

# United States District Court

NORTHERN District of OKLAHOMA

UNITED STATES OF AMERICA  
V.

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

Thomas Robert Oliver  
(Name of Defendant)

Case Number: 91-CR-147

**FILED**

Richard Johnson

Defendant's Attorney

JUN 30 1992

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

THE DEFENDANT:

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

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

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:511(a)	Remove, Obliterate, Tamper With or Alter Motor Vehicle Identification	7-19-91	Two, Six

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) One, Three, Four & Five 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 \$ 100.00, for count(s) Two and Six 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.: 444-58-1025

Defendant's Date of Birth: 01-03-54

Defendant's Mailing Address:  
Rt 3, Box 317-J  
Sand Springs, Oklahoma 74063

Defendant's Residence Address:  
Same

June 24, 1992

Date of Imposition of Sentence

[Signature]

Signature of Judicial Officer  
The Honorable H. Dale Cook  
U.S. District Judge

Name & Title of Judicial Officer

Date

Defendant: Thomas Robert Oliver  
Case Number: 91-CR-147-C

Judgment—Page 2 of 4

### PROBATION

The defendant is hereby placed on probation for a term of 5 years on each count to run  
concurrently

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 the first six months under home confinement to include electronic monitoring, at the direction of the U.S. Probation Office. The defendant is to pay \$4 per day to help defray the cost of electronic monitoring.
- 2) That the defendant pay a fine as noted on Page 3.

### 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: Thomas Robert Oliver  
Case Number: 91-CR-147-C

Judgment—Page 3 of 4

**FINE**

The defendant shall pay a fine of \$ 2,000. 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 Two

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: Thomas Robert Oliver  
Case Number: 91-CR-147-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: 10

Criminal History Category: I

Imprisonment Range: 6 to 12 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 2,000 to \$ 20,000

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):

DATE JUN 29 1992

# United States District Court

**FILED**

JUN 29 1992

NORTHERN

DISTRICT OF

OKLAHOMA

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

UNITED STATES OF AMERICA

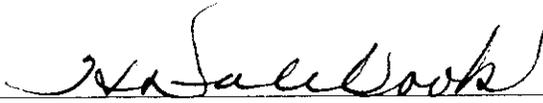
JUDGMENT OF ACQUITTAL

V.

Peter J. McMahon, Jr.

CASE NUMBER: 92-CR-035-C

The Defendant was found not guilty. IT IS ORDERED that the Defendant is acquitted, discharged, and any bond exonerated.



Signature of Judicial Officer

H. Dale Cook, U.S. District Judge

Name and Title of Judicial Officer

June 26, 1992

Date

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  Clerk

DATE JUN 29 1992

FILED

# United States District Court

NORTHERN

District of

OKLAHOMA

JUN 29 1992

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

UNITED STATES OF AMERICA

V.

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

Brian Edmond Turner

Case Number: 91-CR-158-002-C

(Name of Defendant)

Jack Short

Defendant's Attorney

**THE DEFENDANT:**

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:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:2113(a)	Bank Robbery	December 5, 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 JK Deputy

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

The defendant has been found not guilty on count(s) \_\_\_\_\_ and is discharged as to such count(s).  
 Count(s) One & Two of the Superseding 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 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.: 568-90-0245

Defendant's Date of Birth: 01-29-55

Defendant's Mailing Address:

449 E. 49th Street, Apt. #3  
Los Angeles, CA 90011

Defendant's Residence Address:

same

June 23, 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

6-29-92

Date

Defendant: **Brian Edmond Turner**  
Case Number: **91-CR-158-002-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 168 months on Count One of the Information

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 on Count One of the Information**

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 at the direction of the U. S. Probation Officer.**

Defendant: **Brian Edmond Turner**  
Case Number: **91-CR-158-002-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: **30**

Criminal History Category: **VI**

Imprisonment Range: **168** to **210** months

Supervised Release Range: **2** to **3** years

Fine Range: \$ **15,000** to \$ **150,000**

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

Restitution: \$ **5,528**

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

**Defendant does not have the ability to pay restitution.**

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):

**Defendant had limited involvement, did not possess a weapon, and has cooperated.**

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):

DATE 6-26-92

# United States District Court

NORTHERN District of OKLAHOMA

UNITED STATES OF AMERICA  
V.

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

MARION REGINALD TERRY  
(Name of Defendant)

Case Number: 92-CR-006-001-C

EVERETT R. BENNETT, JR.  
Defendant's Attorney

### THE DEFENDANT:

- pleaded guilty to count(s) Two 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)
26:7214(a)(7)	FALSE STATEMENT	October, 1991	Two

# FILED

## JUN 26 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) One of the Indictment (is) ~~not~~ dismissed on the motion of the United States.
- It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s) Two of the Indictment, which shall be due  immediately  as follows:

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

Defendant's Soc. Sec. No.: 448-52-4806

Defendant's Date of Birth: 10-29-51

Defendant's Mailing Address:

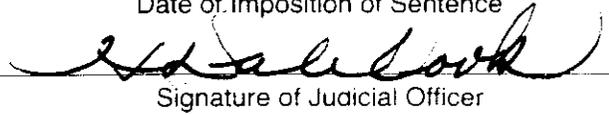
535 E. Pine Place  
Tulsa, OK 74106

Defendant's Residence Address:

535 E. Pine Place  
Tulsa, OK 74106

June 23, 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. Miller  
Deputy

Date

Defendant: **Marion Reginald Terry**  
 Case Number: **92-CR-006-001-C**

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:

The defendant shall pay restitution in the amount of \$3,998.11 as noted on page three of this Judgment.

### 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;
- 15) the defendant shall not possess a firearm or destructive device.

Defendant: Marion Reginald Terry  
Case Number: 92-CR-006-001-C

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Internal Revenue Service Office of Regional Inspector 4013 N. W. Expressway, Room 218 Oklahoma City, OK 73116	\$3,998.11

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 U. S. Probation Office.

