

F I L E D

DATE 8-31-92

United States District Court

AUG 31 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)

Case Number: 92-CR-038-E

Glennen Leon Edinger

(Name of Defendant)

Tony Jack Lyons

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:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18:1711	Embezzlement of Postal Funds	2-26-92	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, 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.: 491-46-0521

Defendant's Date of Birth: 03-08-41

Defendant's Mailing Address:

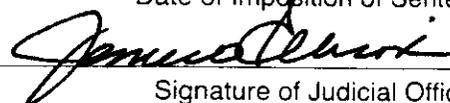
Rt. 2 Box 275
Adair, Oklahoma

Defendant's Residence Address:

Same

August 25, 1992

Date of Imposition of Sentence



Signature of Judicial Officer

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

Name & Title of Judicial Officer

Aug. 28, 1992

Date

Defendant: Glennen Leon Edinger
Case Number: 92-CR-038-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 five months for Count One of the Indictment

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 12:00 noon ~~p.m.~~ on Sept. 28, 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

Defendant: Glenn Leon Ed. ar
 Case Number: 92-CR-038-E

Judgment—Page 3 of 4

SUPERVISED RELEASE

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

2 years for Count One of the Indictment

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 serve five months under home confinement to include electronic monitoring, under the direction of the U. S. Probation Office.
- 2) The defendant shall seek mental health counseling if deemed necessary by the U. S. Probation Office.

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: **Glennen Leon Edinger**
Case Number: **92-CR-038-E**

Judgment—Page 4 of 4

STATEMENT OF REASONS

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

OR

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

Guideline Range Determined by the Court:

Total Offense Level: 12

Criminal History Category: I

Imprisonment Range: 10 to 16 months

Supervised Release Range: 2 to 3 years

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

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

Restitution: \$ 22,148.40

Full restitution is not ordered for the following reason(s):
The defendant has already paid the restitution in full.

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

United States District Court

DATE 8.26.92

NORTHERN

District of

OKLAHOMA

UNITED STATES OF AMERICA

V.

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

Phyllis Sue Knight
AKA: Phyliss Sue Friend
(Name of Defendant)

Case Number: 92-CR-037-001-C

Rob Nigh
Defendant's Attorney

THE DEFENDANT:

- pleaded guilty to count(s) I & VIII 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)
18:657	Misapplication of Financial Institution Funds	8-1-89	I
18:1341	Mail Fraud	1-25-91	VIII

FILED

AUG 25 1992

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

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

- The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
- Count(s) II - VII 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, for count(s) I & VIII 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.: 441-50-0677

Defendant's Date of Birth: 6-28-48

Defendant's Mailing Address:
912 Pecan Lane
Claremore, OK 74017

Defendant's Residence Address:
Same

August 18, 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

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

ms

Defendant: Phyllis Sue Knight
Case Number: 92-CR-037-001-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 4 months as to Counts I and VIII to run concurrently.

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

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

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

- The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons,
 - before ~~2 p.m.~~ 9:00 a.m. on September 21, 1992
 - as notified by the United States marshal.
 - as notified by the probation office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____

_____, with a certified copy of this judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: Phyllis Sue Knight
 Case Number: 92-CR-037-001-C

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 Counts I & VIII 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 shall pay restitution as set out on page four of this order.

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: Phyllis Sue Knight
Case Number: 92-CR-037-001-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>
First Federal Savings Bank of Oklahoma P. O. Box 888 Claremore, OK 74018	\$41,921.24
Monumental General Insurance Company 1100 Johnson Ferry Road N. E., Suite 300 Atlanta, Georgia 30342	\$28,501.17

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: Phyllis Sue Knight
Case Number: 92-CR-037-001-C

Judgment—Page 5 of 5

STATEMENT OF REASONS

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

OR

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

Guideline Range Determined by the Court:

Total Offense Level: 11

Criminal History Category: I

Imprisonment Range: 8 to 14 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 2,000 to \$ 211,266

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

Restitution: \$ 70,422.41

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):

Because mitigating circumstances were present, of a kind, or a degree not adequately taken into consideration by the Sentencing Commission as set out in Section 5K2.0.

United States District Court

DATE 8-26-92

NORTHERN

District of

OKLAHOMA

UNITED STATES OF AMERICA

V.

RANDY GLOVER

(Name of Defendant)

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

Case Number: 92-CR-070-001-C

Jack Short

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)
18:751(a)	Escape from Custody	6-8-92	One

FILED

AUG 25 1992

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

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.: 447-62-6134

Defendant's Date of Birth: 08-21-62

Defendant's Mailing Address:

Rt. 1, Box 321A

Wyandotte, Oklahoma 74370

(Incarcerated Federal Bureau of Prisons)

Defendant's Residence Address:

Same

August 17, 1992

Date of Imposition of Sentence

[Signature]
Signature of Judicial Officer

H. Dale Cook, U.S. District Judge

Name & Title of Judicial Officer

Date

Defendant: Randy W. Glover
Case Number: 92-CR-070-001-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 18 months to run consecutive to the 292 months imposed in 91-CR-050

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: Randy W. Glover
 Case Number: 92-CR-070-001-C

Judgment—Page 3 of 5

SUPERVISED RELEASE

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

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

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

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: Randy W. Glover
Case Number: 92-CR-070-001-C

Judgment—Page 4 of 5

FINE

The defendant shall pay a fine of \$ 1,000.00. The fine includes any costs of incarceration and/or supervision.

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

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 Bureau of Prison Inmate Financial Responsibility Program.

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: Randy W. Glover
Case Number: 92-CR-070-001-C

Judgment—Page 5 of 5

STATEMENT OF REASONS

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

OR

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

Guideline Range Determined by the Court:

Total Offense Level: 11

Criminal History Category: 4

Imprisonment Range: 18 to 24 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 2,000 to \$ 20,000 (\$1,000 fine)

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 AUG 26 1992

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

FILED

AUG 25 1992

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 ROBERT R. STOKES,)
)
 Defendant.)

No. 92-CR-63-E

ORDER

On July 21, 1992 Plaintiff filed a Motion to Dismiss the Information filed herein. On August 3, 1992, pursuant to Court Order, the motion was amended to state with particularity the reasons underlying the Government's motions. The Defendant has now responded to the motion, joining the Government in requesting a dismissal of the Information. Wherefore, the Court finds the Information herein should be dismissed without prejudice.

So ORDERED this 25th day of August, 1992.


