

APR 28 1992

United States District Court

NORTHERN

District of

OKLAHOMA

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

V.

JERRY WAYNE MORGAN

(Name of Defendant)

JUDGMENT IN A CRIMINAL CASE

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

Case Number 90-CR-087-008-E

Curtis Biram (Retained)

Defendant's Attorney

THE DEFENDANT:

- [X] pleaded guilty to count(s) One of the Information
[ ] 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:

Table with 4 columns: Title & Section, Nature of Offense, Date Offense Concluded, Count Number(s). Row 1: 18:4, MISPRISION OF A FELONY, 01/25/87, One

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

- [ ] The defendant has been found not guilty on count(s) and is discharged as to such count(s).
[X] Count(s) One through Fourteen of the Superseding Indictment (are) dismissed on the motion of the United States.
[X] It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s) One of the Information, 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.: 446-50-8314

Defendant's Date of Birth: 07/11/51

Defendant's Mailing Address:

5105 E. 32nd Street
Tulsa, Oklahoma 74135

Defendant's Residence Address:

5105 E. 32nd Street
Tulsa, Oklahoma 74135

April 27, 1992

Date of Imposition of Sentence

Signature of James O. Ellison

James O. Ellison, Chief
U. S. District Judge

Name & Title of Judicial Officer

April 28, 1992
Date

SM

Signature of P. M. Callough

Defendant: JERRY WAYNE MORGAN  
Case Number: 90-CR-087-008-E

Judgment—Page 2 of 3

### PROBATION

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

While on probation, the defendant shall not commit another Federal, state, or local crime, 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) That the defendant is to serve the first month of probation in home confinement as directed 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 the date of any change in employment or law enforcement status;
- 12) the defendant shall not knowingly accept any job or contract employment that is prohibited by law or otherwise with any party convicted of a crime;
- 13) as directed by the probation officer, the defendant shall notify his or her contacts, including any family members, of the defendant's criminal record, status on probation, and character of crime, and shall permit the probation officer to interview any such contacts if necessary to determine the defendant's compliance with court-ordered requirements;
- 14) the defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.
- 15) the defendant shall not possess a firearm or other dangerous weapon without the permission of the U. S. Probation Office.

Defendant: JERRY WAYNE MORGAN  
Case Number: 90-CR-087-008-E

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: 7

Criminal History Category: I

Imprisonment Range: 1 to 7 months

Supervised Release Range: - to 1 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

# United States District Court

APR 24 1992

NORTHERN District of OKLAHOMA

Richard M. Lawrence, Clerk  
U. S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

V.

CONNIE MONACO

(Name of Defendant)

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

Case Number: 92-CR-030-001-B

Rob Nigh

Defendant's Attorney

### THE DEFENDANT:

- pleaded guilty to count(s) One of an Information
- 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)	BANK ROBBERY WITH A DANGEROUS WEAPON	03/13/92	One

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. )  
Richard M. Lawrence, Clerk )  
By [Signature] )  
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 of the Information, 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.: 513-60-2316

Defendant's Date of Birth: 10/06/55

Defendant's Mailing Address:

Rt. 3, Box 2565  
Claremore, OK 74017

Defendant's Residence Address:

Rt. 3, Box 2565  
Claremore, OK 74017

April 24, 1992

Date of Imposition of Sentence

[Signature]  
Signature of Judicial Officer

Honorable Thomas R. Brett  
U. S. District Judge

Name & Title of Judicial Officer

4-24-92

Date

Defendant: CONNIE MONACO  
Case Number: 92-CR-030-001-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 15 months in Count One

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 ~~2:00 P.M.~~ 11:00 A.M. 5-18-92, or if designation is arranged sooner,
  - 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: CONNIE MONACO  
 Case Number: 92-CR-030-001-B

Judgment—Page 3 of 5

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of \_\_\_\_\_  
36 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.

The defendant shall submit to a psychological evaluation, and if deemed necessary, participate in a mental health program as approved 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.
- 14) the defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: CONNIE MONACO  
Case Number: 92-CR-030-001-B

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>
First Bank of Owasso Post Office Box 1800 Owasso, Oklahoma 74055 Attn: Allan Anderson, President	\$24,421

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: jointly and severally with codefendant, Danette Morrison.

- 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:  
Any amount not paid immediately shall be paid during the term of confinement, with any unpaid balance payable at the discretion of the U.S. Probation Office during the term 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: CONNIE MONACO  
Case Number: 92-CR-030-001-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: 25

Criminal History Category: I

Imprisonment Range: 57 to 71 months

Supervised Release Range: 3 to 5 years

Fine Range: \$ 10,000 to \$ 100,000

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

Restitution: \$ 24,421, jointly and severally with codefendant.

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): In accordance with Sections 5H1.6 and 5K2.0, the Court considered the defendant's unique familial circumstances and aberrational nature of the instant offense.

# United States District Court

APR 24 1992

NORTHERN

District of

OKLAHOMA

Richard M. Lawrence, Clerk  
U. S. 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)

Mary J. Meyer

Case Number: 91-CR-120-001-B

(Name of Defendant)

William Kim Wade

Defendant's Attorney

### THE DEFENDANT:

- pleaded guilty to count(s) \_\_\_\_\_.
- was found guilty on count(s) I - XXIII 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)
18:1084	Interstate Transmission of Wagering Information	1-6-89	I - XX
18:1956(a)(1)(A)(i) and (a)(1)(B)(i) and 2	Money Laundering and Aiding and Abetting	3-26-89	XXI - XXIII

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 \$ 1,150, for count(s) I - XXIII, 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.: 440-34-9611

Defendant's Date of Birth: 7-4-35

Defendant's Mailing Address:  
750 Royal Crest Circle, Unit 251  
Las Vegas, Nevada 89109

Defendant's Residence Address:  
Muskogee County Jail

4-23-92

Date of Imposition of Sentence

*Thomas R. Brett*  
Signature of Judicial Officer

Thomas R. Brett

U.S. District Judge

Name & Title of Judicial Officer

4-24-92

Date

Defendant: Mary J. Meyer  
Case Number: 91-CR-120-001-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 24 months as to each count. All counts to run concurrently.

