounts of
7 the other precursor chemicals. In my experience and I think in
8 the DEA's experience, this is the largest amount of precursor
9 chemicals that has ever been purchased in this district to our
10 professional recollections.

11 These, Your Honor, in my opinion are callous professional
12 drug dealers. They are dangerous. The drug they're dealing
13 with is dangerous. And I simply want to reiterate what Mr.
14 Keating said three years ago about losing the case at
15 sentencing and I -- we won the jury trial and I simply hope
16 that we don't loose at sentencing because this is in my
17 opinion, a very, very dangerous enterprise that these two
18 defendants were engaged in. That's all.

19 THE COURT: Than you, Mr. Ward. Mr. Roach, I will be
20 pleased to hear anything you have to say in behalf of the
21 defendant or receive any additional -- additional information
22 you wish the Court to consider.

23 MR. ROACH: Thank you, Your Honor. If it please the
24 Court, I'd like just to take a few moments to respond to some
25 of the things that Mr. Ward has said. It's no secret to

1 everybody present in the courtroom that what we're concerned
2 about here today is time. And I think that in determining the
3 amount of time that is going to be assessed in this sentence, I
4 think we should reflect accurately upon the facts that were
5 presented during the trial from both sides rather than
6 speculate on what if's and might be's, concerning this amount
7 of dope which never existed. I think that in response to the
8 points that Mr. Ward has made, is first of all, I think the
9 Court can consider the age of the defendant. He's not a young
10 man for consideration in that regard, but at this age, Mr.
11 Willeford I believe is now fifty-one years old. I don't know
12 what the actuarial tables will have to say, but he's not going
13 to have a tremendously long life span left. I would hate --

14 THE COURT: You're fifty, aren't you?

15 MR. ROACH: Sir?

16 THE DEFENDANT: Be fifty-one in August.

17 THE COURT: That's what I thought.

18 MR. ROACH: I'm sorry. I don't think that -- that --

19 THE COURT: Some of us consider that pretty young.

20 MR. ROACH: I -- I understand that and I knew what I
21 was saying when I said it, but -- but I don't think putting
22 this man in the penitentiary for the rest of his natural life
23 is going to serve either useful purpose for him or for society,
24 at all.

25 I believe, in considering the facts of this case, that it

1 was conceded at the outset there was no dope. There never has
2 been any dope, and I think if Mr. Ward can recall on his
3 experiences with the prosecutor's office and in trial cases,
4 likewise, I think the Court can recognize too, that if there
5 was dope in this case, it would have been fairly easy for the
6 DEA to find out whether there was and at least to make that
7 effort, and in this case there was no -- no effort made in that
8 regard, simply because the fact that the dope didn't exist. I
9 believe the testimony showed that at no time during any of the
10 investigation of this case at the time that they seized the
11 chemicals down in Fort Worth, was there even an odor of dope
12 around Mr. Willeford, as is so obviously present with those who
13 are involved in the manufacture of -- of amphetamine. I think
14 anybody that's been around an amphetamine case can tell you
15 that that kind of testimony is going to come out, that if there
16 was dope present, the clothes stink, the body stinks. There
17 simply was no dope in this case. We can speculate and
18 hypothesize as to amounts of dope and amounts of money, but in
19 this case that's all it is. It's pure speculation because it
20 did not exist.

21 Mr. Willeford is not typical of dope dealing. I think the
22 Court can draw on its own experience. This is not a man that
23 the DEA or anyone else has been able to connect to any sort of
24 dope operation. There is no network of -- of people that --
25 that we've been able to associate him with or show to this

1 Court at all that he was connected with to indicate that he was
2 running a dope operation. I don't think he's typical at all.
3 I'll get back to -- to the -- to the original point. Most dope
4 dealers are much younger than -- than he, if they're going to
5 be out actively manufacturing this stuff. I think those are
6 things that you have to consider. Mr. Willeford has some
7 redeeming factors. Mr. Willeford does have a family and he
8 does support that family. He has had good honest steady
9 employment over his lifetime when given an opportunity. He is
10 a land owner. He's had property. He is not living a lifestyle
11 befitting a dope dealer. He doesn't drive expensive
12 automobiles, live in expensive houses. There's been no showing
13 in any way that he's realized any great profit off anything out
14 of this. I believe the testimony at trial accounted for the
15 fact that he used the money here that he got from when his
16 mother died, and land that was sold. Because of that, there's
17 -- there's simply nothing and has been nothing in the trial of
18 this case to connect Mr. Willeford at all to any kind of large
19 scale or even small scale dope operation in any way, and we'd
20 ask the Court to reflect on that. Mr. Willeford unfortunately
21 came up to Tulsa, Oklahoma, and shot off his mouth, and I wish
22 that I could go back and shove those words right back down his
23 throat. I wish that they had never come out when he was out
24 there at Tulsa Scientific. I'm sure he feels the same way. We
25 cannot turn back the hands of time unfortunately and we have to

1 deal with the situation, but I think the Court in the Court's
2 experience, can compare this case to other cases that the Court
3 has seen and realize that this is not -- this is not the
4 typical case of manufacturing or conspiracy to manufacture that
5 has appeared in this Court and other Courts within this
6 district of Oklahoma. I believe Judge Brett has -- 'has
7 recently finished trying one right before we tried this one.
8 These cases don't even compare with the facts that -- that he
9 had down there with the large number of defendants. The dope
10 manufactured, the dope that was seized. All those things that
11 were incident to a large scale dope manufacturing operation,
12 Judge Brett had down there in his Court, we didn't have here in
13 this Court and I think I should -- I would like to ask the
14 Court to reflect upon that -- that the normal indicia are
15 simply not here. We would ask that the Court show an
16 appropriate mercy even if a defendant has not shown those
17 things made in a course of a lifetime, that the Court exercise
18 its discretion and its compassion in assessing an appropriate
19 sentence in this matter, and not sentence the man to something
20 where he's going to go off and -- and die in a penitentiary,
21 and we ask that you -- you do exercise that compassion that is
22 within your authority. Thank you.

23 THE COURT: Mr. Willeford, I will be pleased to hear
24 anything you have to say in your own behalf or receive any
25 additional information you wish the Court to consider.

1 THE DEFENDANT: Yes, sir. I'd like to make a
2 statement, Your Honor, that from the get-go, I do not feel that
3 I was breaking any law buying and selling chemicals. I am not
4 in the dope business, have not been in the dope business. I
5 was in the chemical business. Mr. Ward -- he alleged all of
6 these large amounts of money and I have no large amount of
7 money, sir. I've got a family I take care of and as Mr. Roach
8 says, what I've done, I was up there running my head, trying to
9 impress Mr. Norman and --

10 THE COURT: Did you impress him?

11 THE DEFENDANT: Yes, sir. I did.

12 THE COURT: You impressed some other people too.

13 THE DEFENDANT: Evidently I did, sir. What I have
14 done is made a fool out of myself, sir. That's all I have to
15 say.