JAMES O. ELLISON, Chief Judge
UNITED STATES DISTRICT COURT

ENTERED ON DOCKET

DATE 8-26-92

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

F I L E D

AUG 25 1992

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

UNITED STATES OF AMERICA, :
 :
Plaintiff, :
 :
 :
v. :
 :
SIDNEY NIEKERK, JACK :
GALLAGHER, CAL VISTA VIDEO, :
LTD., and CAL VISTA DIRECT, :
LTD., :
 :
Defendants, :

CRIMINAL NO. 90-CR-135-C

FINAL ORDER OF FORFEITURE

WHEREAS, on January 14, 1992, this Court entered an Order of Forfeiture pursuant to the provisions of 18 U.S.C. § 1467, based upon the Plea Agreement of the Defendants and the Consent Decree For Forfeiture forfeiting all of the property alleged to be subject to forfeiture in the Criminal Information filed January 14, 1992.

AND WHEREAS, on February 6, 13, and 20, 1992, and on July 6, 1992, the United States published in a newspaper of general circulation notice of this forfeiture and of the intent of the United States to dispose of the property in accordance with the law and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the property;

AND WHEREAS, it appears from the record that no other claims, contested or otherwise, have been filed for any of the

properties described in this Court's January 14, 1992, preliminary Order of Forfeiture.

It is HEREBY ORDERED, ADJUDGED and DECREED:

1. That the right, title and interest to all of the hereinafter described property, whether real, personal and/or mixed, of the Defendants named, is hereby condemned, forfeited and vested in the United States of America, and shall be disposed of according to law.

2. That the following property belonging to Defendant Sidney Niekerk, who is the subject of this Order, is hereby condemned and forfeited to the United States of America, as follows:

- a) All remaining inventory of CAL VISTA VIDEO, LTD., and CAL VISTA DIRECT, LTD., as of January 14, 1992.
- b) A sum of money in the amount of \$100,000.00.

3. That the following property belonging to Defendant Jack Gallagher, who is the subject of this Order, is hereby condemned and forfeited to the United States of America, as follows:

- a) All remaining inventory of CAL VISTA VIDEO, LTD., and CAL VISTA DIRECT, LTD., as of January 14, 1992.

b) A sum of money in the amount of \$100,000.00.

4. That the following property belonging to Defendant Cal Vista Video, Ltd., which is the subject of this Order, is hereby condemned and forfeited to the United States of America, as follows:

a) All remaining inventory of CAL VISTA VIDEO, LTD., and CAL VISTA DIRECT, LTD., as of January 14, 1992.

b) A sum of money in the amount of \$100,000.00.

5. That the following property belonging to Defendant Cal Vista Direct, Ltd., which is the subject of this Order, is hereby condemned and forfeited to the United States of America, as follows:

a) All remaining inventory of CAL VISTA VIDEO, LTD., and CAL VISTA DIRECT, LTD., as of January 14, 1992.

b) A sum of money in the amount of \$100,000.00.

3. That any and all forfeited funds, including but not limited to currency, currency equivalents and certificates of deposit, as well as any income derived as a result of the United States Marshals management of any property forfeited herein, and the proceeds from the sale of any forfeited property, after the payment of costs and expenses incurred in connection with the

forfeiture, sale and disposition of the forfeited property, shall be deposited forthwith by the United States Marshal into the Department of Justice Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c).

SO ORDERED this 20 of day August, 1992.

(Signed) H. Dale Cook

H. DALE COOK
UNITED STATES DISTRICT JUDGE

N:\UDD\CHOOK\FC\CALVISTA\02300

DATE 8-25-92

United States District Court

FILED

NORTHERN

District of

OKLAHOMA

AUG 25 1992

es

UNITED STATES OF AMERICA

V.

JAMES EVERETT HUTCHINSON

(Name of Defendant)

JUDGMENT IN A CRIMINAL CASE

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

Case Number:

91-CR-025-001-E

Rob Nigh (FPD)

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:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18:2314	Interstate Transportation of Stolen Property	5-19-90	One

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

- The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
- Count(s) _____ (is)(are) dismissed on the motion of the United States.
- It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s) One of the indictment, which shall be due immediately as follows:

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

Defendant's Soc. Sec. No.: 492-50-7112

Defendant's Date of Birth: 4-29-49

Defendant's Mailing Address:

FCI Memphis, Reg. No. 03099-045
1101 John A. Denie Road
Memphis, TN 38134-7690

Defendant's Residence Address:

Same

August 18, 1992

Date of Imposition of Sentence

James O. Ellison
Signature of Judicial Officer

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

Name & Title of Judicial Officer

8/24/92

Date

Defendant: James Everett Hutchinson
Case Number: 91-CR-025-001-E

Judgment—Page 2 of 5

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 21 months concurrent with Western District of Missouri case 90-03664-01-CR-S-4

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: James Everett Hutchinson
 Case Number: 91-CR-025-001-E

Judgment—Page 3 of 5

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of _____
three years, concurrent with Western District of Missouri case
90-03664-01-CR-S-4

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.

You shall pay restitution as set out on Page Four of this order.

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: James Everett Hutchinson
 Case Number: 91-CR-025-001-E

Judgment-- Page 4 of 5

RESTITUTION AND FORFEITURE

RESTITUTION

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
1. Associate Insurance Company Casualty Claims Department P.O. Box 22349 Dallas, Texas 75222-3849 Attn: Chris Conger	\$ 16,500.00
2. Clinton Lindsey 1251 South New Springfield, MO 65807-1350	\$ 1,000.00

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:

Any amount not paid immediately shall be payable during incarceration, with any remaining balance payable during term of supervised release 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: James Everett Hutchinson
Case Number: 91-CR-025-001-E

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: 7

Criminal History Category: VI

Imprisonment Range: 15 to 21 months

Supervised Release Range: 2 to 3 years

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

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

Restitution: \$ 17,500

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

AUG 24 1992

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

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 SYLVESTER EUGENE GAY,)
)
 Defendant.)

No. 89-CR-20-E

ENTERED ON DOCKET
DATE AUG 25 1992

O R D E R

Before the Court are Defendant-Petitioner's Motion to Vacate, Motion to Clarify Pleadings and Motion to Amend Pleadings. The two latter motions will be granted. The Motion to Vacate will be denied for the reasons delineated below.

In his Motion to Clarify Pleadings, Defendant-Petitioner alleges that his sentence herein was erroneously enhanced by former state convictions which were obtained in violation of his Fifth, Sixth and Fourteenth Amendment rights. Specifically, he asserts that:

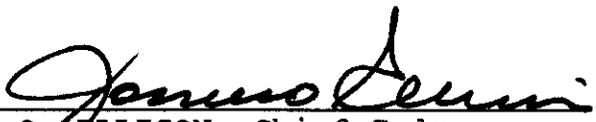
1. In case #CRF-73-126 he was not advised of his various Constitutional rights at his Change of Plea hearing;
2. In case #CRF-77-1750 he was coerced into entering a plea because the State improperly used a prior conviction to enhance his sentence;
3. In case #CRF-80-59 he did not understand the charges against him; he was not advised of his rights; he was innocent of the crime charged; his counsel was ineffective.