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

<input type="checkbox"/> The defendant is ordered to forfeit the	<p style="text-align: center;"><b>FORFEITURE</b></p> <input type="checkbox"/> property to the United States:
--	--

Defendant: **Marion Reginald Terry**  
 Case Number: **92-CR-006-001-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 Court sustained the defendant's objections One and Two as stated in the Addendum, finding that the defendant did not abuse a position of trust under the peculiar circumstances of this offense. In addition, no loss occurred as a result of the criminal act because the statutory time had expired when the forgery occurred.**

#### Guideline Range Determined by the Court:

Total Offense Level: 4

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: \$ 3,998.11 as per the plea agreement.

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

JUN 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)

Sherrion Louise Lacey

Case Number: 90-CR-055-001-E

(Name of Defendant)

R.W. Byars

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)
18:3146(a)(1) and (b)(1)(A)(ii)	Bail Jumping	03-26-92	One

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

- The defendant has been found not guilty on count(s) \_\_\_\_\_ and is discharged as to such count(s).
- Count(s) \_\_\_\_\_ (is)(are) dismissed on the motion of the United States.
- 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.: 346-46-0011

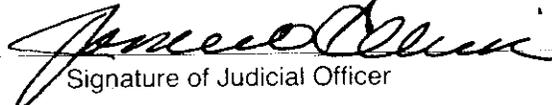
Defendant's Date of Birth: 09-09-51

June 16, 1992

Date of Imposition of Sentence

Defendant's Mailing Address:

%Tulsa County Jail  
500 S. Denver, Tulsa, Oklahoma 74103

  
Signature of Judicial Officer

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

Defendant's Residence Address:

Same

6/24/92

Date

ENTERED ON DOCKET

DATE 6/24/92

Defendant: Sherrion Louise Lacey  
Case Number: 90-CR-055-001-B

Judgment—Page 2 of 4

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 13 months, with the defendant receiving credit for time served.

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

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

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

- at \_\_\_\_\_ a.m. \_\_\_\_\_ p.m. on \_\_\_\_\_.
- as notified by the United States marshal.

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

- before 2 p.m. on \_\_\_\_\_.
- as notified by the United States marshal.
- as notified by the probation office.

**RETURN**

I have executed this judgment as follows:

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

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

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

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

Defendant: Sherrion Louise Lacey  
 Case Number: 90-CR-055-001-E

Judgment— Page 3 of 4

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of \_\_\_\_\_  
 three (3) years to run concurrent with Probation in 87-CR-054.

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

- The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- The defendant shall not possess a firearm or destructive device.

Defendant is to participate in a substance abuse program 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 as directed by the U.S. Probation Office.

Defendant: **Sherrion Louise Lacey**  
Case Number: **90-CR-055-001-E**

**STATEMENT OF REASONS**

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

OR

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

**Guideline Range Determined by the Court:**

Total Offense Level: 10

Criminal History Category: III

Imprisonment Range: 10 to 16 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 2,000 to \$ 20,000

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

Restitution: \$ N/A

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

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

OR

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

OR

The sentence departs from the guideline range

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

for the following reason(s):

# United States District Court

**FILED**

JUN 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

Sherrion Louise Lacey  
% Tulsa County Jail  
500 S. Denver  
Tulsa, Oklahoma 74103

Case Number: 87-CR-054-001-E

(Name and Address of Defendant)

R.W. Byars

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

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

THERE WAS A:

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

THERE WAS A:

finding  verdict] of not guilty as to count(s) \_\_\_\_\_  
 judgment of acquittal as to count(s) \_\_\_\_\_  
The defendant is acquitted and discharged as to this/these count(s).

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

Theft of Government Property, Aiding and Abetting 18:641 & 2

IT IS THE JUDGMENT OF THIS COURT THAT: Imposition of sentence is suspended and the defendant is placed on probation for a term of five (5) years. In addition, the defendant is to pay restitution in the amount of \$1,372.85, as directed by the U.S. Probation office. Payment of restitution shall be paid to the following victims:

Lakeside Bank of Salina, P.O. Box 188, Salina, Oklahoma 74365, in the amount of \$900.

American Bank of Wagoner, P.O. Box 568, Wagoner, Oklahoma 74477, in the amount of \$472.85.

Defendant is to participate in a substance abuse program as directed by the U.S. Probation Office.

ENTERED ON DOCKET

DATE 6/24/92

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

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

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

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 50.00 pursuant to Title 18, U.S.C. Section 3013 for count(s) One of the Indictment as follows:

The special assessment is due immediately.

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

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

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

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

June 16, 1992

Date of Imposition of Sentence

x *James O. Ellison*  
Signature of Judicial Officer

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

Name and Title of Judicial Officer

6/24/92

Date

RETURN

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

Jack C. Silver, Clerk

By *D.M. Callahan*  
Deputy

I have executed this Judgment as follows:

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

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

United States Marshal

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

**FILED**

# United States District Court

JUN 23 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

Richard Byron Wood  
8928 East 92nd Court  
Tulsa, Oklahoma 74133

Case Number: 91-CR-144-001-B

(Name and Address of Defendant)

James W. Connor, Jr. (Retained)

Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

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

THERE WAS A:

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

THERE WAS A:

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

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

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

Smuggling Controlled Substance Into the United States, Title 18, United States Code, Section 545, a Class D Felony.

IT IS THE JUDGMENT OF THIS COURT THAT:

The imposition of sentence is suspended and the defendant is placed on probation for five (5) years. As special conditions, the defendant shall successfully participate in a program of urinalysis, and drug treatment, if deemed necessary, all as directed by the U.S. Probation Office. In addition, the defendant shall complete 250 hours of community service during the term of probation, as approved and directed by the U.S. Probation Office.