16 THE COURT: Well, this Court now for twelve years has
17 unfortunately had the responsibility to sentence people who
18 have been dealing in dope, drugs. I remember the argument one
19 time that a person who sat in the getaway car when they held a
20 bank robbery, and made the argument that they never went in the
21 bank, and was just in the getaway car. The unfortunate thing
22 here, I think the argument here is that Mr. Willeford was
23 merely one of the "getaways", one of the suppliers. There's no
24 question but Mr. Willeford says he was hired to purchase
25 chemicals. He admits he knew what the chemicals were to be

1 used for. He didn't ask questions. That's his story. Drugs
2 are simply bad. I guess its time people started asking some
3 questions. It's almost hard not to take notice what happened
4 to this young man that was the basketball player. I guess the
5 suppliers didn't ask questions. Neither did he. That's one
6 that gets publicity. Unfortunately we see this time and time
7 again -- not with that drastic result all the time, but with
8 drastic results most of the time in one degree or another.

9 Drugs simply are intolerable and those who contribute to
10 their manufacture, which is a contribution to their
11 distribution, which is a contribution to their use, must
12 understand that anybody in the chain of the drug traffic is not
13 an innocent person. However way one may rationalize to
14 themselves, that his innocence -- that there is no guilt
15 associated with it -- it simply is a fact that any person who
16 deals in drugs at any phase or position is a contributor.

17 The jury heard the evidence. The jury found Mr.
18 Willeford, that you were guilty of five counts. I do not
19 disagree with the jury's finding. It's adjudged by the Court
20 that as to Count one, the defendant shall be sentenced and
21 committed to the custody of the Attorney General or his
22 authorized representative for imprisonment for a term of eight
23 years. In addition, the Court imposes a fine in behalf of the
24 United States in the amount of five thousand dollars, and
25 imposes a special monetary assessment of fifty dollars. As to

1 each Counts four, five, six and eight, it's adjudged by the
2 Court that the defendant shall be committed to the custody of
3 the Attorney General or his authorized representative for
4 imprisonment for a term of five years as to each separate
5 count. In addition, the Court imposes a fine as to each count
6 in the amount of one thousand dollars, and as to each separate
7 count, imposes a special monetary assessment in the amount of
8 fifty dollars each. The term of imprisonment as imposed in
9 Counts four, five, six and seven shall each run concurrent with
10 the other, and each shall run concurrent with the term of
11 imprisonment imposed in Count one. In addition, the Court
12 wishes to advise you that you have the right of appeal to the
13 Circuit Court of Appeals as to the judgment and sentence here
14 imposed, and if you so request, the clerk of this Court will
15 file -- prepare and file a notice of appeal.

16 In the event you have not the sufficient funds to pursue
17 such appeal, you have the right to apply to appeal in forma
18 pauperis which is without any cost at all, and in any event
19 your notice of appeal must be filed within ten days of this
20 date. Anything further?

21 MR. ROACH: Your Honor, we would like to -- to ask on
22 behalf of the defendant, Lathan Willeford, that he be given an
23 opportunity to turn himself in. We appreciate the Court's
24 courtesy in allowing Mr. Willeford to remain out on bond
25 pending sentencing and as expected, Mr. Willeford obviously

1 showed up here today, knowing full well that he would be going
2 to the penitentiary. We would like to ask the Court to allow
3 Mr. Willeford to do that. That would serve the dual purpose of
4 also allowing him an additional time to finish wrapping up his
5 affairs and I assure the Court that he has been undertaking
6 all of those endeavors with me to get his affairs in order,
7 both of the legal and personal nature before coming up here
8 today. And we would make that request to the Court.

9 Additionally we would like to make a request to the Court
10 that the Court consider recommendation of a penitentiary that
11 he must go to, and we would ask the Court to consider
12 sentencing the defendant or recommending the defendant serve
13 his sentence at the Federal Correctional Institute in Fort
14 Worth, which would put him back in Texas, which would put him
15 near his family, and be allowed to serve his time there.

16 THE COURT: Mr. Roach and Mr. Willeford, I well
17 understand your request for the Court to recommend a
18 penitentiary. Throughout the many years that I have served in
19 various capacities, with the Executive Branch, with Judiciary
20 and others, it has always been my feeling that each of the
21 branches should stay within their own domain. And for the past
22 twelve years it has been my feeling that the Court should not
23 endeavor to tell the Bureau of Prisons where they ought to put
24 the individuals. By the same token, the Court shouldn't tell
25 them where not to put them. I have every understanding of what

1 you're saying. I have no knowledge as to what the problems are
2 in the Bureau of Prisons and particular institutions that they
3 have the responsibility to maintain, and the Attorney General
4 has responsibility of -- of maintenance. Therefore, I would
5 decline to make a recommendation as to where anybody should be
6 going. It's not Mr. Willeford any more than it is anybody
7 else. I will tell you that that's been my position ever since
8 I've been on the Bench. It may be requested, but I am not
9 going to be in the position of telling the Bureau of Prisons
10 what to do in that regard.

11 Mr. Ward, do you have any comments you wish to make as to
12 whether -- as to the other request and that is that Mr.
13 Willeford be permitted to voluntarily report to the institution
14 of designation?

15 MR. WARD: I do, sir. As both the Court and the
16 defense counsel noted at the conclusion of the jury trial when
17 the verdict was returned, I opposed their release to the street
18 pending sentencing, and the Crime Control Act has another
19 burden upon them at this particular time and that is that they
20 must show to this Court that there is a reasonable likelihood
21 that their case would be reversed or -- or remanded for new
22 trial. They've had plenty of time to address those legal
23 issues since the convictions. There's been no Court filings.
24 There's been no offer to the Court of any reversible error in
25 this record, and I submit there is none. I would specifically

1 oppose voluntary report by either defendant.

2 THE COURT: Well, I don't take Mr. Roach's request to
3 mean that he is making a request for bond pursuant to appeal.

4 MR. ROACH: That's correct.

5 THE COURT: That's a different question.

6 MR. ROACH: Yes, sir.

7 THE COURT: What he is asking is that -- and the sole
8 question at this time before the Court is whether the Marshal
9 should take custody of the defendant at this time, or whether
10 he should be permitted to voluntarily report. That is somewhat
11 different than setting an appeal bond. Now, I have a letter
12 from Mr. Willeford -- I don't know whether Mr. Roach is -- is
13 aware of it or not --

14 MR. ROACH: Mr. Willeford provided me with a copy of
15 that after he had mailed it to the Court, Your Honor.

16 THE COURT: Well, all right, in which Mr. Willeford
17 personally made a request for an appeal bond. That's of
18 course, not the proper way to be making such a request.