28

Pursuant to 28 U.S.C. §2255, Defendant-Petitioner must support his claims in a Motion to Vacate Sentence by a preponderance of the evidence. United States v. Kastenbaum, 613 F.2d 86 (5th Cir. 1980). No evidentiary hearing is required where the record shows conclusively that Defendant-Petitioner's motion must fail. Wilson v. United States, 534 F.2d 130 (9th Cir. 1974).

In the instant case, the record reveals that in each of the state cases cited, Defendant-Petitioner applied for but was denied Post-Conviction Relief. See, Exhibits "C", "E", "G", "H" and "I" attached to Government's Supplemental Response. The record also reflects that during the sentencing hearing in this case the issue of the validity and use of prior convictions was discussed. See, Exhibit "J" to Government's Supplemental Response. The record indicates that Defendant-Petitioner's contentions were investigated and considered by the Court. See, this Court's Order dated April 25, 1990. On direct appeal to the Tenth Circuit, this Court's sentence was affirmed. The Court can find no basis for relitigating issues already considered. Therefore Defendant-Petitioner's Motion to Vacate will be denied.

So ORDERED this 24th day of August, 1992.


JAMES O. ELLISON, Chief Judge
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT COURT OF OKLAHOMA

FILED

AUG 24 1992

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

UNITED STATES OF AMERICA)

Plaintiff,)

vs.)

LEE EUGENE MOORE)

Defendant.)

Docket No. 91 CR 160-001-E

ENTERED ON DOCKET

DATE AUG 25 1992

JUDGMENT AND COMMITMENT ORDER
ON REVOCATION OF PROBATION

Now on this 19th day of August, 1992, this cause comes on for sentencing after a previous finding that the defendant violated conditions of probation as set out in the Petition on Probation filed on August 4, 1992. The defendant is present in person and with his attorney, Steve Greubel of the Federal Public Defenders office. The Government is represented by Assistant United States Attorney Allen Litchfield, and the United States Probation Office is represented by Scott Kallenberger.

The defendant was heretofore, on February 1, 1992, convicted on his plea of guilty to Count Two of a two-count Indictment which charged False Statement to Purchase a Firearm, in violation of Title 18, United States Code, Section 922(a)(6). He was subsequently sentenced on May 6, 1992, to a three year period of probation with a condition that he serve the first six months under home detention to include electronic monitoring. The standard conditions of probation recommended by the Sentencing Commission were also imposed.

On August 12, 1992, a revocation hearing was held regarding the allegations noted in the Petition on Probation, said allegations being that the defendant submitted a urine specimen on July 21, 1992, which tested positive for THC, that he failed to notify the probation office within 72 hours of a change in his employment, and that the defendant failed to comply with the conditions of electronic monitoring. Moore stipulated to all violations at the hearing, and a sentencing hearing was set for August 19, 1992.

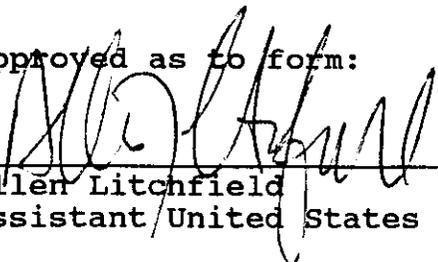
As a result of the sentencing hearing, the Court finds that the violations occurred after November 1, 1987, and that Chapter Seven of the U. S. Sentencing Commission Guidelines is applicable. Further, the Court finds that the violations of probation constitute Grade C violations in accordance with Section 7B1.1(a)(3), and that the defendant's original Criminal History Category of VI is now applicable for determining the imprisonment range. In addition, the Court finds that a Grade C violation and a Criminal History Category of VI establish a revocation imprisonment range of 8-14 months, in accordance with Section 7B1.4(a) and Title 18, United States Code, Section 3565(a). In consideration of these findings and pursuant to U. S. V. Lee, 957 F.2d 770 (Tenth Circuit, 1992), in which the Circuit determined that the policy statements in Chapter Seven were not mandatory, but must be considered by the Court, the following sentence is ordered:

It is adjudged by the Court that the defendant shall be sentenced to serve twelve (12) months in the custody of the Bureau of Prisons, to be followed by a three (3) year term of supervised

release. As conditions of supervised release, the defendant shall not violate any local, state, or Federal law, and shall abide by the standard conditions of supervised release as set out by the U. S. Sentencing Commission, to include urinalysis monitoring. In addition, the defendant shall participate in a program approved by the probation office for the treatment of substance abuse. Further, the Court recommends that the Bureau of Prisons place the defendant in an institution whereby he can participate in a program for the treatment of substance abuse, provided said placement is consistent with classification and security provisions as established by the Bureau of Prisons.

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


James O. Ellison
Chief United States District Judge

Approved as to form:

Allen Litchfield
Assistant United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

FILED

AUG 20 1992

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

UNITED STATES OF AMERICA)
Plaintiff)
)
)
 vs.)
)
)
 OLIVER WAYNE PERRY)
Defendant)

Docket No. 90-CR-88-01-B

SENTENCING ORDER

On the 11th day of August, 1992, this matter came before me, the undersigned Judge for sentencing after revocation of supervised release. The Plaintiff was represented by Assistant United States Attorney, Lucy O. Creekmore and the Defendant was represented by Steve Gruebel, Attorney-at-Law.

On February 12, 1991, defendant appeared for sentencing after pleading guilty to Unauthorized Use of an Access Device to Obtain Items Worth More than \$1,000, in violation of Title 18, United States Code, Section 1029(a)(2). Defendant was sentenced to a term of twelve (12) months imprisonment to be followed by a three (3) year term of supervised release. Defendant was ordered to participate in substance abuse treatment and monitoring, and to pay restitution in the amount of \$2,664.34 to First Bank Card Center (VISA), P.O. Box 3437, Omaha, Nebraska, 68107, Acct. No. 4418023726238157.

On June 25, 1992, Senior United States Probation Officer Robert E. Boston filed a Petition on Probation or Supervised

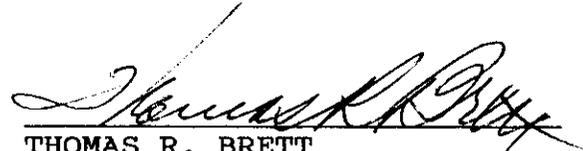
Release Action listing violations of the rules and conditions of probation including violation of law (Driving While Impaired and Driving Under Suspension); illegal use of controlled substance (marijuana); and failure to participate in drug treatment as directed.

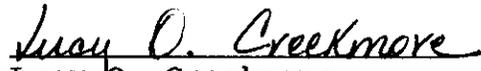
The matter came on for Revocation Hearing on July 16, 1992. After receiving stipulations and hearing testimony from Officer Boston and the defendant, the Court found that the defendant had violated the conditions of release as alleged in the Petition. The Disposition hearing was set for August 11, 1992.