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

ENTERED ON DOCKET

DATE JUN 24 1992

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

jmw

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

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

The court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within the maximum probation period of 5 years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 50 pursuant to Title 18, U.S.C. Section 3013 for count(s) One of the Information as follows:

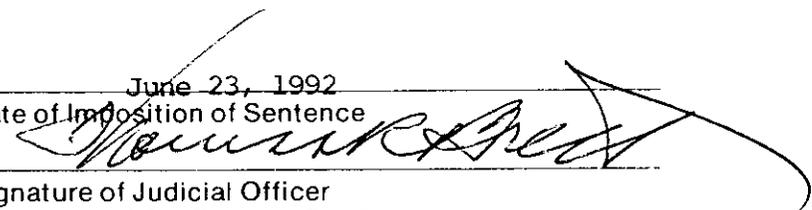
Count One: \$50

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

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

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

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

June 23, 1992  
Date of Imposition of Sentence  
  
Signature of Judicial Officer  
The Honorable Thomas R. Brett  
U.S. District Judge  
Name and Title of Judicial Officer  
6-23-92  
Date

RETURN

I have executed this Judgment as follows:

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

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

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

United States Marshal

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

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**FILED**

JUN 19 1992

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

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
)  
v. )  
)  
LEE C. McARDLE, )  
)  
Defendant. )

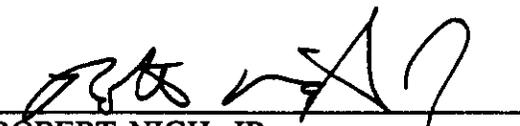
No. 92-CR-12-C ✓

MOTION AND ORDER OF DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of court endorsed hereon, the United States Attorney for the Northern District of Oklahoma hereby moves to dismiss without prejudice the Indictment filed February 5, 1992, against Lee C. McArdle, defendant.

APPROVED:

TONY M. GRAHAM  
United States Attorney

  
ROBERT NIGH, JR.  
Assistant Federal Public Defender  
Attorney for Defendant

  
KENNETH P. SNOKE  
Assistant United States Attorney

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

  
H. DALE COOK  
Chief United States District Judge

**FILED**

Date:

KPS:ssg

JUN 23 1992  
Richard M. Lawrence, Clerk  
U. S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

ENTERED / DOCKET

DATE JUN 23 1992

FILED

JUN 22 1992

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

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA )  
Plaintiff )  
vs. )  
Joy Denise Davis, )  
Defendant )

Docket No. 89-CR-058-001-B

SENTENCING ORDER

On the 28th day of May, 1992, this matter came before me, the undersigned Judge, on application to revoke the supervised release of Joy Denise Davis. Plaintiff represented by Assistant United States Attorney Lucy O. Creekmore, and the defendant present and represented by Ernest Bedford, attorney at law. The Court finds as follows:

On the 12th day of December, 1989, the defendant was sentenced to a term of three years probation with the condition that she be admitted to the community treatment center for ninety days and participate in substance abuse treatment.

On the 1st day of June, 1990, the defendant's probation was revoked, and she was sentenced to the custody of the Bureau of Prisons for one year, to be followed by a two year term of supervised release.

On the 16th day of May, 1991, the defendant was released from the custody of the Bureau of Prisons to commence her two year term of supervised release.

I hereby certify that the foregoing is a true copy of the original on file in this Court.  
Richard M. Lawrence, Clerk  
By \_\_\_\_\_ Deputy

On the 20th day of June, 1991, the defendant's conditions of supervised release were modified to include the special condition that the defendant participate in substance abuse monitoring and treatment as directed by the U. S. Probation Office.

By stipulation, the defendant admitted the allegations contained in the Petition on Probation and Supervised Release filed by Robert E. Boston, of the U. S. Probation Office, on May 12, 1992. Those allegations are as follows:

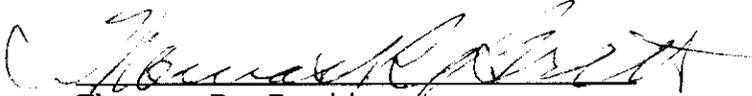
1. The defendant, Joy Denise Davis, submitted urine specimens which tested positive for use of cocaine on December 31, 1991, January 15, 1992, January 22, 1992, and April 17, 1992.
2. The defendant, Joy Denise Davis, failed to report to Freedom House to submit specimens as instructed on January 18, 1992, January 25, 1992, January 28, 1992, April 9, 1992, April 28, 1992, and May 1, 1992.

The Court found that the defendant committed the violations as alleged and that she illegally possessed controlled substances during her term of supervised release.

The Court finds that, pursuant to § 7A1.3(b), of the U. S. Sentencing Guidelines, upon a finding of a violation of supervised release involving conduct other than conduct constituting new criminal conduct, the Court may revoke supervised release; or extend the term of supervised release and/or modify the conditions of supervised release.

The Court further finds that, pursuant to the provisions of Title 18, United States Code, § 3565(a), the Court shall revoke the sentence of supervised release and sentence the defendant to not less than one-third of the original sentence. The original sentence was twenty-four months supervised release.

The Court has determined that the defendant is in need of long-term correctional and drug abuse treatment in a structured environment. It is therefore the judgment of the Court that the defendant is hereby sentenced to the custody of the Bureau of Prisons for a term of eighteen months, to be followed by a six month term of supervised release. The Court strongly recommends to the Bureau of Prisons that the defendant be designated to a correctional facility which has a comprehensive drug abuse treatment program in place. The defendant is further ordered to undergo drug abuse treatment and drug screening as directed by the U. S. Probation office during the term of supervised release.

  
Thomas R. Brett  
United States District Judge

Approved as to form:

  
Lucy O. Creekmore  
Assistant U. S. Attorney

JUN 18 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.