19 MR. ROACH: I understand.

20 THE COURT: I recognize that I did read the letter.
21 I take sincere personal interest in people who come before me,
22 and if I had it in my power to change their lives and change
23 what happened in the past, I'd do it, and it would make a lot
24 of things simpler, but I don't have that power, and I don't
25 have that ability nor do I know anybody else that does. I am

1 going to permit Mr. Willeford to voluntarily report to the
2 facility of designation. It takes, as I recall, about three
3 weeks. Is that correct?

4 THE MARSHAL: Yes, Your Honor.

5 THE COURT: It takes about three week -- pardon?

6 THE MARSHAL: Two weeks, sometimes three.' Mostly
7 two.

8 THE COURT: And I would of course, caution any person
9 in his position that don't make bad things worse.

10 THE DEFENDANT: No, sir.

11 THE COURT: And that's all it -- it is. I therefore
12 will direct that the defendant shall report to the facility of
13 designation on July 14th, 9:00 A.M. and there are certain
14 procedures which are required through the marshal's office to
15 make the necessary arrangements. Anything further?

16 MR. ROACH: No, sir.

17 THE COURT: That will be all.

18

19

*** **

20

21

22

A TRUE AND CORRECT TRANSCRIPT

23

24

Eldon R. Simpson
Eldon R. Simpson, C.S.R.
United States Court Reporter

25

SEP 17 1990

United States District Court

Northern District of Oklahoma

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

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE (For Offenses Committed On or After November 1, 1987)

Johnie Leon Halford, III

Case Number: 90-CR-44-E

(Name of Defendant)

Jim H. Heslet

Defendant's Attorney

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:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21:841(a)(1)	Distribution of Controlled Substance	10-10-89	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.
- It is ordered that the defendant shall pay a special assessment of \$ 50.00, for count(s) One, which shall be due immediately as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 443-68-6052

Defendant's Date of Birth: 05-24-59

Defendant's Mailing Address:

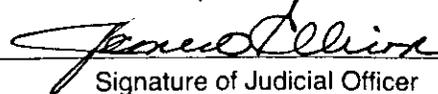
Route 1
Weleetka, Oklahoma

Defendant's Residence Address:

Route 1
Weleetka, Oklahoma

September 12, 1990

Date of Imposition of Sentence



Signature of Judicial Officer

James O. Ellison, U. S. District Judge

Name & Title of Judicial Officer

United States District Court)
Northern District of Oklahoma)
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

Date

Defendant: HALFORD, JOHNIE LEON III
Case Number: 90-CR-44-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 13 months

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.
- at _____ p.m. on _____
- as notified by the United States marshal.

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

- before ~~XXXXXX~~ 12:00 p.m. 10-12-90
- 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: HALFORD, JOHNIE LEON III
 Case Number: 90-CR-44-E

Judgment—Page 3 of 4

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 not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). 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 report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- The defendant shall not possess a firearm or destructive device.

The defendant shall participate in a drug abuse program at the direction of the U. S. Probation Office.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) 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;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) 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;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) 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;
- 10) 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;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) 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;
- 13) 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.
- 14) You shall submit to urinalysis as directed by the U. S. Probation Office.
- 15) You shall not possess a firearm or other dangerous weapon without the permission of the U. S. Probation Office.

Defendant: HALFORD, JOHNIE LEON III
Case Number: 90-CR-44-E

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 12

Criminal History Category: I

Imprisonment Range: 10 to 16 months

Supervised Release Range: 3 to 5 years

Fine Range: \$ 3,000 to \$ 1,000,000

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ N/A

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):

United States District Court

NORTHERN District of OKLAHOMA

UNITED STATES OF AMERICA
V.

CARL EDWARD HYAMS
(Name of Defendant)

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 90-CR-043-C
Richard Couch
Defendant's Attorney

FILED
 SEP 17 1990
 JACK C. SILVER, CLERK
 U.S. DISTRICT COURT

THE DEFENDANT:

- pleaded guilty to count(s) Two (2) 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	Date Offense Concluded	Count Number(s)
18 USC 922(g)(1)	POSSESSION OF A FIREARM, AFCF	08-05-89	2

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

Jack C. Silver, Clerk

By R. Muller
Deputy

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) One of the Indictment (is)(are) dismissed on the motion of the United States.
 It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s) Two, which shall be due immediately as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 440-64-0926

Defendant's Date of Birth: 02-28-61

Defendant's Mailing Address:
4214 E. Young
Tulsa, Oklahoma 74115

Defendant's Residence Address:
4214 E. Young
Tulsa, Oklahoma 74115

11 September 1990
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: HYAMS, Carl Edward
Case Number: 90-CR-043-C

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 twelve (12) months

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 United States 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: HYAMS, Carl Edward
 Case Number: 90-CR-043-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of _____
twenty-four (24) months

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). 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 report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- The defendant shall not possess a firearm or destructive device.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) 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;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) 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;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) 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;
- 10) 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;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) 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;
- 13) 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.

Defendant: **HYAMS, Carl Edward**
Case Number: **90-CR-043-C**

Judgment—Page 4 of 4

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 9

Criminal History Category: II

Imprisonment Range: 6 to 12 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 1,000 to \$ 10,000

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ _____

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):

FILED

United States District Court

SEP 13 1990

NORTHERN District of OKLAHOMA

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

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE (For Offenses Committed On or After November 1, 1987)

SOLOMON OLUGBENGA AJIBOLA
KALEJAIYE
(Name of Defendant)

Case Number: 90-CR-045-001-B

Jo Stanley Glenn

Defendant's Attorney

THE DEFENDANT:

pleaded guilty to count(s) _____
 was found guilty on count(s) One, Two, Four, Five, Six, Seven, & Eight of the after a plea of not guilty. Indictment

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

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 371	CONSPIRACY	04-14-89	1
18 USC 1341	MAIL FRAUD	03-07-89	8
18 USC 1341 and 2(a)	MAIL FRAUD, AIDING & ABETTING	10-4-88, 2-7-89, 3-15-89, 3-31-89, 4-14-89	2, 4, 5, 6, 7

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 (is) ~~(are)~~ dismissed on the motion of the United States.