At the Disposition Hearing, the Court found that the defendant's violations were Grade C Violations and that he was a Category V Offender. Pursuant to Section 7B1.4 of the U. S. Sentencing Commission Guidelines Manual, the defendant's guideline imprisonment range was 7 to 13 months.

IT IS ORDERED, ADJUDGED AND DECREED as follows: that the defendant be and hereby is sentenced to the custody of the Bureau of Prisons for a term of seven (7) months to be followed by a two year term of supervised release. The defendant is further ordered to pay the balance owed of the previously ordered restitution, which is \$2,414.34. If possible, the defendant is to begin making payments while in prison and continue making payments while on supervised release. Further, the defendant is ordered to participate in substance treatment and monitoring while on supervised release. The defendant is to voluntarily surrender to the designated institution on September 14, 1992 at 11:00 a.m. It

is the recommendation of the Court that the defendant be designated to an institution with a comprehensive drug treatment program and that he be placed in such program.


THOMAS R. BRETT
United States District Judge


Lucy O. Creekmore
Assistant U.S. Attorney

United States District Court

AUG 20 1992

NORTHERN

District of

OKLAHOMA

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

UNITED STATES OF AMERICA

V.

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

Kevin Christopher Reptke

Case Number: 92-CR-062-001-B

(Name of Defendant)

Don Bingham

Defendant's Attorney

THE DEFENDANT:

pleaded guilty to count(s) I & II 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)
18:1344	Bank Fraud	5-27-92	I
42:408(a)(7)(B)	Use of False Social Security Number	5-6-92	II

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

The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).

Count(s) _____ (is)(are) dismissed on the motion of the United States.

It is ordered that the defendant shall pay a special assessment of \$ 100, for count(s) I & II 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.: 474-34-2813 (Canadian)

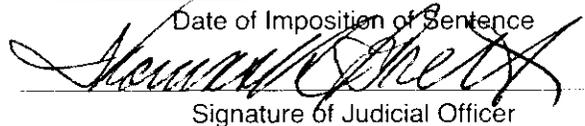
Defendant's Date of Birth: 7-11-63

Defendant's Mailing Address:
None

Defendant's Residence Address:

August 19, 1992

Date of Imposition of Sentence



Signature of Judicial Officer

Thomas R. Brett, U. S. District Judge

Name & Title of Judicial Officer

Aug 20th 1992
Date

11AS

Defendant: Kevin Christopher Reptke
Case Number: 92-CR-062-001-B

Judgment—Page 2 of 5

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 24 months as to Counts I and II to run concurrently.

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

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

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

at _____ a.m.
_____ p.m. on _____

as notified by the United States marshal.

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

before 2 p.m. on _____

as notified by the United States marshal.

as notified by the probation office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____

_____, with a certified copy of this judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: Kevin Christopher Reptke
 Case Number: 92-CR-062-001-B

Judgment—Page 3 of 4

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of _____
~~5 years as to Count I and 3 years as to Count II, Count II to run concurrently with~~
 Count I.

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.

You shall pay restitution as set out on Page Four of this order.

You shall abide by "Special Financial Conditions" during the term of supervised release.

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: Kevin Christopher Reptke
Case Number: 92-CR-062-001-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 4(a)

Payments of restitution are to be made to:

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

Restitution shall be paid:

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

any amount not paid immediately shall be paid during the term of confinement, with any unpaid balance payable 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:

Restitution in the amount of \$43,515.77.

<u>NAME OF PAYEE</u>	<u>AMOUNT OF RESTITUTION</u>
Bank of Oklahoma, N. A., Post office Box 2300 Tulsa, Oklahoma 74192 ATTN: Lowell Faulkenberry	\$24,519.46
Citizens Security National Bank Post Office Box 27127 Bixby, Oklahoma 74149 ATTN: John Heim	\$ 9,153.50
Southern National Bank Post Office Box 2101 Tulsa, Oklahoma 74101 ATTN: Ted Theban	\$ 5,813.52
American National Bank and Trust Company, Post Office Box 1408 Sapulpa, Oklahoma 74067-1408 ATTN: Dena Summers	\$ 3,015.23
PC Tech 8421-B East 68 Street Tulsa, Oklahoma 74133	\$ 605.23
Jim's Carpets Installation, Inc. 16120 East Marshall Tulsa, Oklahoma 74116	\$ 408.83

Defendant: Kevin Christopher Reptke
Case Number: 92-CR-062-001-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: 11

Criminal History Category: IV

Imprisonment Range: 18 to 24 months

Supervised Release Range: 3 to 5 years

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

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

Restitution: \$ 43,515.77

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 AUG 21 1992

FILED

United States District Court

AUG 19 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

BEVERLY MOVINE SHIELD

Case Number: 92-CR-042-001-B

(Name and Address of Defendant)

Robert Nigh
Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

guilty nolo contendere] as to count(s) _____, and
 not guilty as to count(s) _____.

THERE WAS A:

finding verdict] of guilty as to count(s) I & II 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: False Statement, in violation of Title 18, United States Code Section 408(h), Counts I and II.

IT IS THE JUDGMENT OF THIS COURT THAT: The imposition of sentence be suspended and the defendant is placed on probation for a term of five (5) years.

In addition, it is ordered that the defendant make restitution in the amount of \$15,000 to the Social Security Administration, Mid-American Program Service Center, P.O. Box 15528, Kansas City, Missouri 67106

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

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.

21

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

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

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

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

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:

August 12, 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
2-19-92
 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

DATE 8/20/92

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT COURT OF OKLAHOMA

FILED

AUG 18 1992

CLERK OF COURT
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OK

UNITED STATES OF AMERICA)

Plaintiff,)

vs.)

JAMES C. HUNT)

Defendant.)

Docket No. 90 CR 106-002-B

JUDGMENT AND COMMITMENT ORDER
ON REVOCATION OF PROBATION

Now on this 6th day of August, 1992, this cause comes on for sentencing after a previous finding that the defendant violated conditions of probation as set out in the Amended Petition on Probation filed on June 29, 1992. The defendant is present in person and with his attorney, Ernie Bedford. The Government is represented by Assistant United States Attorney Neal Kirkpatrick, and the United States Probation Office is represented by Christi Williams.

The defendant was heretofore, on November 27, 1990, convicted on his plea of guilty to a one count Information which charged Theft of Property of Postal Service (misdemeanor), in violation of Title 18, United States Code, Section 1707. He was subsequently sentenced on January 25, 1991, to a two year period of probation with conditions that he pay restitution of \$459.08, jointly and severally with his co-defendant, Royce Meyers; and that he participate in drug and alcohol abuse treatment at the discretion of the Probation Officer.