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

Judy Gillogly

Case Number: 92-CR-013-001-E

(Name of Defendant)

Rob Nigh
Defendant's Attorney

THE DEFENDANT:

- [X] 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:

Table with 4 columns: Title & Section, Nature of Offense, Date Offense Concluded, Count Number(s). Row 1: 18:656, Misapplication of Financial Institution Funds, 10-23-91, 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).
[X] Count(s) Two through Five of the Indictment (is)(are) dismissed on the motion of the United States.
[X] It is ordered that the defendant shall pay a special assessment of \$ 50.00, for count(s) One of the Indictment, which shall be due [X] immediately [ ] as follows:

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

Defendant's Soc. Sec. No.: 445-44-4064

Defendant's Date of Birth: 10-28-45

Defendant's Mailing Address:

7338 E. 50th Street South
Tulsa, Oklahoma 74145

Defendant's Residence Address: Same

June 11, 1992

Date of Imposition of Sentence

Signature of James O. Ellison

The Honorable James O. Ellison
Chief U.S. District Judge

Name & Title of Judicial Officer

June 11, 1992

Date

ENTERED ON DOCKET

DATE JUN 18 1992

By B.M. Culbough
U.S. Marshal

Defendant: Judy Gillogly  
Case Number: 92-CR-013-001-E

Judgment—Page 2 of 4**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 two months under home confinement to include electronic monitoring, at the direction of the U.S. Probation Office. The defendant shall compensate the U.S. Probation Office for the full cost of electronic monitoring at the rate of \$4.00 per day.
- 2.) That the defendant pay restitution of \$5,790.06 to the Bank of Tulsa, 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.) That the defendant shall submit to random urinalysis as directed by the U.S. Probation Office.

Defendant: Judy Gillogly  
Case Number: 92-CR-013-001-E

**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>
Bank of Tulsa Post Office Box 470130 Tulsa, Oklahoma 74147-0130	\$5,790.06

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:

at the direction 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: Judy Gillogly  
Case Number: 92-CR-013-001-E

STATEMENT OF REASONS

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

OR

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

Guideline Range Determined by the Court:

Total Offense Level: 8

Criminal History Category: I

Imprisonment Range: 2 to 8 months

Supervised Release Range: 2 to 3 years

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

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

Restitution: \$ 5,790.06

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):

JUN 17 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.

Danette Morrison

(Name of Defendant)

JUDGMENT IN A CRIMINAL CASE

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

Case Number: 92-CR-031-001-B

Jackson M. Zanerhaft

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: 18:2113(a)(d) & 2, Bank Robbery With a Dangerous Weapon and Aiding & Abetting, 3-13-92, 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.
[X] It is ordered that the defendant shall pay a special assessment of \$ 50.00, for count(s) One of the Information, which shall be due [X] immediately [ ] as follows:

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

Defendant's Soc. Sec. No.: 444-78-8344

Defendant's Date of Birth: 05-02-65

Defendant's Mailing Address:

Rt. 7, Box 402

Claremore, Oklahoma

Defendant's Residence Address:

Same

June 12, 1992

Date of Imposition of Sentence

[Signature of Thomas R. Brett]

Signature of Judicial Officer

Thomas R. Brett, U.S. District Judge

Name & Title of Judicial Officer

6-17-92

Date

ENTERED ON DOCKET

JUN 18 1992

DATE

Defendant: MORRISON, Danette  
Case Number: 92-CR-031-001-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

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 11:00 <sup>a.m.</sup> ~~p.m.~~ on July 27, 1992  
 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 participate in mental health counseling and, if deemed necessary, actively participate in a mental health program approved by the U.S. Probation Office.
  2. That 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 urinalysis as directed by the U.S. Probation Office.

Defendant: MORRISON, Danette

Judgment—Page 4 of 5

Case Number: 92-CR-031-001-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 Owasso Attn: Alan G. Anderson P.O. Box 1800 Owasso, Oklahoma 74055	\$20,781:00

Payments of restitution are to be made to:

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

Restitution shall be paid:

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

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: MORRISON, Danette  
 Case Number: 92-CR-031-001-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: \$ 20,781.00 (jointly and severally with companion defendant.)

Full restitution is not ordered for the following reason(s): Restitution of \$20,781.00 was ordered due to the defendant making a payment of \$3,640.00 prior to sentencing.

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): 18:3563(c)  
 Based upon aberrant behavior and family circumstances of a kind or to a degree not adequately considered by the Sentencing Guidelines, the Court departed to an offense level of 14, with a guideline range of 15-21 months.

**FILED**

# United States District Court

JUN 17 1992

NORTHERN

OKLAHOMA

District of

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

UNITED STATES OF AMERICA

V.

Mark Edward Brown

(Name of Defendant)

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

Case Number: 92-CR-024-001-B

Steve Greubel

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)
18:2314	Interstate Transportation of Converted Property	5-7-91	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.: 453-25-0149

Defendant's Date of Birth: 07-05-59

Defendant's Mailing Address:

Rt. 2, Box 415

Diana, Texas 75640

Defendant's Residence Address:

Same

June 12, 1992

Date of Imposition of Sentence

[Signature]  
Signature of Judicial Officer

Thomas R. Brett, U.S. District Judge

Name & Title of Judicial Officer

June 17, 1992  
Date

ENTERED ON DOCKET

DATE JUN 18 ENT'D-1992  
MN

Defendant: Mark Edward Brown  
Case Number: 92-CR-024-001-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 120 months

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

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

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

- at \_\_\_\_\_ a.m. \_\_\_\_\_ p.m. on \_\_\_\_\_
- as notified by the United States marshal.

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

- before 2 p.m. on \_\_\_\_\_
- as notified by the United States marshal.
- as notified by the probation office.

**RETURN**

I have executed this judgment as follows:

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

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

\_\_\_\_\_, with a certified copy of this judgment.

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

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

Defendant: Mark Edward Brown  
 Case Number: 92-CR-024-001-B

Judgment—Page 3 of 5

### SUPERVISED RELEASE

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

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

- The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- The defendant shall not possess a firearm or destructive device.
  1. The defendant shall pay restitution totaling \$110,165.37, as noted on page four of this Order.
  2. The defendant is to participate in a substance abuse program approved by and at the discretion of the U.S. Probation Office.

### STANDARD CONDITIONS OF SUPERVISION

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

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer within 72 hours of any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- 14) the defendant shall submit to urinalysis testing as directed by the U.S. Probation Office.