It is ordered that the defendant shall pay a special assessment of \$ 350, for count(s) 1, 2, 4, 5, 6, 7, 8, which shall be due immediately as follows:
(\$50)

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 444-80-5520

Defendant's Date of Birth: 03-06-63

Defendant's Mailing Address:

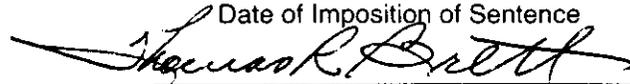
4694 N. Main
Tulsa, Oklahoma 74126

Defendant's Residence Address:

4694 N. Main
Tulsa, Oklahoma 74126

7 September 1990

Date of Imposition of Sentence



Signature of Judicial Officer

Thomas R. Brett

U. S. District Judge

Name & Title of Judicial Officer

Sept. 13, 1990

Date

Defendant: KALEJAIYE, SOLOMON
Case Number: 90-CR-045-001-B

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 30 Months *

* Defendant should be given credit for time served.

The court makes the following recommendations to the Bureau of Prisons:
That the defendant be deported upon release from custody.

- 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.
 - at _____ p.m. on _____
 - as notified by the United States 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: KALEJAIYE, SOLOMON
 Case Number: 90-CR-045-001-B

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 not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). 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 report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- The defendant shall not possess a firearm or destructive device.

The defendant shall make restitution in the amount of \$72,325.73 as directed by the U. S. Probation Office.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) 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;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) 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;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) 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;
- 10) 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;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) 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;
- 13) 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.

Defendant: KALEJAIYE, SOLOMON
Case Number: 90-CR-045-001-B

Judgment—Page 4 of 5

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution to the following persons in the following amounts:

Name of Payee

Amount of Restitution

(See Attached List)

Payments of restitution are to be made to:

- the United States Attorney for transfer to the payee(s).
- the payee(s).

Restitution shall be paid:

- in full immediately.
- in full not later than _____.
- in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- in installments according to the following schedule of payments:
Total restitution for both defendants is \$99,324.83. Kalejaiye's share is determined to be \$72,325.73 and shall be paid as directed by the U. S. Probation Office.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

FORFEITURE

The defendant is ordered to forfeit the following property to the United States:

Allstate Insurance Company
Market Claim Office
5800 Skelly Drive #1000
Tulsa, OK \$ 1,604.54

Car Rental Claims Service Company
P. O. Box 35875
Minneapolis, MN 55435 3,168.00

Atlas Insurance Company
P. O. Box 32370
Kansas City, MO 64111 4,744.10

State Farm Insurance Claim Office
9233 S. Memorial
Tulsa, OK 74133 34,859.62

Guaranty National Insurance Company
P. O. Box 3329
Englewood, CO 80155 16,808.15

Republic Claims Service Company
P. O. Box 8543
Fort Worth, Texas 76124-0543 4,790.77

American National Property & Casualty Co.
1949 E. Sunshine
Corporate Centre
Springfield, MO 65899-1175 5,796.87

Sentry Claims Service
P. O. Box 140043
Austin, Texas 78714-0043 10,640.28

Progressive Insurance Company
9717 E. 42nd Street, Suite 245
Tulsa, OK 74146 17.00

General Adjustment Bureau
P. O. Box 269037
Sacramento, CA 95827 16,895.50

Defendant: **KALEJAIYE, SOLOMON**
Case Number: **90-CR-045-001-B**

Judgment—Page 5 of 5

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 18

Criminal History Category: II

Imprisonment Range: 30 to 37 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 6,000 to \$ 297,974.49

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ 72,325.73

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):

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 G. Silver, Clerk
By [Signature]
Deputy

FILED

United States District Court SEP 12 1990

NORTHERN

DISTRICT OF OKLAHOMA

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

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE

RONALD GARRETT
4644 N. Detroit
Tulsa, Oklahoma 74126

Case Number: 88-CR-114-E

(Name and Address of Defendant)

David Booth
Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

guilty nolo contendere] as to count(s) One of the Information, and
 not guilty as to count(s) _____.

THERE WAS A:

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

Title 12, United States Code, Section 1709-2
COUNT ONE - EQUITY SKIMMING

IT IS THE JUDGMENT OF THIS COURT THAT: the Imposition of Sentence is Suspended and the defendant is placed on probation for a period of five (5) years.

As a Special Condition, the defendant shall pay restitution in the amount of \$66,765.49, at a rate to be determined by the U.S. Probation Office, as follows:

Department of Housing & Urban Development P.O. Box 2905 Ft. Worth, Texas 76113-2905	\$63,173.81
Mercury Mortgage Company, Inc. P.O. Box 131 Tulsa, OK 74101	\$ 2,503.12
Firstier Bank Farnam at Seventeenth Omaha, Nebraska 68102-2183	\$ 1,088.56

The defendant shall participate in outpatient mental health treatment as directed by the U. S. Probation Office.
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 \$50.00 pursuant to Title 18, U.S.C. Section 3013 for count(s) One as follows:
Count One - \$50.00

IT IS FURTHER ORDERED THAT the ~~counts~~ one-count Indictment ~~is~~ 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:

September 7, 1990
 Date of Imposition of Sentence
 Signature of Judicial Officer *James O. Ellison*
 Honorable James O. Ellison
 U. S. District Judge
 Name and Title of Judicial Officer
9/11/90
 Date

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

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

FILED

United States District Court

SEP 11 1990

NORTHERN

District of OKLAHOMA

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

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE (For Offenses Committed On or After November 1, 1987)

Antonio Burkhalter

Case Number: 90-CR-037-001-E

(Name of Defendant)

Richard D. White

Defendant's Attorney

THE DEFENDANT:

- pleaded guilty to count(~~g~~) 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:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:2113(a)(d)	Armed Bank Robbery	February 1, 1990	One

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~~) Two of the Indictment (is)(~~are~~) dismissed on the motion of the United States.
- It is ordered that the defendant shall pay a special assessment of \$ 50.00, for count(~~s~~) One of the Indictment, which shall be due immediately as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 442-60-4628

Defendant's Date of Birth: May 4, 1957

Defendant's Mailing Address:

1319 E. 51st St. North
Tulsa, OK 74106

Defendant's Residence Address:

Same

MN

September 10, 1990

Date of Imposition of Sentence

James O. Ellison
Signature of Judicial Officer

James O. Ellison, U.S. District Judge

Name & Title of Judicial Officer

Sept. 11, 1990

Date

B.M. Hollough

Defendant: BURKHALTER, A.
Case Number: 90-CR-037-001-E

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 262 months

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 United States 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: BURKHALTER, A.
Case Number: 90-CR-037-001-E

Judgment—Page 3 of 5

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5)
years

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). 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 report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- The defendant shall not possess a firearm or destructive device.

The defendant shall participate in substance abuse treatment and monitoring as directed by the U.S. Probation Officer.