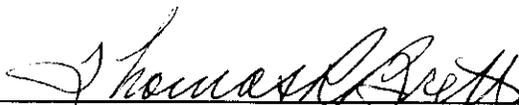
On July 10, 1992, a revocation hearing was held regarding the allegations noted in the Amended Petition on Probation, said allegations being that the defendant submitted a urine specimen on April 30, 1992, which tested positive for THC, and a specimen on June 6, 1992, which tested positive for cocaine metabolite, and that he was convicted of Driving Under the Influence in Payne County District Court, Stillwater, Oklahoma, on March 23, 1992, in Case Number CRM 91-1145. Hunt stipulated to all violations at the hearing, and a sentencing hearing was set for August 6, 1992.

As a result of the sentencing hearing, the Court finds that the violations occurred after November 1, 1987, and that Chapter Seven of the U. S. Sentencing Commission Guidelines is applicable. Further, the Court finds that the violations of probation constitute Grade C violations in accordance with Section 7B1.1(a)(3), and that the defendant's original Criminal History Category of I is now applicable for determining the imprisonment range. In addition, the Court finds that a Grade C violation and a Criminal History Category of I establish a revocation imprisonment range of 3-9 months, in accordance with Section 7B1.4(a) and Title 18, United States Code, Section 3565(a). In consideration of these findings and pursuant to U. S. V. Lee, 957 F. 2d 770 (Tenth Circuit, 1992), in which the Tenth Circuit determined that the policy statements in Chapter Seven were not mandatory, but must be considered by the Court, the following sentence is ordered:

It is adjudged by the Court that the defendant shall be sentenced to serve two (2) months in the custody of the Bureau of

Prisons, to be followed by a one year term of supervised release. As conditions of supervised release, the defendant shall not violate any city, State, or federal law, and shall abide by the standard conditions of supervised release as set out by the U. S. Sentencing Commission. Further, the defendant shall abide by the following special conditions of supervised release: Immediately following his release from custody, the defendant shall enter the Freedom House Drug Treatment Center, Tulsa, Oklahoma, where he will successfully participate in residential treatment for substance abuse, said placement to last for 120 days. For the balance of his term of supervised release, the defendant shall successfully participate in urinalysis monitoring at the direction of the Probation Officer.

The defendant shall voluntarily surrender to the institution designated by the U. S. Marshal's Service by Monday, September 7, 1992, at 11 a.m. Until that date, he shall report as instructed to the U. S. Probation Office.



Thomas R. Brett
United States District Judge

Approved as to form:



Assistant United States Attorney

ENTERED ON...
DATE 8/20/92

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

UNITED STATES OF AMERICA)
)
 Plaintiff,)
)
 vs.)
)
 GEORGE ANDERSON, JR.,)
)
 Defendant,)

No. 92-CR-088-001-B ✓

FILED
AUG 19 1992

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

ORDER

The Court has for consideration the Plaintiff's Objection to a Report and Recommendation entered by the Magistrate Judge on August 14, 1992, setting Defendant's bond at \$25,000. The Report and Recommendation is before the Court for de novo review.

The Defendant, George Anderson Jr. ("Anderson"), has been charged with distribution of cocaine base pursuant to 21 U.S.C. §841(a)(1) and aiding and abetting pursuant to 18 U.S.C. §2. The activities that are the basis for the current charges took place while the Defendant was on active parole supervision for a previous drug conviction. The Government asks that the Defendant be detained without bond pending trial and invokes the following presumption:

Subject to rebuttal by the person, it shall be presumed that no condition or combination of conditions will reasonably assure the appearance of the person as required and the safety of the community if the judicial officer finds that there is probable cause to believe that the person committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act (21 U.S.C. §801 et. seq.)....

18 U.S.C. §3142(e).

Initially, the Court finds that the indictment in this case is sufficient to support a finding of probable cause to believe the Defendant committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act. E.g., United States v. Quartermaine, 913 F.2d 910,916 (11th Cir. 1990); United States v. Dillon, 938 F.2d 1412,1416 (1st Cir. 1991); United States v. Suppa, 799 F.2d 115,119 (3rd Cir. 1986); United States v. Contreras, 776 F.2d 51,54 (2nd Cir. 1985); United States v. Carlos, 777 F.Supp. 858,860 (D.Kan. 1991). This finding triggers the rebuttable presumption of dangerousness to the community under §3142(e).

Along with the current charges, the Court finds that the Defendant's earlier criminal history buttresses the presumption that no condition or combination of conditions will assure the safety of the community.

2-25-81 Age 28	Unlawful Delivery of Marijuana Case # CRF-81-948 Tulsa, Oklahoma	7-17-81; Pled Guilty to Unlawful Possession of Marijuana With Intent to Distribute. Received one year deferred sentence; Dismissed on 3-31-83.
3-3-83 Age 30	Unlawful Delivery of Marijuana and Unlawful Distribution of a Controlled Drug Case # CRF-83-800 Tulsa, Oklahoma	5-24-83; Four years, Oklahoma Department of Corrections. Fined \$1000 on each count.
6-10-88 Age 35	Interstate Travel In Aid of Racketeering Enterprise, to Wit: Distribution of Cocaine Case # 88-CR-63-001-C Tulsa, Oklahoma	8-30-88; Committed to custody of Attorney General for 4 years; Released on parole 10-23-90.

The Court also finds that the Defendant tested positive for

marijuana on August 10, 1992, while on supervised release for his June 10, 1988, conviction for distribution of cocaine. Thus, the Court finds that for the last 10 years the Defendant has persisted in the drug distribution and use business.

The Tenth Circuit has held that the concern about safety in 18 U.S.C. §3142(e) is not limited to physical violence. "Safety of the community 'refers to the danger that the Defendant might engage in criminal activity to the detriment of the community.'" U.S. v. Cook, 880 F.2d 1158,1161 (10th Cir. 1989).

To rebut the presumption that the Defendant is a threat to the safety of the community, the Defendant points out the relatively small quantity of cocaine involved in the current charge (2.8 grams) and argues that his drug involvement is less severe than other cases before the Court. Defendant further argues that he is not a violent man who is going to cause any harm. Witnesses for the Defendant testified that Defendant is married, has six children and was employed at the time of his arrest. The Government concedes that the Defendant is not a flight risk but contends that he is a threat to the community.

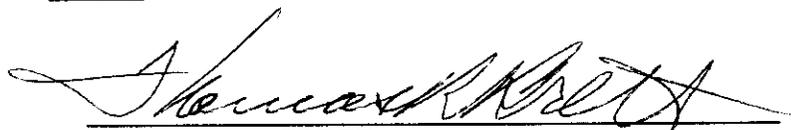
The Court concludes that the Defendant's evidence¹ is insufficient to rebut the combination of the statutory presumption and the additional evidence provided by the Government that no condition or combination of conditions of release will assure the safety of the community. The Court further finds that the

¹ Defendant's evidence goes to the risk of flight and does not rebut the presumption that the Defendant will be a danger to the community through continued illegal activity.

Government has sustained its burden of proof and has demonstrated by clear and convincing evidence² that the Defendant poses a danger to the community.