Defendant: Mark Edward Brown  
Case Number: 92-CR-024-001-B

Judgment—Page 4 of 5

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

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

**Name of Payee**

**Amount of Restitution**

PLEASE SEE ATTACHED

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 payments shall be payable during the period of incarceration, with payment of any remaining balance payable at the direction 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:

ATTACHMENT

Restitution totals \$110,165.37, and is payable as prescribed below:

<u>NAME</u>	<u>AMOUNT</u>
Clarence Glasgow 2620 S. Yorktown Tulsa, OK 74114	\$ 1,548.72
State Farm Insurance Company State Farm Service 9233 S. Memorial Attn: Carol Davis #36-D279-883 Tulsa, OK 74133 (Claim of victim Glasgow)	\$23,616.65
Mary S. Menager 2134 E. 60th St. Tulsa, OK 74105	\$15,000.00
Colonial Penn Insurance Co. Executive Officer CP 1818 Market St. Philadelphia, PA 19181 (Claim of victim Menager)	\$ 1,000.00
William F. Tucker 1211 E. 21st St. Tulsa, OK 74114	\$15,000.00
Clubb Insurance Co. Two Warren Place 6120 S. Yale, Suite 3100 Tulsa, OK 74136-4222 (Claim of victim David Williams - five paintings taken by defendant to Texas)	\$54,000.00 plus (one settlement has not occurred).

Defendant: Mark Edward Brown  
Case Number: 92-CR-024-001-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): **That the Court finds that the proper way to handle offense conduct is by relevant conduct. The residential robberies and burglary committed by the defendant which establishes the most serious offense is the Mary Menager robbery. Pursuant to Section 1B1.3 (Relevant Conduct) this offense will be used to establish the offense level. Therefore, the Court finds that paragraphs 27 thru 34 establish an offense level of 29.**

**Guideline Range Determined by the Court:**

Total Offense Level: 29

Criminal History Category: III

Imprisonment Range: 108 to 135 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 15,000 to \$ 150,000

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

Restitution: \$ 110,165.37 plus the additional sum yet to be determined of the loss sustained by victim, David Williams.

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 sentence in the mid-range of the guideline range addresses Brown's roll in the offense.

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

**FILE**

JUN 17 1992

Richard M. Lawrence, C  
U. S. DISTRICT COUF  
NORTHERN DISTRICT OF OKLAHO.

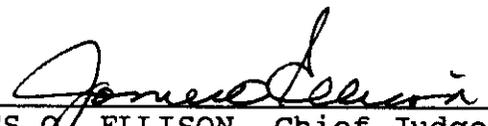
UNITED STATES OF AMERICA, )  
 )  
Plaintiff-Respondent, )  
 )  
vs. )  
 )  
HAROLD ED BURNETT, )  
 )  
Defendant-Petitioner. )

No. 84-CR-5-01-E ✓  
91-C-886-E

ORDER

Upon motion by Mr. Burnett requesting dismissal of his Motion to Vacate, Set Aside or Correct Sentence pursuant to 20 U.S.C. §2255, the Court has reviewed the record and finds the motion should be granted. The Court further finds that the remaining pending issues are thereby rendered moot.

So ORDERED this 16<sup>th</sup> day of June, 1992.

  
\_\_\_\_\_  
JAMES O. ELLISON, Chief Judge  
UNITED STATES DISTRICT COURT

**FILED**

**JUN 12 1992**

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

\*PROB 22  
(Rev. 2/88)

DOCKET NUMBER (Tran. Court)  
91-CR-139-005-B  
DOCKET NUMBER (Rec. Court)

**TRANSFER OF JURISDICTION**

NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE Allan Dale Vassar Box 35 Tryon, Oklahoma 74875	DISTRICT Northern/Oklahoma	DIVISION Criminal	
	NAME OF SENTENCING JUDGE Thomas R. Brett		
	DATES OF PROBATION/ SUPERVISED RELEASE	FROM 3-19-92	TO 3-18-95

OFFENSE  
Conducting an Illegal Gambling Business

**PART 1 - ORDER TRANSFERRING JURISDICTION**

UNITED STATES DISTRICT COURT FOR THE Northern DISTRICT OF Oklahoma

IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of this Court to the United States District Court for the Western District of Oklahoma upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this court.\*

*May 20, 1992*  
Date

**S/ THOMAS R. BRETT**  
United States District Judge

\*This sentence may be deleted in the discretion of the transferring Court.

**PART 2 - ORDER ACCEPTING JURISDICTION**

UNITED STATES DISTRICT COURT FOR THE Western DISTRICT OF Oklahoma

IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.

June 2, 1992  
Effective date

S/LEE R. WEST  
United States District Judge

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

**FILED**

**JUN 11 1992**

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

UNITED STATES OF AMERICA, )  
)  
Plaintiff, )  
)  
v. ) No. 91-CR-09-E  
)  
ROSA E. BENAVIDES, )  
)  
Defendant. )

**MOTION TO DISMISS**

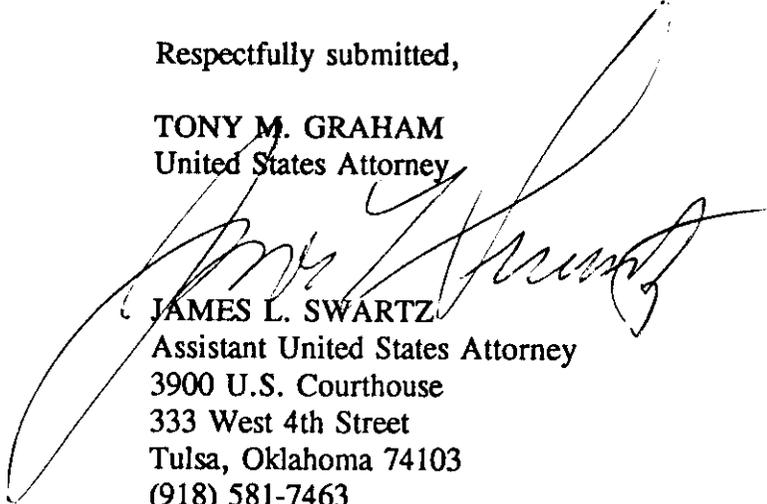
COMES NOW the plaintiff, the United States of America, by and through its duly authorized representative, Tony M. Graham, United States Attorney for the Northern District of Oklahoma, and by James L. Swartz, Assistant United States Attorney, and in support of the plaintiff's Motion to Dismiss, alleges and states as follows:

The government would move the Court to dismiss Rosa E. Benavides as a defendant from the above-styled case in and for the reason that Ms. Benavides has entered her plea of guilty in Case No. 91-CR-98-E, a charge of Traveling in Interstate Commerce in Aid of Racketeering, in violation of Title 18, United States Code, Section 1952(a). Said plea was entered on May 4, 1992, and the government believes that substantial justice will be done in this matter by virtue of the punishment Ms. Benavides receives having plead guilty to the new charge. Ms. Benavides testified as a government witness in the trial in the case in which she was first charged and the plaintiff considers her testimony to have been of great assistance in obtaining

the conviction of her co-defendants. Therefore, the government believes that the ends of justice will be met by the dismissal of Ms. Benavides as a defendant from the former case.

Respectfully submitted,

TONY M. GRAHAM  
United States Attorney



JAMES L. SWARTZ  
Assistant United States Attorney  
3900 U.S. Courthouse  
333 West 4th Street  
Tulsa, Oklahoma 74103  
(918) 581-7463

**CERTIFICATE OF SERVICE**

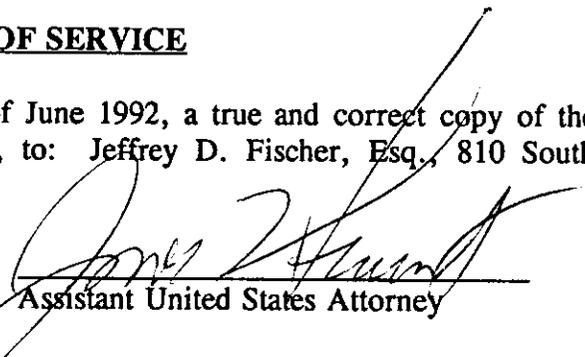
This is to certify that on the 11 day of June 1992, a true and correct copy of the foregoing was mailed, postage prepaid thereon, to: Jeffrey D. Fischer, Esq., 810 South Cincinnati, Tulsa, Oklahoma 74119.

**FILED**

JUN 15 1992

JLS:ssg

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



Assistant United States Attorney

ENTERED ON DOCKET

DATE 6-15-92

**ORDER**

NOW on this 12<sup>th</sup> day of June 1992, upon the motion of the government, the Court finds that Rosa E. Benavides should be dismissed as a defendant from Case No. 91-CR-09-E pursuant and upon the grounds contained in the government's Motion of Dismiss.

S/ JAMES O. ELLISON

---

JAMES O. ELLISON  
Chief, United States District Judge  
Northern District of Oklahoma

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

UNITED STATES OF AMERICA, }  
 }  
 Plaintiff, }  
 }  
 vs. }  
 }  
 JERRY CRAIG COLEMAN, }  
 }  
 Defendant. }

No. 91-CR-158-C ✓

**FILED**

JUN 4 - 1992 *RM*

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

ORDER

The motion of defendant Jerry Craig Coleman for judgment of acquittal is denied. The evidence at trial was overwhelming as to the guilt of the defendant and supports the jury verdict.

*IT IS SO ORDERED* this 2 day of June, 1992.

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

ENTERED ON DOCKET

DATE 6-5-92

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

**F I L E D**

JUN 4 - 1992 *mm*

UNITED STATES OF AMERICA,	}
	}
Plaintiff,	}
	}
vs.	}
	}
MIKE YOUNGPETER,	}
	}
Defendant.	}

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

No. 91-CR-50-C

ORDER

Pending before the Court is the motion of the defendant, Mike Youngpeter, for new trial based on newly discovered evidence. Defendant offers a sworn statement by George Semler which allegedly impeaches the testimony of a witness who testified at trial on behalf of the government. The witness, Kerrie Webster, testified that the defendant sold her drugs at a tire shop in Bixby, Oklahoma. In his sworn statement, Semler attests that he was living with Kerrie Webster during the time frame of the alleged purchases. He accompanied her on several occasions to the Bixby tire shop but that drugs were never purchased from the defendant on any of these occasions. He also states that he did not see defendant Mike Youngpeter at the tire shop, but rather, his brother Steve was there. Semler explains that Mike and Steve are physically similar and that Kerrie Webster, who was using drugs

during this period, apparently confused Steve Youngpeter with his brother Mike.

In United States v. Sutton, 767 F.2d 726 (10th Cir. 1985), the Court stated, at p. 728:

The newly discovered evidence must be more than impeaching or cumulative; it must be material to the issues involved; it must be such that it would probably produce an acquittal, and a new trial is not warranted if the new evidence is such that, with reasonable diligence, it could have been discovered and produced at the original trial.

The evidence offered by Semler is impeaching. Such evidence at trial would be weighed along with all evidence presented to the jury in formulating its verdict. In this case, defendant, Mike Youngpeter, elected to take the stand. He therefore had the opportunity to refute Kerrie Webster's testimony. Thus, Semler's testimony would have been cumulative.

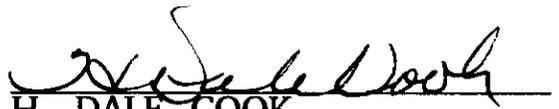
Defendant further claims the government had a duty under Brady v. Maryland, 373 U.S. 83, to disclose the contents of Kerrie Webster's testimony prior to trial, by asserting that such testimony was exculpatory. Government responds by asserting that the Assistant United States Attorney assigned to the case interviewed Kerrie Webster about one week prior to trial in the Muskogee City-County Jail. In that interview, government determined that Webster was a favorable witness. Her involvement with the defendant Mike Youngpeter was disclosed but there was no

mention of George Semler being present during the drug transactions. Webster first mentioned Semler when she took the witness stand. Prior to trial, Webster provided no evidence favorable to the accused which would qualify for disclosure under Brady.