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

The Court recommends that the designated place of incarceration be FCI Brian, Texas, provided this location meets all classification requirements as set out by 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: Mary J. Meyer  
Case Number: 91-CR-120-001-B

Judgment—Page 3 of 5

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of \_\_\_\_\_  
2 years as to all counts, 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 random urinalysis as directed by the U.S. Probation Office.

Defendant: Mary J. Meyer  
Case Number: 91-CR-120-001-B

Judgment—Page 4 of 5

**FINE**

The defendant shall pay a fine of \$ 10,000. The fine includes any costs of incarceration and/or supervision.

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

\$10,000 as to each count, to run concurrently.

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:

Any fine not paid immediately shall be paid during the time of confinement, with any unpaid balance payable at the direction of the U.S. Probation Office during the term of supervised release.

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: Mary J. Meyer  
Case Number: 91-CR-120-001-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): The Court finds that the amount of funds laundered by the defendant totals \$19,280, not \$257,030 as indicated in the report. Accordingly, the total offense level is reduced from 25 to offense level 23.

Guideline Range Determined by the Court:

Total Offense Level: 23

Criminal History Category: I

Imprisonment Range: 46 to 57 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 10,000 to \$ 6,500,000

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): The Court determined that the defendant's underlying conduct was commercial gambling, and that the money laundering counts overstated the seriousness of her conduct, and thus, inflated the range of punishment. Included in this finding is the Court's determination that, although lawful, the Government engaged in a form of count manipulation. Also considered was the fact that other defendants not charged in the instant case, but who engaged in similar misconduct during the instant offense, received substantially lessor sentences in another jurisdiction. The Court considered Section 5K2.0, and the principals of proportionality and uniformity as set out in Chapter One, Part A of the Guidelines, as justification for the sentence departure.

United States District Court ) SS  
Northern District of Oklahoma )

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

Richard M. Lawrence, Clerk

By  Deputy

# United States District Court

NORTHERN District of OKLAHOMA

UNITED STATES OF AMERICA

V.

DAVID EUGENE CORRAL, JR.

(Name of Defendant)

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

Case Number: 91-CR-074-001-C

William F. Powers (Retained)

Defendant's Attorney

### THE DEFENDANT:

- pleaded guilty to count(s) Five (5) 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)
18:922(g)	Possession of Firearm by Convicted Felon	January 11, 1991	Five (5)

# FILED

APR 23 1992

Richard M. Lawrence, Clerk  
U. S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

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) 1 through 4 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) Five 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.: 440-72-8181

Defendant's Date of Birth: 11-05-62

Defendant's Mailing Address:  
2638 South 101st Street  
Tulsa, Oklahoma 74125

Defendant's Residence Address:  
- SAME -

April 21, 1992

Date of Imposition of Sentence



Signature of Judicial Officer

H. Dale Cook, U.S. District Judge

Name & Title of Judicial Officer

Date

Richard M. Lawrence, Clerk  
By [Signature]  
Deputy

Defendant: David Eugene Corral, Jr.  
Case Number: 91-CR-074-001-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 six (6) 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 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.

**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 testing as directed by the U. S. Probation Office.

Defendant: David Eugene Jorral, Jr.  
 Case Number: 91-CR-074-001-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): The defendant possessed the firearms for lawful sporting and collection purposes. Therefore, pursuant to Section 2K2.1(b)(1), the defendant's offense level is reduced by 6 levels to a total offense level of 4. The correct corresponding guideline calculations are as follows:

#### Guideline Range Determined by the Court:

Total Offense Level: 4

Criminal History Category: III

Imprisonment Range: 0 to 6 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 250 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

APR 22 1992

Richard M. Lawrence, 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: 91-CR-130-001-B

VIRGINIA PHILLIPS

(Name of Defendant)

Allen Smallwood

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(X)
18:1343	Wire Fraud	10-10-91	One

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.

Richard M. Lawrence, Clerk  
By [Signature]  
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) 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.: 467-98-4420

Defendant's Date of Birth: October 11, 1955

Defendant's Mailing Address:

7311 East 62nd Street  
Tulsa, Oklahoma 74133

Defendant's Residence Address:

7311 East 62nd Street  
Tulsa, Oklahoma 74133

sm

April 22, 1992

Date of Imposition of Sentence

[Signature]  
Signature of Judicial Officer

Thomas R. Brett, United States District Judge

Name & Title of Judicial Officer

4-22-92

Date

Defendant: PHILLIPS, VIRGINIA  
 Case Number: 91-CR-130-001-B

Judgment—Page 2 of 4

### PROBATION

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

While on probation, the defendant shall not commit another Federal, state, or local crime, 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. That the defendant be prohibited from incurring new credit charges or opening additional lines of credit without the approval of the U. S. Probation Office.
2. That the defendant participate in credit counseling as directed 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) the defendant shall submit to urinalysis as directed by the U. S. Probation Office.
- 15) the defendant shall not possess a firearm or other dangerous weapon without the permission of the U. S. Probation Office.

Defendant: PHILLIPS, VIRGINIA  
Case Number: 91-CR-130-001-B

Judgment—Page 3 of 4

**FINE**

The defendant shall pay a fine of \$ 250. 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 One of the Indictment**

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:

as directed by the U. S. Probation Officer.

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: PHILLIPS, VIRGINIA  
Case Number: 91-CR-130-001-B

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: 5

Criminal History Category: I

Imprisonment Range: 0 to 6 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 250 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):

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 MARVIN LINDSEY, )  
 a/k/a PETE ADKINSON, )  
 )  
 Defendant. )

No. 91-CR-51-01-C

**FILED**

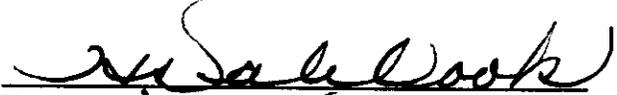
APR 21 1992

Richard M. Lawrence, Clerk  
U.S. DISTRICT COURT

O R D E R

Now on this 21<sup>st</sup> day of April, 1992 the plaintiff's Motion For Leave to Dismiss, without prejudice, the Indictment in the above-styled cause comes on to be heard. From the motion of counsel and other matters and things, the Court finds that said motion ought to be approved.