For the above stated reasons, the Defendant is ordered detained pending trial and is hereby committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded reasonable opportunity for private consultation with his counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

IT IS SO ORDERED this 19th day of August, 1992.


THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

² This standard of proof is required by 18 U.S.C. §3142(f).

FILED

ENTERED ON DOCKET

DATE 8-20-92

United States District Court

AUG 19 1992

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

NORTHERN

District of

OKLAHOMA

UNITED STATES OF AMERICA

V.

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

Nelda Fern Catron

(Name of Defendant)

Case Number: 92-CR-022-001-E

Kevin Schoepel

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) and 924(a)(2)	Possession of Firearm After Former Conviction of Felony	2-23-91	II

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

- The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
- Count(s) 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.: 446-48-2161

Defendant's Date of Birth: 12-30-48

Defendant's Mailing Address:

1232 S. Jamestown
Tulsa, OK 74112

Defendant's Residence Address:

Same

August 13, 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

Aug 18, 1992
Date

Defendant: Nelda Fern Catron
Case Number: 92-CR-022-001-E

Judgment—Page 2 of 5

IMPRISONMENT

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

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 ~~2:00 p.m.~~ 12:00 p.m. on September 17, 1992
- as notified by the United States marshal.
- as notified by the probation office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____ at _____

_____, with a certified copy of this judgment.

United States Marshal

By _____
Deputy Marshal

SUPERVISED RELEASE

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

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

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

As a condition of supervised release, the defendant is ordered to serve a four (4) month term of Home Detention under Electronic Monitoring at the direction of the United States Probation Office. The defendant shall pay the full cost of electronic monitoring as directed by the United States 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 at the direction of the U. S. Probation Office.

Defendant: Nelda Fern Catron
Case Number: 92-CR-022-001-E

Judgment—Page 4 of 5**FINE**

The defendant shall pay a fine of \$ 1,000. The fine includes any costs of incarceration and/or supervision.

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

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

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

This fine plus any interest required shall be paid:

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

any amount not paid immediately shall be payable during the term of confinement, with any unpaid balance payable during the term of supervised release at the direction of 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: **Nelda Fern Catron**
 Case Number: **92-CR-022-001-E**

Judgment—Page 5 of 5

STATEMENT OF REASONS

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

OR

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

Guideline Range Determined by the Court:

Total Offense Level: 10

Criminal History Category: II

Imprisonment Range: 8 to 14 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):

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

Richard M. Lawrence, Clerk

By _____
 Deputy

FILED

AUG 19 1992

Richard M. Lawrence, Clerk
U.S. District Court
Northern District of Oklahoma

United States District Court

ENTERED ON DOCKET

DATE 8-20-92 NORTHERN District of OKLAHOMA

UNITED STATES OF AMERICA

V.

William Hugh Fleming

(Name of Defendant)

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

Case Number: 91-CR-168-001-E

Keith Ward

Defendant's Attorney

THE DEFENDANT:

- pleaded guilty to count(s) _____
- was found guilty on count(s) Two, Three, and Eight of the Superseding Indictment after a plea of not guilty.

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

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:371	Conspiracy	September 1990	Two
18:371	Conspiracy	January 1991	Three
26:5861(d)	Receiving, Possessing Firearm Illegally	February 1990	Eight

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- The defendant has been found ^{mistrial} ~~not guilty~~ on count(s) One, Four, and Six of the Superseding Indictment and is discharged as to such count(s).
- Count(s) Five & Seven of the Superseding Indictment ^{were} ~~is/are~~ dismissed on the motion of the United States.
- It is ordered that the defendant shall pay a special assessment of \$ 150, for count(s) Two, Three, and Eight 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.: 446-52-6038

Defendant's Date of Birth: 10-07-49

Defendant's Mailing Address:
7720 E. 126th St. North
Collinsville, OK 74021

Defendant's Residence Address:

August 13, 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

Aug. 18, 1992
Date

Defendant: William Hugh Fleming
Case Number: 91-CR-168-001-E

Judgment—Page 2 of 6

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 46 months as to Counts Two, Three, and Eight of the Superseding Indictment, to run concurrently.

Execution of sentence stayed pending appeal. Defendant shall remain free pending execution of \$100,000 bond secured by real property.

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 2 years
as to Counts Two, Three, and Eight to run concurrently

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

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

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: William Hugh Fleming
Case Number: 91-CR-168-001-E

Judgment—Page 4 of -6

FINE

The defendant shall pay a fine of \$ 25,000. The fine includes any costs of incarceration and/or supervision.

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

Counts Two, Three, and Eight to run concurrently. Payment of fine stayed pending appeal.

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: William Hugh Fleming
 Case Number: 91-CR-168-001-E

Judgment—Page 5 of 6

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>
United States Government United States Attorney's Office 3600 U. S. Courthouse Tulsa, OK 74103	\$3,624.58

Payment of restitution stayed pending appeal.

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: William Hugh Flem
Case Number: 91-CR-168-001-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: 23

Criminal History Category: I

Imprisonment Range: 46 to 57 months

Supervised Release Range: 2 to 3 years

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

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

Restitution: \$ 3,624.58

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
May 1991
is a true and correct copy of the original
in this Court.
Richard M. Lawrence, Clerk

By _____
Deputy

DATE 8-18-92

United States District Court

NORTHERN District of OKLAHOMA

UNITED STATES OF AMERICA

V.

LEONARD JAMES TERNES

(Name of Defendant)

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

Case Number: 92-CR-020-C

Rob Nigh (Federal Public Defender)

Defendant's Attorney

THE DEFENDANT:

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

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

F I L E D

AUG 17 1992

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:2113(a)&(d)	Armed Bank Robbery	02-28-92	One
18:924(C)	Use of a Firearm During a Federal Crime of Violence	02-28-92	Two

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

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

- The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
- Count(s) _____ (is)(are) dismissed on the motion of the United States.
- It is ordered that the defendant shall pay a special assessment of \$ 100.00, for count(s) One and Two of the Indictment, which shall be due immediately as follows:

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

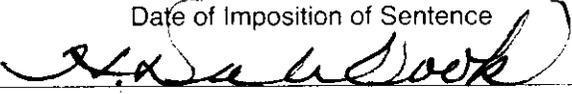
Defendant's Soc. Sec. No.: 499-48-6495

Defendant's Date of Birth: 07-29-46

Defendant's Mailing Address:
Rural Route 4, Box 1101
Afton, Oklahoma

Defendant's Residence Address:
Same

August 12, 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 forgoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk
By R. Miller
Deputy

Date

Defendant: LEONARD JAMES TERNES
Case Number: 92-CR-020-C

Judgment—Page 2 of 5

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 138 months as detailed below:

Count One - 78 months

Count Two - 60 months, consecutive to the sentence imposed in Count One

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

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

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

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

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

- before 2 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: LEONARD JAMES TERNES
Case Number: 92-CR-020-C

Judgment—Page 3 of 5

SUPERVISED RELEASE

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

Five (5) years on Count One and Three (3) years on Count Two, 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.