The defendant shall pay restitution to the victim as directed by the U.S. Probation Officer.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) 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;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) 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;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) 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;
- 10) 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;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) 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;
- 13) 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.

Defendant: BURKHALTER, A.
Case Number: 90-CR-037-001-E

Judgment—Page 4 of 5

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
American State Bank Tulsa, OK	\$4,476.00

Payments of restitution are to be made to:

- the United States Attorney for transfer to the payee(s).
- the payee(s).

Restitution shall be paid:

- in full immediately.
- in full not later than _____.
- in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- in installments according to the following schedule of payments:

The defendant shall make payments to the victim while imprisoned. If the balance is not paid, payments will be a condition of Supervised Release.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

FORFEITURE

The defendant is ordered to forfeit the following property to the United States:

Defendant: BURKHALTER, A.
Case Number: 90-CR-037-001-E

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 34

Criminal History Category: 7

Imprisonment Range: 262 to 327 months

Supervised Release Range: 3 to 5 years

Fine Range: \$ 17,500 to \$ 175,000

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ 4,476

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s): Due to the defendant's cooperation with authorities, the Court imposed a sentence at the lowest end of the guideline range.

OR

The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):

United States District Court

NORTHERN

District of

OKLAHOMA

FILED

SEP 11 1990

UNITED STATES OF AMERICA

V.

HOWARD, Roderick Kenneth

(Name of Defendant)

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Jack C. Silver, Clerk
DISTRICT COURT

Case Number: 90-CR-047-001-E

Darrell Bolton

Defendant's Attorney

THE DEFENDANT:

pleaded guilty to count(s) _____
 was found guilty on count(s) I & II of the Indictment 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	Date Offense Concluded	Count Number(s)
21 USC 846, 841(a)(1) & 841(b)(1)(A)(iii)	CONSPIRACY TO POSSESS WITH INTENT TO DISTRIBUTE 50 GRAMS OR MORE COCAINE BASE		Ct. I
21 USC 841(a)(1) & 841(b)(1)(A)(iii) 18 USC 2	POSSESSION WITH INTENT TO DISTRIBUTE 50 GRAMS OR MORE COCAINE BASE & AIDING AND ABETTING		Ct. II

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.
 It is ordered that the defendant shall pay a special assessment of \$ 100, for count(s) One and Two, which shall be due immediately as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 448-68-0331

Defendant's Date of Birth: 09-18-61

Defendant's Mailing Address:

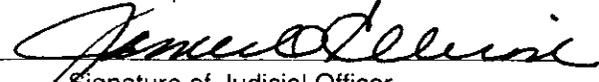
515 E. Oklahoma Street
Tulsa, Oklahoma 74106

Defendant's Residence Address:

515 E. Oklahoma Street
Tulsa, Oklahoma 74106

September 6, 1990

Date of Imposition of Sentence



Signature of Judicial Officer
Honorable James O. Ellison
U. S. District Judge

Name & Title of Judicial Officer

9/10/90
Date

United States District Court
Northern District of Oklahoma
I hereby certify that this judgment is a true copy of the original as filed in this Court.

By DM Callough
Deputy

Defendant: HOWARD, Kenneth Roderick
Case Number: 90-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 360 months

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 United States 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: HOWARD, Kenneth Roderick

Judgment—Page 3 of 4

Case Number: 90-CR-047-001-E

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of _____
five (5) years

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). 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 report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- The defendant shall not possess a firearm or destructive device.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
 - 2) 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;
 - 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
 - 4) the defendant shall support his or her dependents and meet other family responsibilities;
 - 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
 - 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
 - 7) 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;
 - 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
 - 9) 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;
 - 10) 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;
 - 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
 - 12) 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;
 - 13) 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.
- 14) You shall submit to urinalysis as directed by U. S. Probation Office.

Defendant: HOWARD, Kenneth Roderick
Case Number: 90-CR-047-001-E

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 42

Criminal History Category: I

Imprisonment Range: 360 to Life months

Supervised Release Range: - to 5 years

Fine Range: \$ 25,000 to \$ 4,000,000

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ -0-

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s): The defendant is viewed as a major drug dealer, based on the quantity of drugs involved in the instant offense. Due to the gravity of drugs and criminal history category of the defendant, the guidelines require a sentence of 360 months to Life. It is felt that such a sentence is sufficient and will send a strong message to the community that this type of behavior will be severely punished and thereby discourage similar conduct by others.
The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):

United States District Court

SEP 11 1990

NORTHERN

District of OKLAHOMA

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

UNITED STATES OF AMERICA

V.

Frederick D. Arledge

(Name of Defendant)

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Case Number: 90-CR-047-002-E

Richard D. Amatucci

Defendant's Attorney

THE DEFENDANT:

- pleaded guilty to count(s)
was found guilty on count(s) Two of the Indictment (Lesser & included offense of Simple Possession) after a plea of not guilty.

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

Table with 4 columns: Title & Section, Nature of Offense, Date Offense Concluded, Count Number(s). Row 1: 844(a), Simple Possession of a Controlled Substance (Lesser and Included Offense), March 23, 1989, Two.

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) One and Three of the Indictment and is discharged as to such count(s).
Count(s) (is)(are) dismissed on the motion of the United States.
It is ordered that the defendant shall pay a special assessment of \$ 50.00 for count(s) Two of the Indictment, which shall be due immediately as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 527-67-5106

Defendant's Date of Birth: November 2, 1971

Defendant's Mailing Address: 1047 E. 60th St., Tulsa, OK

Defendant's Residence Address: Same

September 6, 1990

Date of Imposition of Sentence

Signature of James O. Ellison

Signature of Judicial Officer

James O. Ellison, U.S. District Judge

Name & Title of Judicial Officer

9/10/90

Date

United States District Court Northern District of Oklahoma
I hereby certify that the foregoing is a true copy of the original as filed in this Court.

Jack C. Silver, Clerk

By [Signature] Deputy

Defendant: ARLEDGE, Frederick D.
Case Number: 90-CR-047-002-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 151 months

The court makes the following recommendations to the Bureau of Prisons: None.

- 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 United States 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: ARLEDGE, Frederick
 Case Number: 90-CR-047-002-E

Judgment—Page 3 of 4

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 not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). 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 report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- The defendant shall not possess a firearm or destructive device.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) 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;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) 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;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) 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;
- 10) 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;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) 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;
- 13) 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.
- 14) Defendant to submit to urinalysis testing and monitoring as directed by the U.S.P.O.