IT IS SO ORDERED.

  
H. DALE COOK ~~United States~~ <sup>Sistrict</sup> Judge

**FILED**

# United States District Court

APR 20 1992

NORTHERN District of OKLAHOMA

Richard M. Lawrence, Clerk  
U. S. 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)

Ricky Wayne Lowry

Case Number: 91-CR-138-001-E

(Name of Defendant)

Tom May (Retained)  
Defendant's Attorney

### THE DEFENDANT:

- pleaded guilty to count(s) Count 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)
18:922(o)	Possession of a Machine Gun With an Obliterated Serial Number	3-2-91	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) Two & Three 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:

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.: 442-54-7768

Defendant's Date of Birth: 4-22-52

April 15, 1992

Date of Imposition of Sentence

Defendant's Mailing Address:

*James O. Ellison*  
Signature of Judicial Officer

Box 2361

Alma, Arkansas 72921

Phone # 501/632-2194

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

Defendant's Residence Address:

same

April 17, 1992  
Date

U.S. District Court  
Northern District of Oklahoma  
Federal Courthouse  
1000 East 17th Street  
Oklahoma City, Oklahoma 73104

*B.M. Lullough*  
2017

Defendant: Ricky Wayne Lowry  
Case Number: 91-CR-138-001-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 34 months

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

At the request of the defendant, the Court recommends that he serve his sentence at a federal correctional center in, or near, the State of Colorado.

- 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 Friday, May 15, 1992.
- 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: Ricky Wayne Lowry  
 Case Number: 91-CR-138-001-E

Judgment—Page 3 of 4

### SUPERVISED RELEASE

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

That the defendant participate in a substance abuse treatment program, to include urinalysis as directed by the U. S. Probation Office.

That the defendant submit to a psychological evaluation and any treatment deemed necessary 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.
- 14) the defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: Ricky Wayne Lowry  
Case Number: 91-CR-138-001-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: 18

Criminal History Category: III

Imprisonment Range: 33 to 41 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 6,000 to \$ 60,000

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):

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

APR 16 1992

NORTHERN

District of OKLAHOMA

Richard M. Lawrence, Clerk  
U. S. 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)

Erwin L. Kennedy

Case Number: 92-CR-008-001-B

(Name of Defendant)

Craig Bryant

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:USC:1014	False Statement on Loan Documents	3-27-91	One

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.

Richard M. Lawrence, Clerk

By [Signature]  
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 \$ 50.00, 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.: 446-68-8619

Defendant's Date of Birth: 10-31-59

Defendant's Mailing Address:  
Route 1, Box 120  
Claremore, Oklahoma 74017

Defendant's Residence Address:  
Same

April 14, 1992

Date of Imposition of Sentence

[Signature]  
Signature of Judicial Officer

Thomas R. Brett, U.S. District Judge

Name & Title of Judicial Officer

4-16-92

Date

Defendant: Erwin L. Kennedy  
Case Number: 92-CR-008-001-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 One day

The court makes the following recommendations to the Bureau of Prisons: That the defendant receive credit for the one day he was in the custody of the U.S. Marshal's Office on January 13, 1992.

- 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.
1. That the defendant pay restitution in the amount of \$2,993.20 to the First Bank of Catoosa, P.O. Box 3000, Catoosa, Oklahoma 74015, loan number 2019795. Restitution payments shall be at the direction and 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: Erwin L. Kennedy  
Case Number: 92-CR-008-001-B

**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>
First Bank of Catoosa (loan #2019795) P.O. Box 3000 Catoosa, Oklahoma 74015	\$2,993.20

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: as directed by and 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:

Defendant: Erwin L. Kennedy  
Case Number: 92-CR-008-001-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: 6

Criminal History Category: I

Imprisonment Range: 0 to 6 months

Supervised Release Range: 3 to 5 years

Fine Range: \$ 500.00 to \$ 1,000,000.00

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

Restitution: \$ 2,993.00

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.

Larry Dale Fowler

(Name of Defendant)

## JUDGMENT IN A CRIMINAL CASE

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

Case Number: 91-CR-124-001-C

Craig Bryant

Defendant's Attorney

# FILED

APR 14 1992

### THE DEFENDANT:

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

Richard M. Lawrence, Clerk  
U.S. DISTRICT COURT

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)
18:922(g)(1)	Possession of a Firearm After Former Conviction of a Felony	January 23, 1991	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) \_\_\_\_\_ (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.

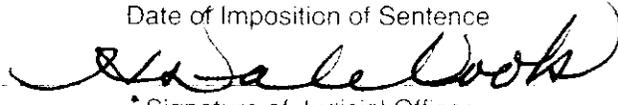
Defendant's Soc. Sec. No.: 420-02-9199

Defendant's Date of Birth: August 1, 1961

April 9, 1992

Date of Imposition of Sentence

Defendant's Mailing Address:



Signature of Judicial Officer

Tulsa City/County Jail  
Tulsa, OK

United States District Court )  
Northern District of Oklahoma ) SS

Dale Cook, U. S. District Judge  
Name & Title of Judicial Officer

Defendant's Residence Address:

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

Tulsa City/County Jail  
Tulsa, OK

Richard M. Lawrence, Clerk

Date

By R. Miller  
Deputy

Defendant: Larry Dale Fowler  
Case Number: 91-CR-124-001-C

Judgment -- Page 2 of 5

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 71 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 \_\_\_\_\_  
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.

Upon his release from imprisonment, any unpaid balance of the fine is to be paid while on supervised release, 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.
- 14) the defendant shall submit to urinalysis testing as directed by the U.S. Probation Office.