That the defendant participate in an alcohol and drug treatment program, including urinalysis, at the direction of the U.S. Probation Officer.

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: LEONARD JAMES TERNES
Case Number: 92-CR-020-C

RESTITUTION AND FORFEITURE

RESTITUTION

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

Name of Payee

Amount of Restitution

Bank of the Lake, Bernice Brance Drawer A Langley, Oklahoma 74350	\$303.00
---	----------

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:

During incarceration the defendant shall pay restitution through the Bureau of Prison's 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: LEONARD JAMES TERNES
Case Number: 92-CR-020-C

Judgment—Page 5 of 5

STATEMENT OF REASONS

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

OR

The court adopts the factual findings and guideline application in the presentence report ~~XXXXXX~~ and (see attachment, if necessary): **finds that there are additional factors that may warrant a downward departure from the otherwise applicable guideline range of imprisonment.**

Guideline Range Determined by the Court:

Total Offense Level: 32

Criminal History Category: VI

Imprisonment Range: 210 to 262 months

Supervised Release Range: ~~XXX~~ 5 years

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

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

Restitution: \$ 303.00

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

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

OR

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

OR

The sentence departs from the guideline range

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

for the following reason(s): (Please see attachment)

ATTACHMENT

The Court finds that there are additional mitigating factors not reported in the Presentence Report, that, when considered in combination, present a unique combination of factors that over-represents the seriousness of the defendant's criminal history and the effect it has on the applicable guideline range of imprisonment. Although the defendant technically fits within the definition of a career offender, as prescribed by the Sentencing Guidelines, the defendant's past criminal conduct is significantly less serious than that of most defendants categorized as a career offender. It would be unjust to base this sentence on the application of the career offender Guideline, which is applicable only because of two prior separate felony offenses that occurred in close proximity to one another and on which convictions he was sentenced to concurrent terms of imprisonment. In addition, these two mitigating factors, the time proximity of the prior convictions, and the concurrent sentences, a third mitigating factor exists. There is evidence that the defendant suffers some psychological and physical disabilities related to his past military service which may have contributed to the prior offenses and the instant offense.

Based on the unique combination of these three factors, the Court finds that the application of the career offender guideline significantly over-represents the seriousness of the defendant's criminal history and departs downward to a sentence which is determined solely on the offense level and Criminal History Category which would otherwise be in effect if it were not for the Career Offender Guidelines. Therefore, the Court finds an appropriate departure can be determined based on an offense level of 20, a Criminal History Category of V, and a guideline range of 63 to 78 months. Within that range, the Court sentenced the defendant, as to Count One, to a term of imprisonment of 78 months. This sentence is imposed because of the seriousness of the offense and the defendant's history of committing similar offenses.

FILED ON DOCKET
AUG 18 1992

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)

RANDALL ALLEN MOORE
(Name of Defendant)

Case Number: 92-CR-052-001-B

Paul Brunton

Defendant's Attorney

FILED

AUG 17 1992

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

THE DEFENDANT:

- pleaded guilty to ~~§ 853(a)(1)~~ Count One of the Information
- was found guilty on count(s) _____ plea of not guilty.

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

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:USC:1708	Theft or Receipt of Stolen Mail Matter	11-26-91	One) 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) _____ (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 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.: 441-74-2241

Defendant's Date of Birth: 09-03-63

Defendant's Mailing Address:
514 W. 148th St.
Glenpool, Oklahoma 74033

Defendant's Residence Address:
Same

August 12, 1992

Date of Imposition of Sentence

[Signature]
Signature of Judicial Officer

Thomas R. Brett, U.S. District Judge

Name & Title of Judicial Officer

August 17, 1992
Date

Defendant: RANDALL ALLEN MOORE
Case Number: 92-CR-052-001-B

Judgment—Page 2 of 4

PROBATION

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

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

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: RANDALL ALLEN MOORE
Case Number: 92-CR-052-001-B

Judgment—Page 3 of 4

FINE

The defendant shall pay a fine of \$ 1,500.00. The fine includes any costs of incarceration and/or supervision.

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

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

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

This fine plus any interest required shall be paid:

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

As directed by the U.S. Probation Officer

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

Defendant: RANDALL ALLEN MOORE
Case Number: 92-CR-052-001-B

Judgment—Page 4 of 4**STATEMENT OF REASONS**

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

OR

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

Guideline Range Determined by the Court:Total Offense Level: 4Criminal History Category: IImprisonment Range: 0 to 6 monthsSupervised Release Range: 2 to 3 yearsFine Range: \$ 250.00 to \$ 5,000.00

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):

ENTERED ON DOCKET

DATE 8-18-

FILED

AUG 17 1992

United States District Court

NORTHERN District of OKLAHOMA

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

A M E N D E D

UNITED STATES OF AMERICA

V.

Brian Maurice Fuller

(Name of Defendant)

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)
PER RULE 35(b) HEARING

Case Number: 91-CR-143-001-E

Bruce Martin

Defendant's Attorney

THE DEFENDANT:

- pleaded guilty to count(s) I, II, and III 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)
18:371	Conspiracy	12-4-91	I
18:2315 & 2	Interstate Sale of Stolen Property and Aiding and Abetting	4-20-91	II
18:1956(a)(1) (A)(i) & 2	Money Laundering and Aiding and Abetting	4-30-91	III

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

- The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
- Count(s) _____ (is)(are) dismissed on the motion of the United States.
- It is ordered that the defendant shall pay a special assessment of \$ 150, for count(s) I, II, and III 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.: 463-11-4471

Defendant's Date of Birth: 3-6-56

Defendant's Mailing Address:
U. S. Penitentiary
Leavenworth, Kansas 66048

Defendant's Residence Address:

August 13, 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

August 17, 1992

Date

Defendant: Brian Maurice Fuller
Case Number: 91-CR-143-001-E

Judgment—Page 2 of 5

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 136 months

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

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

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

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

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

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

RETURN

I have executed this judgment as follows:

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

United States Marshal

By _____
Deputy Marshal

SUPERVISED RELEASE

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

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

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

The defendant shall pay restitution as noted on Page four of this order.

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: Brian Maurice Fuller
Case Number: 91-CR-143-001-E

Judgment—Page 4 of 75

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

Individual victim losses and liquidated restitution total shall be reduced commensurate with the value of victim properties recovered after imposition of sentence and as presented in joint motion for reduction of the restitution.

Payments of restitution are to be made to:

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

Restitution shall be paid:

- in full immediately.
- in full not later than _____.
- in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
- in installments according to the following schedule of payments:
any amount not paid immediately shall be paid during the term of confinement, with an unpaid balance payable at the discretion of the U. S. Probation Office during the term of supervised release.