The defense had the option to interview Semler at any time prior to trial or move for a recess during trial in order to conduct an interview. Defendant's failure to interview Semler until after trial does not qualify the evidence as "newly discovered."

The evidence presented at trial was overwhelming as to the guilt of defendant Mike Youngpeter. Accordingly, defendant's motion is denied.

IT IS SO ORDERED this 3 day of <sup>June</sup>~~May~~, 1992.

  
H. DALE COOK  
United States District Judge

6/4/92  
FILED  
JUN -4 1992

# United States District Court

NORTHERN

District of

OKLAHOMA

UNITED STATES OF AMERICA

V.

Chester Vernon Zeigler

(Name of Defendant)

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

Case Number: 92-CR-015-001-B

Rob Nigh (appointed)

Defendant's Attorney

**THE DEFENDANT:**

- pleaded guilty to count(s) \_\_\_\_\_
- was found guilty on count(s) One, Two, Three, Four, Five, Six, Seven and Eight of the after a plea of not guilty. Indictment

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

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:924(c)(1)	Possession of Firearm During Commission of a Violent Crime	9-16-91	One through Six
18:922(k)	Possession of Firearm With Number Removed	9-19-91	Seven
18:922(g)(1)	Possession of Firearm After Former Conviction of Felony	9-19-91	Eight

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 \$ 400 total, for count(s) One Through Eight 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.: 442-62-0679

Defendant's Date of Birth: 12-25-60

Defendant's Mailing Address:

Bureau of Prisons

Defendant's Residence Address:

Bureau of Prisons

May 22, 1992

Date of Imposition of Sentence

*James D. ...*  
Signature of Judicial Officer

*For* : Thomas R. Brett, U. S. District Judge

Name & Title of Judicial Officer

6/4/92  
Date

Defendant: Chester Vernon Zeigler  
Case Number: 92-CR-015-001-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 33 years and 4 months as follows:

5 years as to each count in Counts One, Two, Three, Four, Five, and Six, all consecutive to each other and the sentences imposed on Counts Seven and Eight.

40 months each on Counts Seven and Eight, to be served concurrently with each other, but consecutive to the sentences imposed in Counts One through Six.

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

That, if possible, the defendant be confined at Leavenworth USP in Leavenworth, Kansas.

- 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 \_\_\_\_\_  
3 years on each count, concurrent with each other

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 drug and alcohol treatment program, as directed by the U. S. Probation Office.

That the defendant, upon his release from imprisonment, pay any unpaid balance of restitution, 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: Chester Vernon Leigler

Judgment—Page 4 of 5

Case Number: 92-CR-015-001-B

**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:

while in custody, the defendant is to pay restitution, as able, in regular installment payments through the Bureau of Prisons' Inmate Financial Responsibility Program.

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: Chester Vernon Zeigler  
CASE NUMBER: 92-CR-015-001-B

JUDGMENT-PAGE 4A OF 5

RESTITUTION

<u>NAME</u>	<u>AMOUNT OF RESTITUTION</u>
Traveler's Insurance Company Attn: Ray Pickens, Manager Claim No. BJ-35983 (Lucky Stop Store in Tulsa) P. O. Box 26780 Oklahoma City, Oklahoma 73126-6780	\$614.12
Total Petroleum (Vicker's Station) Attn: Roger Bittel 5590 Havana Street Denver, Colorado 80239	\$649.00
Hudson Oil Company (Apco Service Station) Attn: Rick Grubbs 8908 South Yale #420 Tulsa, Oklahoma 74137	\$150.00
Mazzio's Corporate Office Attn: Brad Williams (Store at 6505 East Pine, Tulsa, OK) 4441 South 72nd East Avenue Tulsa, Oklahoma 74145	\$335.00
Keith DeWitt (Keith's Food Store) 131 East 18th Street Tulsa, Oklahoma 74103	\$520.00
Traveler's Insurance Company (Rex's Boneless Chicken McFarland Companies Claim #BJ-36896-H) P. O. Box 660055 Dallas, Texas 75266-0055	\$1,500.00

Defendant: **Chester Vernon Zeigler**  
Case Number: **92-CR-015-001-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): **Paragraph 32 of the presentence report. The Court finds that the defendant has accepted responsibility for his conduct and that he should receive a two level reduction in his offense from 16 to 14.**

**Guideline Range Determined by the Court:**

Total Offense Level: 14

Criminal History Category: VI

Imprisonment Range: 37 to 46 months **60 months (consecutive to any other sentence) - Counts 1-6** Counts 7-8

Supervised Release Range: 2 to 3 years

Fine Range: \$ 4,000 to \$ 40,000

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

Restitution: \$ 3,768.12

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

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

OR

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

OR

The sentence departs from the guideline range

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

for the following reason(s):

United States District Court )  
Northern District of Oklahoma ) SS  
I hereby certify that the foregoing  
is a true copy of the original on file  
in this Court.  
Richard M. Lawrence, Clerk  
By [Signature]  
Deputy

DATE 6-4-92

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

FILED

*Am* JUN 3 - 1992

UNITED STATES OF AMERICA, }  
 }  
 Plaintiff, }  
 }  
 vs. }  
 }  
 JAMES CAFFERY, }  
 }  
 Defendant. }

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

No. 91-CR-45-C

ORDER

Before the Court is the motion of the defendant to reduce sentence. On September 10, 1991, defendant was sentenced to eighteen months for violation of 42 U.S.C. §408(g)(2). This Court has no authority to grant such a motion. Rule 35(b) F.R.Crim.P. allows for a modification of sentence only upon motion of the government, and then only to reflect a defendant's subsequent, substantial assistance in the investigation or prosecution of another person. See United States v. Perez, 955 F.2d 34, 35 (10th Cir. 1992).

It is the Order of the Court that the motion of the defendant to reduce sentence is hereby denied.

IT IS SO ORDERED this 3<sup>rd</sup> day of June, 1992.