Defendant: Larry Dale Fowler  
Case Number: 91-CR-124-001-C

Judgment—Page 4 of 5

**FINE**

The defendant shall pay a fine of \$ 1,000. 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 One only

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:

while the defendant is incarcerated, with the unpaid balance payable upon his release from imprisonment, while on supervised release as directed by the U. S. 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, Larry Fowler  
Case Number: 91-CR-124-001-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: 23

Criminal History Category: III

Imprisonment Range: 57 to 71 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 10,000 to \$ 100,000

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.

Royce G. Caskey

(Name of Defendant)

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

Case Number: 91-CR-129-001-C

Stephen Greubel

Defendant's Attorney

### THE DEFENDANT:

- pleaded guilty to count(s) \_\_\_\_\_
- was found guilty on count(s) I through VI 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)
18:1014	False Statement on Loan Document	3-13-91	I through VI

# FILED

APR 14 1992

Richard M. Lawrence, Clerk  
U.S. DISTRICT COURT

The defendant is sentenced as provided in pages 2 through 5 of this judgment 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 \$ 300, for count(s) I through VI 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.: 466-76-7411

Defendant's Date of Birth: 11-6-48

Defendant's Mailing Address:

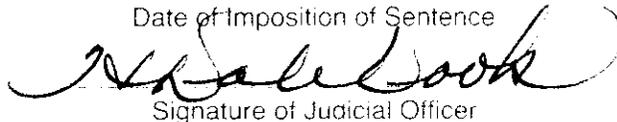
2008 W. Oakridge  
Broken Arrow, OK 74012

Defendant's Residence Address:

Same

April 9, 1992

Date of Imposition of Sentence



Signature of Judicial Officer

Dale Cook, 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.

Richard M. Lawrence, Clerk

By R. M. Lawrence  
Deputy

Date

mas

Defendant: Royce G. Caskey  
Case Number: 91-CR-129-001-C

Judgment—Page 2 of 5

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 21 months as to each count, 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.~~ 9 a.m. on May 11, 1992
  - 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 years as to each count, to run concurrent

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 pay restitution as noted on page four of this Order.

### 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 testing as directed by the U. S. Probation Office.

Defendant: Royce G. Caskey  
Case Number: 91-CR-129-001-C

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

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

<b><u>Name of Payee</u></b>	<b><u>Amount of Restitution</u></b>
WestStar Bank 4500 S. Garnett Road P. O. Box 470386 Tulsa, OK 74147	\$324,129.84

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:

any amount not paid immediately shall be paid during the term of confinement, with any unpaid balance payable at the discretion of the U. S. Probation Office during the term 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: Royce G. Caskey  
Case Number: 91-CR-129-001-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):

**Guideline Range Determined by the Court:**

Total Offense Level: 16

Criminal History Category: I

Imprisonment Range: 21 to 27 months

Supervised Release Range: 3 to 5 years

Fine Range: \$ 5,000 to \$ 6,000,000

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

Restitution: \$ 324,129.84

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):

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

**FILED**

APR 14 1992 *rm*

Richard M. Lawrence, Clerk  
U. S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, }  
 }  
 Plaintiff, }  
 }  
 vs. }  
 }  
 BILLY JOE SIMPSON, }  
 }  
 Defendant. }

No. 89-CR-36-C ✓

ORDER

Before the Court is the motion of defendant for reduction pursuant to Rule 35 F.R.Crim.P. Defendant and others were convicted on November 9, 1989 of various counts arising out of a bank fraud scheme. On February 1, 1990, the Court sentenced defendant to a five-year term of imprisonment and imposed restitution. Because defendant's offense occurred prior to November 1, 1987, Rule 35 is available to him.

The Court has reviewed the record in this case and finds that the sentence imposed was just and reasonable under the circumstances of this case.

It is the Order of the Court that the motion of defendant Billy Joe Simpson pursuant to Rule 35 is hereby denied.

IT IS SO ORDERED this 14th day of April, 1992.

*H. Dale Cook*  
H. DALE COOK  
United States District Judge

# United States District Court

NORTHERN District of OKLAHOMA

ON REMAND

UNITED STATES OF AMERICA  
V.

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

Reggie LeRoy

Case Number: 89-CR-091-005-C

**FILED**

(Name of Defendant)

Jeffrey Fischer

Defendant's Attorney

APR 14 1992

THE DEFENDANT:

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

Richard M. Lawrence, Clerk  
U.S. DISTRICT COURT

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)
21:846, 841(a)(1) 841(b)(1) (A)(iii)	Conspiracy to Distribute Controlled Substance, Cocaine Base in Excess of 50 Grams	7-20-89	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) The original 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 Superseding Indictment, which shall be due  immediately  as follows.

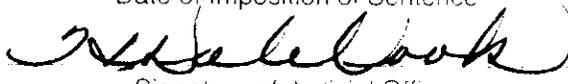
IT IS FURTHER ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: 448-70-0602

Defendant's Date of Birth: 12-19-68

April 9, 1992  
Date of Imposition of Sentence

Defendant's Mailing Address:  
Bureau of Prisons  
c/o Tulsa County Jail  
Tulsa, OK

  
Signature of Judicial Officer

Defendant's Residence Address:  
Bureau of Prisons  
c/o Tulsa County Jail  
Tulsa, OK

H. Dale Cook, U. S. District Judge  
Name & Title of Judicial Officer

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.

Richard M. Lawrence, Clerk  
By R. Miller  
Deputy

Date  
mas

Defendant: Reggie LeRoy  
Case Number: 89-CR-091-005-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 320 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 \_\_\_\_\_

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.
- 14) the defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: Reggie LeRoy  
Case Number: 89-CR-091-005-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 offense level, as set forth in the Addendum is based on four (4) kilograms of cocaine base, rather than seven (7) kilograms. This change does not affect calculation of the applicable guideline range of imprisonment.**

Guideline Range Determined by the Court:

Total Offense Level: 40

Criminal History Category: I

Imprisonment Range: 292 to 365 months

Supervised Release Range: ~~xxxxxx to xxxxxx years~~ 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: \$ \_\_\_\_\_

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):

his role in the offense and the magnitude of the operation of the illegal drug distribution operation.