Defendant: **ARLEDGE, Frederick**
 Case Number: **90-CR-047-002-E**

Judgment—Page 4 of 4

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 34

Criminal History Category: I

Imprisonment Range: 151 to 188 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 17,500 to \$ 175,000

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ N/A

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s): Statute requires a minimum custody sentence of five years. The custody sentence of 151 months is appropriate due to the amount of cocaine-base involved in this offense. The guidelines direct a specific custody sentence.

OR

The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):

N/A

United States District Court SEP 11 1990

NORTHERN District of OKLAHOMA

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

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE (For Offenses Committed On or After November 1, 1987)

Antonio Burkhalter

Case Number: 90-CR-098-001-E

(Name of Defendant)

Richard White

Defendant's Attorney

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:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:2113(a)	Bank Robbery	2/5/90	One

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) Two of the Indictment (is)(are) dismissed on the motion of the United States.
- It is ordered that the defendant shall pay a special assessment of \$ 50.00, for count(s) One of the Indictment, which shall be due immediately as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

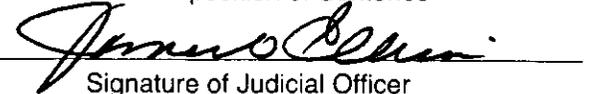
Defendant's Soc. Sec. No.: 442-60-4628

Defendant's Date of Birth: 5-4-57

Defendant's Mailing Address:
1319 E. 51st St. North
Tulsa, OK 74106

Defendant's Residence Address:
Same

September 10, 1990
Date of Imposition of Sentence


Signature of Judicial Officer

James O. Ellison, U.S. District Judge
Name & Title of Judicial Officer

Sept 11, 1990
Date

Defendant: BURKHALTER, A.
Case Number: 90-CR-098-001-E

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 210 months to run concurrently with the sentence imposed in 90-CR-037-001.

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 United States 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: BURKHALTER, A.
Case Number: 90-CR-098-001

Judgment—Page 3 of 5

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of three (3) years to run concurrently with 90-CR-037-001.

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). 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 report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- The defendant shall not possess a firearm or destructive device.

The defendant shall participate in substance abuse treatment as directed by the U.S. Probation Office.

The defendant shall pay restitution to the victim as directed by the U.S. Probation Office.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) 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;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) 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;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) 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;
- 10) 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;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) 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;
- 13) 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.

Defendant: BURKHALTER, A.
Case Number: 90-CR-098-001

Judgment—Page 4 of 5

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Union Blvd. National Bank, Woodlawn Branch, Wichita, KS	\$6,382.00

Payments of restitution are to be made to:

- the United States Attorney for transfer to the payee(s).
- the payee(s).

Restitution shall be paid:

- in full immediately.
- in full not later than _____.
- in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- in installments according to the following schedule of payments:

The defendant shall make payments to the victim while imprisoned. If the balance is not paid, payments will be a condition of Supervised Release.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

FORFEITURE

The defendant is ordered to forfeit the following property to the United States:

Defendant: **BURKHALTER, A.**
 Case Number: **90-CR-098-001**

Judgment—Page 5 of 5

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 32

Criminal History Category: VI

Imprisonment Range: 210 to 240 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 17,500 to \$ 175,000

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ 6,382

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s): **Due to the defendant's cooperation with authorities, the Court imposed a sentence at the lowest end of the guideline range.**

OR

The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

E I L E D

SEP 4 1990

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JAMES EVERETT HUTCHINSON,)
)
Defendant.)

No. 90-CR-76-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 without prejudice Count One of the Indictment against JAMES EVERETT HUTCHINSON, defendant.

E I L E D

SEP 10 1990

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

TONY M. GRAHAM
United States Attorney


NEAL B. KIRKPATRICK
Assistant United States Attorney

Leave of court is granted for the filing of the foregoing motion to dismiss and the Court hereby orders dismissal without prejudice of the requested Count of the Indictment.

S/ JAMES O. ELLISON

JAMES O. ELLISON
United States District Judge

Date:

NBK:rlk

United States District Court

NORTHERN

District of

OKLAHOMA

UNITED STATES OF AMERICA

V.

Ruth L. Harris

(Name of Defendant)

JUDGMENT IN A CRIMINAL CASE (For Offenses Committed On or After November 1, 1987)

Case Number: 90-CR-059-001-C

Gary Wood

Defendant's Attorney

THE DEFENDANT:

- pleaded guilty to count(s) I 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	Date Offense Concluded	Count Number(s)
18 USC 1344	BANK FRAUD	April 10, 1990	I

FILED

SEP 7 1990

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

April 10, 1990
United States District Court) I
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 R. Miller
Deputy

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) _____ (is)(are) dismissed on the motion of the United States.
- It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s) I of the Indictment, which shall be due immediately as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 445-54-7492

Defendant's Date of Birth: 08/28/52

Defendant's Mailing Address:

11829 E. 15th Place
Tulsa, OK 74128

Defendant's Residence Address:

11829 E. 15th Place
Tulsa, OK 74128

August 29, 1990

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: HARRIS, Ruth L.
Case Number: 90-CR-059-001-C

Judgment—Page 2 of 3

PROBATION

The defendant is hereby placed on probation for a term of 3 years

While on probation, the defendant shall not commit another Federal, state, or local crime, shall not illegally possess a controlled substance, and shall not possess a firearm or destructive device. The defendant also shall comply with the standard conditions that have been adopted by this court (set forth below). 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:

- 1.) The defendant shall reside in the Tulsa Salvation Army Community Correction Center for a period of 90 days.
- 2.) The defendant shall participate in a mental health program approved by the U. S. Probation Office.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) 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;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) 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;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) 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;
- 10) 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;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) 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;
- 13) 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.
14. You shall submit to urinalysis as directed by the U. S. Probation Office.
15. You shall not possess a firearm or other dangerous weapon without the permission of the U. S. Probation Office.

Defendant: HARRIS, Ruth L.
Case Number 90-CR-059-001-C

Judgment—Page 3 of 3

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 4

Criminal History Category: II

Imprisonment Range: 0 to 6 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 1,300 to \$ 1,000,000

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):

United States District Court

NORTHERN

District of OKLAHOMA

UNITED STATES OF AMERICA

V.

JAMES CLINTON HAMILTON II

(Name of Defendant)

JUDGMENT IN A CRIMINAL CASE (For Offenses Committed On or After November 1, 1987)

Case Number: 90-CR-050-001-C

Ernie Bedford
Defendant's Attorney

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

Jack C. Silver, Clerk

By R. Ruppel
after a
Deputy

THE DEFENDANT:

- pleaded guilty to count(s) One of the Indictment
- was found guilty on count(s) _____
plea of not guilty.