  
H. DALE COOK  
United States District Judge

DATE 6-3-92

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

JUN -2 1992

RECEIVED  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OK

UNITED STATES OF AMERICA )  
Plaintiff )  
VS )  
ALICE ANN ABDALLA )  
Defendant )

Case Number: 89-CR-068-001-C

ORDER MODIFYING PROBATION CONDITIONS

Now on this 20th day of May, 1992, this cause comes for modification after a finding that the defendant violated conditions of probation as set out in the Petition on Probation or Supervised Release filed in open Court on March 30, 1992. The defendant is present in person and by counsel, John T. Hall, and the Government by Catherine Depew, Assistant U.S. Attorney.

The defendant was heretofore on August 1, 1989, convicted on her plea of guilty to Count One of an Information charging Smuggling Controlled Substance Into the United States, in violation of Title 18, United States Code, Section 545, and was sentenced on August 1, 1989, to five years probation.

The sentencing hearing was held on May 20, 1992, and after considering previous testimony by the defendant, the Court determined that revocation of her probation was not necessary at this time. However, the defendant's conditions of probation were modified

to include a period of at least four months home confinement, to include electronic monitoring, at the cost of \$2.00 per day at the discretion of the U.S. Probation Office. Home confinement commenced on May 22, 1992, and the anticipated expiration date is September 21, 1992.

  
H. Dale Cook  
U.S. District Judge

  
Date

# United States District Court

NORTHERN

District of

OKLAHOMA

FILED  
JUN - 1 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)

Abdel Naser Isawi

Case Number: 90-CR-24-001-E

ENTERED ON DOCKET

(Name of Defendant)

Steven M. Vincent

DATE 6-2-92 H

Defendant's Attorney

### THE DEFENDANT:

- pleaded guilty to count(s) IV & VIII of the Superseding 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)
18:1344(a)(1)	Bank Fraud	8-23-89	IV
18:1326	Reentry of Deported Alien	12-4-91	VIII

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) I-III & V-VII of the Superseding Indictment ~~(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) IV & VIII 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.: 454-47-6460

Defendant's Date of Birth: 7-9-57

Defendant's Mailing Address:  
Amman, Jordan

Defendant's Residence Address:  
Same

May 28, 1992

Date of Imposition of Sentence

*James O. Ellison*  
Signature of Judicial Officer

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

Name & Title of Judicial Officer

5/29/92

Date

13

Defendant: Abdel Naser Isawi  
Case Number: 90-CR-24-001-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 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.
  - at \_\_\_\_\_ p.m. on \_\_\_\_\_
  - as notified by the United States marshal.
- The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons,
  - before 2 p.m. on \_\_\_\_\_
  - as notified by the United States marshal.
  - as notified by the probation office.

**RETURN**

I have executed this judgment as follows:

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

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

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

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

Defendant: Abdel Naser I. i  
 Case Number: 90-CR-24-001-E

Judgment—Page 3 of 5

### SUPERVISED RELEASE

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

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

- The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
- The defendant shall pay any fines that remain unpaid at the commencement of the term of supervised release.
- The defendant shall not possess a firearm or destructive device.

The defendant is ordered deported to his native country of Jordan as authorized by Title 18, United States Code, Section 3583(d)(3). The defendant is forbidden to reenter the United States.

### 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: Abdel Naser Isawi  
 Case Number: 90-CR-24-001-E

**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>
Liberty Bank & Trust Co. N. A. P. O. Box One 15 East 5th Street Tulsa, OK 74102-0001	\$11,195
Tulsa National Bank P. O. Box 1051 Tulsa, OK 74101-1051	\$7,463.59
Sooner Federal Corporate Security Department 20 East 5th Street Tulsa, Oklahoma 74103	\$5,240.50

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 payable during the term of incarceration.

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: Abdel Naser Isawi  
Case Number: 90-CR-24-001-E

**STATEMENT OF REASONS**

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

OR

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

**Guideline Range Determined by the Court:**

Total Offense Level: 12

Criminal History Category: III

Imprisonment Range: 15 to 21 months

Supervised Release Range: 2 to 3 years

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

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

Restitution: \$ 23,899.09

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

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

OR

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

OR

The sentence departs from the guideline range

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

for the following reason(s):

United States District Court )  
Northern District of Oklahoma ) SS

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

Richard M. Lawrence, Clerk

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

DATE 5-19-92

**FILE**  
JUN 01 1992  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

# United States District Court

NORTHERN

District of

OKLAHOMA

UNITED STATES OF AMERICA

V.

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

Lance Lamar Burks

Case Number: 91-CR-112-001-E

(Name of Defendant)

Robert Nigh

Defendant's Attorney

**THE DEFENDANT:**

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

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

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:922(g)(1)	Possession of Firearm After Former Conviction of a Felony	4-24-91	II

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

- The defendant has been found not guilty on count(s) \_\_\_\_\_ and is discharged as to such count(s).
- Count(s) I 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) II 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.: 440-70-2151

Defendant's Date of Birth: 3/24/68

Defendant's Mailing Address:  
William Key Correctional Center  
One William Key Blvd.  
Fort Supply, OK 73841

Defendant's Residence Address:

Same

May 26, 1992

Date of Imposition of Sentence

James O. Ellison  
Signature of Judicial Officer

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

Name & Title of Judicial Officer

5/29/92

Date

Defendant: Lance Lamar Burks  
Case Number: 91-CR-112-001-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 27 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 \_\_\_\_\_, 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.

That the defendant actively participate in a substance abuse program 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) That the defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: Lance Lamar B...  
Case Number: 91-CR-112-001-E

STATEMENT OF REASONS

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

OR

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

Guideline Range Determined by the Court:

Total Offense Level: 10

Criminal History Category: VI

Imprisonment Range: 24 to 30 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 2,000 to \$ 20,000

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

Restitution: \$ N/A

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

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

OR

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

OR

The sentence departs from the guideline range

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

for the following reason(s):

United States District Court  
Northern District of California  
I hereby certify that this document is a true copy of the original on file in this Court.  
Richard M. Lawrence, Clerk  
By \_\_\_\_\_ Deputy