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.

DARREN HARRIS

(Name of Defendant)

O N R E M A N D

## JUDGMENT IN A CRIMINAL CASE

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

Case Number: 89-CR-91-06-C

C.W. Hack

Defendant's Attorney

### THE DEFENDANT:

- pleaded guilty to count(s) \_\_\_\_\_
- was found guilty on count(s) One of the Superseding 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)
21:846, 841(a)(1), 841(b)(1)(A)(iii), 841(b)(1)(B)(ii)	Conspiracy to Distribute Controlled Substance Possession with Intent to Distribute Controlled Substance	7-20-89	One

# FILED

APR 14 1992

Richard M. Lawrence, 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)~~ The Original 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 Superseding 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.: Unknown

Defendant's Date of Birth: 6-19-71

4-9-92

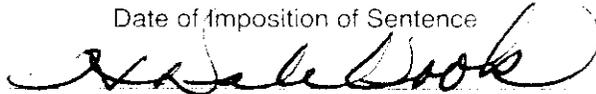
Date of Imposition of Sentence

Defendant's Mailing Address:

U.S. Penitentiary  
3901 Klein Blvd.  
Lompoc, CA 93436

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.



Signature of Judicial Officer  
The Honorable H. Dale Cook

U.S. District Judge  
Name & Title of Judicial Officer

Defendant's Residence Address:

U.S. Penitentiary  
3901 Klein Blvd.  
Lompoc, CA 93436

Richard M. Lawrence, Clerk

By B. Miller  
Deputy

Date

Defendant: Darren Harris  
Case Number: 89-CR-91-06-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

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 \_\_\_\_\_

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) the defendant shall submit to random urinalysis as directed by the U.S. Probation Officer.

Defendant: **Darren Harris**  
Case Number: **89-CR-91-06-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: 40

Criminal History Category: IV

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: \$                   

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): **Because of the defendant's role and participation in the instant offense, this sentence at the lowest end of the adult guideline range is deemed appropriate.**

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.

PATRICIA SMITH

(Name of Defendant)

## JUDGMENT IN A CRIMINAL CASE

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

Case Number: 91-CR-166-001-C

Jo Stanley Glenn

Defendant's Attorney

**FILED**

APR 14 1992

### THE DEFENDANT:

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

Richard M. Lawrence, Clerk  
U.S. DISTRICT COURT

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)
18:656	Misapplication of Financial Institution Funds	12-5-91	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 thru Seven 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:

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.: 447-42-2025

Defendant's Date of Birth: 8-25-43

April 9, 1992

Defendant's Mailing Address:

Date of Imposition of Sentence

920 W. El Paso St.  
Broken Arrow, Oklahoma

Signature of Judicial Officer

The Honorable H. Dale Cook  
U.S. District Judge

Defendant's Residence Address:

United States District Court )  
Northern District of Oklahoma ) SS

Name & Title of Judicial Officer

920 West El Paso St.

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

Broken Arrow, Oklahoma

Richard M. Lawrence, Clerk  
By R. Miller  
Deputy

Date

Defendant: Patricia Smith  
 Case Number: 91-CR-166-001-C

Judgment—Page 2 of 5

### 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. That the defendant serve six months in Home Detention, and abide by all conditions of home detention as directed by the U.S. Probation Office, including electronic monitoring and the cost of the electronic monitoring at the rate of \$4.00 per day.
2. That the defendant pay restitution in the amount of \$2,212.25 as directed by the U.S. Probation Office.
3. That the defendant pay a fine in the amount of \$500 as directed 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) the defendant shall submit to random urinalysis as directed by the U.S. Probation Office.

Defendant: Patricia Smith  
Case Number: 91-CR-166-001-C

Judgment—Page 3 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:

Count One of the Indictment.

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:

As directed by the U.S. 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: Patricia Smith  
Case Number: 91-CR-166-001-C

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**

Bank of Tulsa  
Attn: Randy Allison  
Post Office Box 470130  
Tulsa, Oklahoma 74147

\$ 2,212.25

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:

As directed by 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:

Defendant: Patricia Smith  
Case Number: 91-CR-166-001-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: 10

Criminal History Category: I

Imprisonment Range: 6 to 12 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 2,000 to \$ 1,000,000

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

Restitution: \$ 2,212.25

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.

Dana Barton Wilkerson, Jr.  
AKA: Tink Wilkerson

(Name of Defendant)

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

Case Number: 91-CR-162-001-C

**FILED**

Gary L. Richardson  
Defendant's Attorney

APR 14 1992

**THE DEFENDANT:**

- pleaded guilty to count(s) I and XXIII of the Indictment
- was found guilty on count(s) \_\_\_\_\_  
plea of not guilty.

Richard M. Lawrence, Clerk  
U.S. DISTRICT COURT

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)
18:1341	Mail Fraud	6/89	I
18:371	Conspiracy to Commit Bank Fraud	7/88	XXIII

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) \_\_\_\_\_ of the Indictment
- Count(s) II-XXII, & Cts. XXIV-XXVII (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 XXIII 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.: 444-24-5746

Defendant's Date of Birth: 5-30-31

April 9, 1992

Date of Imposition of Sentence

Defendant's Mailing Address:

9140 S. Florence Pl.  
Tulsa, OK 74137

*H. Dale Cook*  
Signature of Judicial Officer

Defendant's Residence Address:

Same

United States District Court )  
Northern District of Oklahoma ) SS

H. Dale Cook, U. S. District Judge  
Name & Title of Judicial Officer

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

By *R. M. Lawrence*  
Richard M. Lawrence, Clerk  
Deputy

Date

mas

Defendant: Dana Barton Wilkerson, Jr.  
Case Number: 91-CR-162-001-C

Judgment—Page 2 of 5

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 15 months as to each count  
Count XXIII to run concurrent to Ct. I.