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

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 1029(a)(2)	USE OF AN UNAUTHORIZED ACCESS DEVICE TO OBTAIN ITEMS WORTH MORE THAN \$1000	01/89	I

FILED

SEP 7 1990

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

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.
- It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s) One of the Indictment, which shall be due immediately as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 262-95-2481

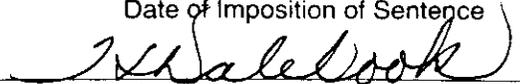
Defendant's Date of Birth: 08/06/67

Defendant's Mailing Address:
Route 1, Box 134
Delaware City, OK 74027

Defendant's Residence Address:
Route 1, Box 134
Delaware City, OK 74027

August 28, 1990

Date of Imposition of Sentence



Signature of Judicial Officer

H. Dale Cook, Chief

United States District Judge

Name & Title of Judicial Officer

Date

Defendant: HAMILTON, James Clinton, II
Case Number 90-CR-050-001-C

Judgment—Page 2 of 4

PROBATION

The defendant is hereby placed on probation for a term of five (5) years

While on probation, the defendant shall not commit another Federal, state, or local crime, shall not illegally possess a controlled substance, and shall not possess a firearm or destructive device. The defendant also shall comply with the standard conditions that have been adopted by this court (set forth below). 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:

The defendant shall serve thirty (30) days at the Salvation Army Community Corrections Center to commence on 08/28/90.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on probation pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) 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;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) 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;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) 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;
- 10) 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;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) 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;
- 13) 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.
14. You shall submit to urinalysis as directed by the U. S. Probation Office.
15. You shall not possess a firearm or other dangerous weapon without the permission of the U. S. Probation Office.

Defendant: HAMILTON, James Clinton, II
Case Number: 90-CR-050-001-C

Judgment—Page 3 of 4

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Amount of Restitution</u>
American Express Security 602 Sawyer Suite 440 Houston, Texas 77007	\$11,604.48

Payments of restitution are to be made to:

- the United States Attorney for transfer to the payee(s).
- the payee(s).

Restitution shall be paid:

- in full immediately.
- in full not later than _____.
- in equal monthly installments over a period of 60 months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- in installments according to the following schedule of payments:
As directed by the U. S. Probation Office at the rate of no less than \$400 a month.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

FORFEITURE

The defendant is ordered to forfeit the following property to the United States:

Defendant: HAMILTON, James Clinton, II
Case Number: 90-CR-050-001-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

The defendant's date of birth was amended to 08/06/67.

Guideline Range Determined by the Court:

Total Offense Level: 7

Criminal History Category: I

Imprisonment Range: 1 to 7 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 500 to \$ 5,000

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ _____

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):

United States District Court

NORTHERN District of OKLAHOMA

UNITED STATES OF AMERICA

V.

Gerald Steven Cross

(Name of Defendant)

JUDGMENT IN A CRIMINAL CASE (For Offenses Committed On or After November 1, 1987)

Case Number: 90-CR-020-
Marlon Davis
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 *R. Griddle*
Deputy Clerk

THE DEFENDANT:

- pleaded guilty to count(s) I of the Indictment
- was found guilty on count(s) _____
plea of not guilty.

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

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 922(g)(1)	POSSESSION OF FIREARM, AFCF	07/01/89	I

FILED

SEP 7 1990

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

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.
- It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s) I of the Indictment, which shall be due immediately as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 447-54-0206

Defendant's Date of Birth: 08/26/52

Defendant's Mailing Address:
Route 1, Box 152
Adair, Oklahoma

Defendant's Residence Address:
Route 1, Box 152
Adair, OK

August 28, 1990
Date of Imposition of Sentence
H. Dale Cook
Signature of Judicial Officer
H. Dale Cook, Chief
United States District Judge
Name & Title of Judicial Officer

Date

Defendant: CROSS, Gerald Steven
Case Number: 90-CR-020-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 eighteen (18) months

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 United States 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: CROSS, Gerald Steven
 Case Number: 90-CR-020-C

Judgment—Page 3 of 5

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 not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). 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 report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- The defendant shall not possess a firearm or destructive device.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) 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;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) 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;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) 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;
- 10) 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;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) 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;
- 13) 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.
14. You shall submit to urinalysis as directed by the U. S. Probation Office.

Defendant: CROSS, Gerald Steven
Case Number: 90-CR-020-C

Judgment—Page 4 of 5**FINE**

The defendant shall pay a fine of \$ 500. The fine includes any costs of incarceration and/or supervision.

This amount is the total of the fines imposed on individual counts, as follows:

\$500 as to Count I

The court has determined that the defendant does not have the ability to pay interest. It is ordered that:

- The interest requirement is waived.
- The interest requirement is modified as follows:

This fine plus any interest required shall be paid:

- in full immediately.
- in full not later than _____.
- in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- in installments according to the following schedule of payments:

At the discretion of the U. S. Probation Office, to commence upon the defendant's discharge from confinement.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614.

Defendant: CROSS, Gerald Steven
Case Number: 90-CR-020-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 7

Criminal History Category: V

Imprisonment Range: 12 to 18 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 500 to \$ 5,000

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ _____

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):

United States District Court **SEP 7 1990**

NORTHERN

District of

OKLAHOMA

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

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE (For Offenses Committed On or After November 1, 1987)

Michael Edwin Ajayi

(Name of Defendant)

Case Number: 90-CR-45-B

Rick Dunn

Defendant's Attorney

THE DEFENDANT:

- pleaded guilty to count(s) _____
- was found guilty on count(s) I and V of the Indictment 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	Date Offense Concluded	Count Number(s)
18:371	Conspiracy to Commit Mail Fraud	4/14/89	I
18:1341 & 2	Mail Fraud and Aiding & Abetting	3/15/89	V

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) IV of the Indictment and is discharged as to such count(s).
- Count(s) _____ (is)(are) dismissed on the motion of the United States.
- It is ordered that the defendant shall pay a special assessment of \$ 100, for count(s) I and V, which shall be due immediately as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 444-92-2120

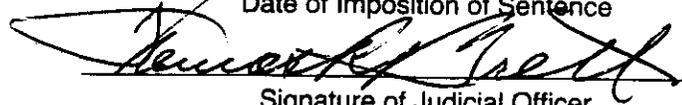
Defendant's Date of Birth: 10/23/65

Defendant's Mailing Address:
707 W. 23rd Street, #707
Tulsa, Oklahoma 74147

Defendant's Residence Address:
Same

September 7, 1990

Date of Imposition of Sentence



Signature of Judicial Officer

Thomas R. Brett, U. S. District Judge

Name & Title of Judicial Officer

September 7, 1990

Date

Defendant: Michael Edwin Ajayi
Case Number: 90-CR-45-B

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 Eighteen (18) Months

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 United States 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

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 not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). 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 report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- The defendant shall not possess a firearm or destructive device.