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.~~ 9 a.m. on 5-11-92
- 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: Dana Barton Wilkerson, Jr.  
Case Number: 91-CR-162-001-C

Judgment—Page 3 of 5

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of \_\_\_\_\_  
three years as to each count to run concurrent

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 pay restitution as noted on page four of this Order.

### 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 testing as directed by U. S. Probation Office.

Defendant: Dana Barton Wilkerson, Jr.  
Case Number: 91-CR-162-001-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>
Federal Deposit Insurance Corporation, Division of Liquidation P. O. Box 26208 Oklahoma City, OK 73126	\$536,739.22
Chrysler Credit Corporation One Lakeview Energy Center Suite 800 3817 Northwest Expressway Oklahoma City, Oklahoma 73112-1465	\$178,141.64

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:

any amount not paid immediately shall be paid during the term of confinement, with any unpaid balance payable at the discretion of the U. S. Probation Office during the term 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: Dana Barton Wilkerson, Jr.  
Case Number: 91-CR-162-001-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: 14

Criminal History Category: I

Imprisonment Range: 15 to 21 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 4,000 to \$ 1,178,046

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

Restitution: \$ 714,880.86

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

APR 8 1992

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

Richard M. Lawrence, Clerk  
U. S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

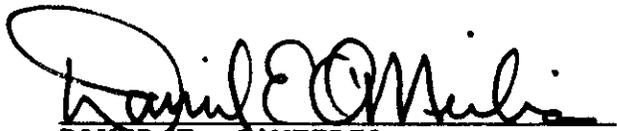
UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
CASEY KARNEY, )  
 )  
Defendant. )

No. 91-CR-145-C

MOTION FOR DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of court endorsed hereon, the United States Attorney for the Northern District of Oklahoma hereby moves to dismiss without prejudice the Information against defendant CASEY KARNEY.

TONY M. GRAHAM  
United States Attorney



DAVID E. O'MELIA  
Assistant U.S. Attorney

FILED

APR 14 1992

Richard M. Lawrence, Clerk  
U.S. DISTRICT COURT

ORDER

Leave of court is granted for the filing of the foregoing motion to dismiss, and the Court hereby orders dismissal of the Information, without prejudice, as to defendant CASEY KARNEY.

(Signed) H. Dale Cook

H. DALE COOK  
United States District Judge

Date: April 14, 1992

*entered*

FILED  
APR -6 1982  
CLERK OF COURT  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OK

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

UNITED STATES OF AMERICA,	}	
	}	
Plaintiff,	}	
	}	
vs.	}	No. 85-CR-57-C
	}	
JOHN FRANCIS ROURKE,	}	
	}	
Defendant.	}	

**ORDER AND AMENDED JUDGMENT**

Before the Court is the motion of the defendant, John Francis Rourke, for the Court to correct an illegal sentence pursuant to the provisions of Rule 35(a) F.R.Cr.P.

The Court has reviewed the record and concludes that defendant Rourke's conviction under Count One of the superseding information is subject to the addition of a mandatory special parole term which was inadvertently not imposed at the time of sentencing on November 22, 1985.

In reviewing the Judgment and Commitment Order the Court has also determined that the violation of Title 21 U.S.C. § 963, not charged in the superseding information, was erroneously listed as an offense of conviction. In light of both of these errors, the Court enters this order to amend the Judgment and Conviction dated November 22, 1985 by striking Title 21, U.S.C. § 963 as an offense

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.

Richard M. Lawrence, Clerk

By R. Mueller  
Deputy

of conviction and by adding to Count One of the sentence a special parole term of three years following the completion of the term of thirteen years imprisonment.

In his motion, defendant requests the Court to have the Government bear the expense of transportation and appointment of counsel to provide for his personal appearance before the Court in order to correct his sentence. Defendant relies on United States v. Grassi, 616 F.2d 1295 (5th Cir. 1980) reh'r denied 624 F.2d 1098, cert. denied, 449 U.S. 956 for this request.

The Court is aware of a split in the circuits as to whether the personal appearance of the defendant is required in order for trial courts to correct sentences previously imposed. *Cf.* United States v. Grassi, *supra* and United States v. Ammar, 919 F.2d 13 (3rd Cir. 1990) with Bontkowski v. United States, 850 F.2d 306, 312 (7th Cir. 1988) and United States v. Connolly, 618 F.2d 553 (9th Cir. 1980). After reviewing the relevant cases, the Court finds the reasoning set forth in Bontkowski v. United States, *supra*, persuasive to the factual circumstances herein.

The Court in Ammar, relied on the language contained in Rule 43(a) F.R.Cr.P. to require the personal appearance of a defendant in order to amend a sentence by adding the special parole term.

Federal Rules of Criminal Procedure 43 provides, in pertinent part:

(a) Presence Required. The Defendant shall be present at the arraignment, at the time of the plea, at every stage of the trial including the impaneling of the jury and the return of the verdict, and at the imposition of sentence, except as otherwise provided by this rule.

....

(c) Presence Not Required. A defendant need not be present in the following situations:

....

(4) At a reduction of sentence under Rule 35.

Fed.R.Crim.P. 43(a) and (c)(4) (*emphasis added*).

This Court opines that Rule 43(a) does not require the court to perform a futile act. The rule mandates the presence of a defendant at any sentencing procedure or phase where the court is or can exercise any discretion or be required to make any findings. Under such a circumstance, the defendant and his counsel must be present and be permitted to participate in the process. However, under the circumstances herein, the Court merely through inadvertence and oversight failed to impose the statutory-required special parole term. The sentence is therefore incomplete. As the Seventh Circuit has stated, "the defendant's presence is not required ... Nothing the defendant could say would aid the court in modifying a sentence to conform to mandatory statutory requirements". Bontkowski v. United States, 850 F.2d at 312.

By this order, the Court herein is imposing only the *minimum* parole term established in 21 U.S.C. § 960(b)(1); accordingly, the

Court is exercising no discretion or function requiring the input of the defendant or his counsel. The three-year special parole term will run concurrent to the four-year special parole term previously imposed on defendant from his Virginia conviction, Case No. 84-94-N.

The defendant was fully informed at the time of his change of plea hearing and within the terms of the written plea agreement that his conviction under 21 U.S.C. § 952(a) would include a mandatory special parole term of at least three years. Additionally, at the change of plea hearing the following colloquy occurred:

THE COURT: ... Now, do you have any questions at all concerning any matters that I have explained, any matter that you have represented to the Court in the Petition to Enter a Plea of Guilty or any other matter relative to these proceedings?

THE DEFENDANT: About the only thing I'm vague on is the special probation. I don't understand exactly what that means.

THE COURT: All right. Let me explain it to you. There is what they call a special parole term. On certain counts involving drug violations, the statute imposes a duty upon the Court to

impose a special parole term. That simply means that a term of parole is established after any penalties have been served as far as imprisonment and that the -- you would be the same as being on probation, on parole, the same as if you had been paroled out of prison. You would be under the same restraints to obey the law and the other restraints, and conditions, and limitations that a person on parole would be put under, and a violation of the conditions of parole could mean that the parole could be revoked and additional terms of imprisonment or term of imprisonment would have to be served. And as I have said, it can be no less than three years, and the Court could impose a special parole term for as long as you live, for life. Does that explain it to you?

THE DEFENDANT:

Yes, sir.

THE COURT:

Do you have any additional questions?

THE DEFENDANT:

I don't think so.

THE COURT:

All right. All right. How do you plead to count one?

THE DEFENDANT:

Guilty.

THE COURT: And how do you plead to count two?  
THE DEFENDANT: Guilty.  
THE COURT: How do you plead to count three?  
THE DEFENDANT: Guilty.  
THE COURT: How do you plead to count four?  
THE DEFENDANT: Guilty.  
THE COURT: Do you plead guilty to each counts one, two, three and four because you, in fact, are guilty?  
THE DEFENDANT: That is correct.

Transcript of Change of Plea, October 22, 1985, at pp. 16-17.

The Court was well aware that the special parole term was a necessary part of conviction under § 952(a), and did take it, and other factors, into consideration in formulating the complete sentence imposed on November 22, 1985. Through inadvertence the parole term was not pronounced in open court. At this time, the Court is merely completing the record and modifying the sentence previously imposed.

During times of rising costs of prosecution to the federal government, it is needless to subject the Government to the expense of transporting defendant from his facility of detention in El Reno, Oklahoma to Tulsa, Oklahoma and providing court-appointed counsel in order to impose the statutory minimum sentence mandated by law. If the Court were to impose a parole term greater than the

statutory mandatory minimum, the defendant and counsel would and should be present to participate in the proceedings.

Accordingly, it is the Order of the Court that the Judgment and Conviction entered on November 22, 1985 is hereby amended through the filing of this order, striking Title 21, U.S.C. § 963 and adding under Count One of the sentence for violation of 21 U.S.C. § 952(a), a special parole term of three years following the completion of the term of thirteen years imprisonment. The imposition of the special parole term completes the sentence pronounced in open court on November 22, 1985. In all other respects the terms and conditions of the sentence imposed remains in full force and effect.

After this order is filed and docketed in the court's record, a copy of this order shall be attached to the original Judgment and Conviction and forwarded to the Federal Bureau of Prisons to become a part of defendant Rourke's official record.

**IT IS SO ORDERED** this 3rd day of April, 1992.

  
H. DALE COOK  
United States District Judge

FILED

APR - 6 1992

# United States District Court

NORTHERN District of OKLAHOMA

Richard M. Lawrence, Clerk  
U.S. DISTRICT COURT

AMENDED

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

UNITED STATES OF AMERICA

V.

BILLY GENE HARRIS

Case Number: 89-CR-072-002-B

(Name of Defendant)

Marlin Davis (Appointed)  
Defendant's Attorney

### THE DEFENDANT:

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

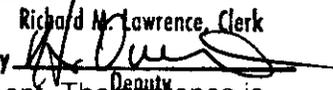
Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:1111, 2 & 1153	MURDER, FIRST DEGREE	02/25/89	One and Two

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.

Richard M. Lawrence, Clerk

By  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 \$1.00 (Total), for count(s) One and 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.: 442-44-7992

Defendant's Date of Birth: 03/22/44

Defendant's Mailing Address:

Box 571

Vici, Oklahoma

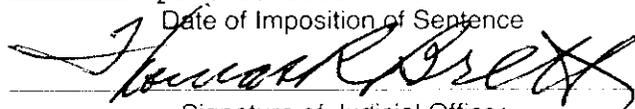
Defendant's Residence Address:

Box 571

Vici, Oklahoma

April 1, 1992

Date of Imposition of Sentence



Signature of Judicial Officer

Thomas R. Brett

U. S. District Judge

Name & Title of Judicial Officer

April 6 1992  
Date

Defendant: BILLY GENE HARRIS  
Case Number: 89-CR-072-002-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 Life

Count One - Life

Count Two - Life, said sentence to run concurrent with the sentence imposed in Count One.

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

The defendant should not be permitted to be released from prison during his life.

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: BILLY GENE HARRIS  
 Case Number: 89-CR-072-002-B

Judgment—Page 3 of 5

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of \_\_\_\_\_  
60 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.

The defendant shall pay restitution as noted on Page 4.

### 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 random urinalysis as directed by the  
 U. S. Probation Officer

Defendant: BILLY GENE HARRIS  
 Case Number: 89-CR-072-002-B

Judgment—Page 4 of 5

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

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

<b><u>Name of Payee</u></b>	<b><u>Amount of Restitution</u></b>
Joseph Cheshewalla c/o Bill Heskett Attorney-at-Law 304 First National Bank Building Pawhuska, OK 74056	\$11,690.21

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:

Restitution shall be paid immediately. If not paid immediately, it shall be paid during the period of imprisonment, according to a payment schedule formulated pursuant to the Inmate Financial Responsibility Program, or similar Bureau of Prisons program. Said payment schedule shall not require more than 50% of Harris's monthly income from his employment through Prison Industries to be paid. Should any balance remain if Harris is placed on supervised release, payments should be made 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:

Defendant: **BILLY GENE HARRIS**  
Case Number: **89-CR-072-002-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: 47

Criminal History Category: VI

Imprisonment Range: ~~Lifexxxxxxxxxxxxxx~~ months as to each Count.