Restitution in the amount of \$26,999.10, made payable at the discretion of the U. S. Probation Office.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) 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;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) 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;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) 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;
- 10) 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;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) 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;
- 13) 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.
- 14) The defendant shall submit to urinalysis as directed by the U. S. Probation Office.

Defendant: Michael Edwin Ajayi
Case Number: 90-CR-45-B

Judgment--Page 4 of 5

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution to the following persons in the following amounts:

Name of Payee

Amount of Restitution

See Attached Sheet

Payments of restitution are to be made to:

- the United States Attorney for transfer to the payee(s).
- the payee(s).

Restitution shall be paid:

- in full immediately.
- in full not later than _____.
- in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- in installments according to the following schedule of payments:

Installment payments at the discretion of the U. S. Probation Office.

Any payment shall be divided proportionately among the payees named unless otherwise specified here.

FORFEITURE

The defendant is ordered to forfeit the following property to the United States:

Empty rectangular box for listing forfeited property.

RE: MICHAEL EDWIN AJAYI

RESTITUTION TO THE FOLLOWING:

Allstate Insurance Company Market Claim Office 5800 Skelly Drive #1000 Tulsa, OK	\$ 1,604.54
Car Rental Claims Service Co. P. O. Box 35875 Minneapolis, MN 55435	3,168.00
Atlas Insurance Company P. O. Box 32370 Kansas City, MO 64111	4,744.10
State Farm Insurance Claim Office 9233 S. Memorial Tulsa, OK 74133	34,859.62
Guaranty National Insurance Co. P. O. Box 3329 Englewood, CO 80155	16,808.15
Republic Claims Service Co. P. O. Box 8543 Fort Worth, Texas 76125-0543	4,790.77
American National Property & Causalty Co. 1949 E. Sunshine Corporate Centre Springfield, MO 65899-1175	5,796.87
Sentry Claims Service P. O. Box 140043 Austin, Texas 78714-0043	10,640.28
Progressive Insurance Company 9717 E. 42nd Street, Suite 245 Tulsa, OK 74146	17.00
General Adjustment Bureau P. O. Box 269037 Sacramento, CA 95827	16,895.50

Defendant: Michael Edwin Ajayi
Case Number: 90-CR-45-B

Judgment—Page 5 of 5

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 14

Criminal History Category: II

Imprisonment Range: 18 to 24 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 4,000 to \$ 297,974.49

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s):

OR

The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):

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

For the violations appearing in evidence at this hearing, the Court finds that the terms of defendant's supervised release should be modified, as contemplated by Title 18, United States Code, Section 3583(e)(2).

IT IS THEREFORE ORDERED that the Judgment previously entered in this cause October 5, 1988, should be and the same is hereby modified, and the defendant is sentenced, effective this date, to the custody of the Bureau of Prisons for a term of ninety (90) days, to be served in the Salvation Army Community Treatment Facility located in Tulsa, Oklahoma. During the term of defendant's incarceration at the Salvation Army Community Treatment Facility, he shall be released from custody during the hours necessary and solely for the purpose of maintaining his regular employment, but not otherwise. Upon release from custody, defendant shall be subject to terms and conditions of supervised release by the United States Probation Office for the balance of the term of supervised release imposed by the Judgment this Court entered October 5, 1988.

IT IS FURTHER ORDERED that the Clerk of this Court deliver a certified copy of this Order to the United States Marshal for this district to serve as an order of commitment for the defendant.

S/ JAMES O. ELLISON

JAMES O. ELLISON
United States District Judge

SEP 5 1990

United States District Court

NORTHERN

District of

OKLAHOMA

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

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Case Number: 90-CR-031-003-E

Diana J. Brice

(Name of Defendant)

Stanley D. Monroe

Defendant's Attorney

THE DEFENDANT:

[] pleaded guilty to count(s)
[X] was found guilty on count(s) One of the Indictment after a plea of not guilty.

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

Table with 4 columns: Title & Section, Nature of Offense, Date Offense Concluded, Count Number(s). Row 1: 21:846, 841(a)(1) and 841(b)(1)(A)(iii); Conspiracy to Distribute 50 Grams or More Cocaine-Base; March 7, 1990; One

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.
[X] It is ordered that the defendant shall pay a special assessment of \$ 50.00, for count(s) One of the Indictment, which shall be due [X] immediately [] as follows:

IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 444-58-2196

Defendant's Date of Birth: 6/15/57

Defendant's Mailing Address: 556 E. Seminole Pl. Tulsa, Oklahoma 74106

Defendant's Residence Address: 556 E. Seminole Pl. Tulsa, OK 74106

August 31, 1990

Date of Imposition of Sentence

Signature of James O. Ellison

Signature of Judicial Officer

James O. Ellison, U.S. District Judge

Name & Title of Judicial Officer

8/5/90

Date

Defendant: BRICE, Diana
Case Number: 90-CR-031-003-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 210 months

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

That the defendant be placed in an institution with a comprehensive drug abuse treatment program.

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 United States 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: BRICE, Diana
 Case Number: 90-CR-031-003-E

SUPERVISED RELEASE

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

Five years

While on supervised release, the defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance. The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). 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 report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- The defendant shall not possess a firearm or destructive device.

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this judgment, the defendant shall not commit another federal, state or local crime. In addition:

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) 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;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) 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;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) 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;
- 10) 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;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) 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;
- 13) 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.

Defendant: BRICE, Diana
Case Number: 90-CR-031-003-E

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STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report.

OR

The court adopts the factual findings and guideline application in the presentence report except (see attachment, if necessary):

Guideline Range Determined by the Court:

Total Offense Level: 34

Criminal History Category: IV

Imprisonment Range: 210 to 262 months

Supervised Release Range: ~~5~~ 5 years

Fine Range: \$ 17,500 to \$ 4,000,000

Fine is waived or is below the guideline range, because of the defendant's inability to pay.

Restitution: \$ N/A

Full restitution is not ordered for the following reason(s):

The sentence is within the guideline range, that range does not exceed 24 months, and the court finds no reason to depart from the sentence called for by application of the guidelines.

OR

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s): **The Court is bound to apply a guideline range which, under the facts, appears to be excessive. If the Court was not bound, the Court would impose a sentence substantially lower than that imposed. Therefore, the Court has ordered a sentence at the lowest end of the guideline range.**

OR

The sentence departs from the guideline range

upon motion of the government, as a result of defendant's substantial assistance.

for the following reason(s):

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

By Jack C. Silver, Clerk
Deputy