Supervised Release Range: No more than 5 years as to each Count.

Fine Range: \$ 25,000 to \$ 250,000

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

Restitution: \$11,690.21

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): A life sentence is required by the Guidelines.

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

APR - 6 1992

Richard M. Lawrence, Clerk  
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

JASON KYLE FREESE

(Name of Defendant)

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

Case Number: 91-CR-165-001-B

Richard Couch

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)
18:371	Conspiracy	April 30, 1991	One

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.

Richard M. Lawrence, Clerk  
By H. Overton  
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) Two through Fourteen of the / Indictment (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.: 442-70-4005

Defendant's Date of Birth: 10-11-67

Defendant's Mailing Address:

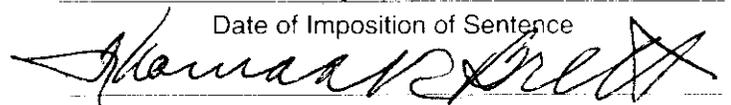
Rt. #3, Box 512  
Sand Springs, OK 74063

Defendant's Residence Address:

Rt. #3, Box 512  
Sand Springs, OK 74063

March 31, 1992

Date of Imposition of Sentence



Signature of Judicial Officer

THOMAS R. BRETT, U. S. DISTRICT JUDGE

Name & Title of Judicial Officer

apr 6 1992  
Date

Defendant: Jason Kyle Freese  
 Case Number: 91-CR-165-001-B

Judgment—Page 2 of 4

### PROBATION

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

While on probation, the defendant shall not commit another Federal, state, or local crime, 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 serve the first four months under home confinement, to include electronic monitoring at the direction of the U. S. Probation Office. He shall also pay \$4.00 per each day of monitoring, or \$480.00, as directed by the U. S. Probation Office, to defray the cost of the service.
2. The defendant shall pay restitution of \$10,337.68 jointly and severally with the co-defendant, according to the schedule set by the Probation Officer.
3. The defendant shall participate in credit counseling, if deemed necessary 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) the defendant shall submit to random urinalysis testing as directed by the U. S. Probation Office; and
- 15) the defendant shall not possess a firearm or destructive device.

Defendant: Jason Kyle Freese  
Case Number: 91-CR-165-001-B

**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>
Foley's Department Store Attn: Melissa Crause 8707 E. 71st Tulsa, OK 74133	\$10,337.68

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:  
as directed by the 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: Jason Kyle Freese  
Case Number: 91-CR-165-001-B

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: I

Imprisonment Range: 4 to 10 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: \$ 10,337.68 jointly and severally with co-defendant.

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.

Jo Lynn Patty

(Name of Defendant)

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

Case Number: 91-CR-05-001-C

Frank M. Hagedorn

Defendant's Attorney

**THE DEFENDANT:**

- pleaded guilty to count(s) One, Two, and Three 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)
18:287	False Claim Against the United States	5/90	One & Two
18:1344	Bank Fraud	8/90	Three

FILED

APR 2 1992

Richard H. Lawrence, Clerk  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

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 \$ 150, for count(s) One, Two, and Three 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.: 444-58-4047

Defendant's Date of Birth: 03-29-54

Defendant's Mailing Address:

P. O. Box 373  
Sapulpa, OK 74067

Defendant's Residence Address:

Same

March 30, 1992

Date of Imposition of Sentence

*H. Dale Cook*  
Signature of Judicial Officer

H. Dale Cook, U. S. District Judge

Name & Title of Judicial Officer

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

Richard H. Lawrence, Clerk

*R. Miller*

Date

Defendant: Jo Lynn Patty  
Case Number: 91-CR-05-001-C

Judgment—Page 2 of 5

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 33 months as to each count

Count Two and Count Three to run concurrently to the sentence imposed in Count One.

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

That FCI Phoenix be the designated location of confinement, provided said location meets all designation requirements as established by 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.~~ 9 a.m. on June 1, 1992
- 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 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 pay restitution as noted on page 4 of this order.

### 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.

A T T A C H M E N T

<u>NAME OF PAYEE</u>	<u>AMOUNT OF RESTITUTION</u>
Warner Robins Air Force Base Accounting and Finance Officer c/o Warner Robins ALC Robins Air Force Base, GA 31098	\$ 744,923.00
WestStar Bank P. O. Box 470386 Tulsa, OK 74147	\$1,438,650.12
First National Bank of Pryor and Oklahoma Works Authority c/o First National Bank of Pryor P. O. Box 218 Pryor, OK 74363	\$1,823,513.00
Transamerica Commercial Finance Corp. P. O. Box 50-100 Ontario, CA 91760	\$1,590,800.00
Fourth National Bank P.O. Box 2360 Tulsa, OK 74101	\$ 793,816.98
General Electric Credit Corp. c/o Andrew Turner, Conner & Winters 2400 First National Tower Tulsa, OK 74103	\$1,272,794.94

Defendant: Jo Lynn Patty  
Case Number: 91-CR-05-001-C

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 ATTACHMENT

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:

Any amount not paid immediately shall be paid during the term of confinement, with any unpaid balance payable at the discretion of the U. S. Probation Office during the term 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: Jo Lynn Patty  
Case Number: 91-CR-05-001-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 Court ruled that the loss in relation to Counts One and Two of the Indictment is \$744,922.84, not \$7,219,127 as represented in the report. Accordingly, the total loss as a result of the defendant's criminal conduct is \$6,687,968, not \$13,162,806 as represented in the presentence report.

**Guideline Range Determined by the Court:**

Total Offense Level: 20

Criminal History Category: I

Imprisonment Range: 33 to 41 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 7,500 to \$ 4,486,672

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

Restitution: \$ 7,664,498.04

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):