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

FORFEITURE

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

<u>NAME OF PAYEE</u>	<u>AMOUNT OF RESTITUTION</u>
Rich and Cartmill Insurance Co. 3365 E. Skelly Drive Tulsa, Oklahoma 74135 (Claim of victim Ralph Peacock)	49,000.00
Mary Boswell 3404 So. Atlanta Place Tulsa, Oklahoma 74105	27,808.80
Fred Daniel and Sons 320 So. Boston Building Tulsa, Oklahoma 74103 (Claim of victim Boswell)	13,597.00
Frances Richmond 3121 So. Rockford Drive Tulsa, Oklahoma 74105	20,540.28
Farmers Insurance Group Oklahoma East Property P. O. Box 47038 Tulsa, Oklahoma 74147 (Claim of victim Richmond)	2,959.72
Margaret Reese 2253 E. 33rd Street Tulsa, Oklahoma 74105	28,466.00
Alexander and Alexander One Williams Center Tulsa, Oklahoma 74119 (Claim of victim Reese)	23,000.00
Jean Kelly 7160 So. College Tulsa, Oklahoma 74136	11,375.00
Chandler-Frates and Reitz 4501 E. 31st Street Tulsa, Oklahoma 74135 (Claim of victim Kelly)	152,000.00
W. Boyce White 1731 So. Madison Tulsa, Oklahoma 74120	250.00

U. S. F. and G P. O. Box 470288 Tulsa, Oklahoma 74149 (Claim of victim White)	950.00
David R. Williams c/o Williams Technologies, Inc. 320 S. Boston Ave. Tulsa, OK 74103	479,950.00
Chubb Insurance Company Two Warren Place 6120 S. Yale, Suite 3100 Tulsa, OK 74136-4222 (Claim of victim Williams)	217,738.92
Clarence Glasgow 2620 S. Yorktown Tulsa, Oklahoma 74114	1,548.72
State Farm Insurance Company State Farm Service 9233 S. Memorial Attn: Carol Davis #36-D279-883 Tulsa, Oklahoma 74133 (Claim of victim Glasgow)	23,616.65

Defendant: **Brian Maurice Fuller**
Case Number: **91-CR-143-001-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: 33

Criminal History Category: IV

Imprisonment Range: 188 to 235 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 17,500 to \$ 2,245,602

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

Restitution: \$ 1,052,801.09

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):

In accordance with Rule 35(b) Hearing, the Court reduced the term of incarceration from 195 months to 136 months due to substantial assistance to the Government.

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]*

ENTERED ON DOCKET

DATE AUG 17 1992

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA **AUG 14 1992**

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

UNITED STATES OF AMERICA)
)
Plaintiff,)
)
vs.)
)
Defendant,)
)
ANNETTA YETTER)

90-CR-040-001-E

ORDER REVOKING SUPERVISED RELEASE

Now on this 10th day of August, 1992, this cause comes on for sentencing after a previous finding that the defendant violated conditions of supervised release as set out in the Petition on Supervised Release filed on March 11, 1992. The defendant is present in person, and is represented by her attorney, Curtis Biram. The government is represented by Gordon Cecil.

The defendant was heretofore, on July 20, 1990, convicted on her plea of guilty to Uttering a Forged U. S. Treasury Check, Count Two of a three-count Indictment, in violation of Title 18, United States Code, Section 510(a). She was sentenced to ten (10) months in the Custody of the Bureau of Prisons, to be followed by a three-year period of supervised release. As special conditions of supervised release, the defendant was to pay \$4,723 in restitution as directed by the Probation Office, and to undergo psychiatric/psychological counseling as directed.

22

On March 11, 1992, the Probation Office filed a Petition on Supervised Release alleging that the defendant violated the conditions of supervised release by failing to report as instructed for the month of January, 1992, and as instructed by Officer Brad Stewart on February 24, 1992; by changing her residence without notifying the Probation Office; and by writing \$25,644.73 in checks on a closed checking account, in violation of state law.

A revocation hearing was held on June 26, 1992, at which time the defendant confessed to all violations. Due to this confession, the Court made a finding that the defendant violated the conditions of supervised release, and a sentencing hearing was set for August 10, 1992.

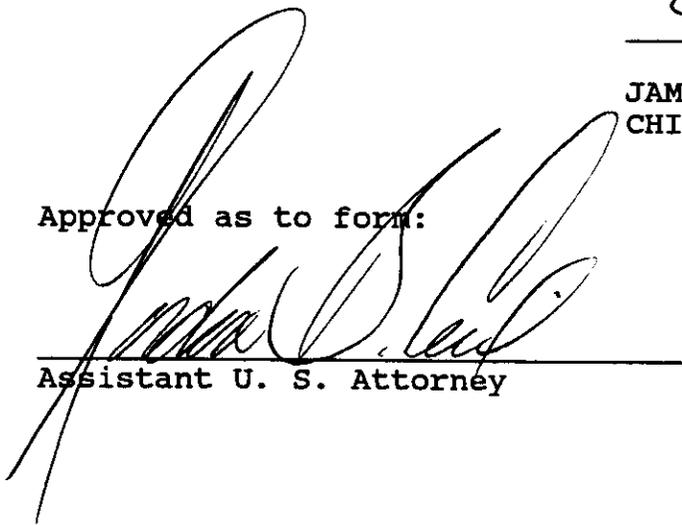
As a result of the sentencing hearing, the Court finds that the violations occurred after November 1, 1987, and that Chapter Seven of the U. S. Sentencing Commission Guidelines is applicable. Further, the Court finds the violations of supervised release involved state law violations punishable by a term of imprisonment of at least one year, therefore, constituting a Grade B violation in accordance with Section 7B1.1(a)(2), and that the defendant's original Criminal History Category of VI is now applicable for determining the imprisonment range upon revocation of supervised release, as set out in Section 7B1.4(a). In addition, the Court finds that a Grade B violation and Criminal History Category VI establish a revocation imprisonment range of 21 to 24 months, in accordance with Section 7B1.4(a) and Title 18, United States Code, Section 3583(e)(3). Accordingly, it is hereby ordered that the defendant is sentenced to the custody of the Bureau of Prisons for

a term of twenty-two months. During this term of confinement, it is expressly ordered that the defendant make restitution to First National Bank and Trust, 15 E. 5th Street, Tulsa, Oklahoma, 74103 in the amount of \$1,200 to be paid as directed.



JAMES O. ELLISON
CHIEF UNITED STATES DISTRICT JUDGE

Approved as to form:



Assistant U. S. Attorney

FILED
 AUG 13 1992
 Richard J. Lawrence, Clerk
 U.S. District Court
 Northern District of Oklahoma

ENTERED ON DOCKET
 DATE 8-13-92

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)

James Allen Fanning
 (Name of Defendant)

Case Number: 92-CR-028-0003-SE

Rob Nigh
 Defendant's Attorney

THE DEFENDANT:

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

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

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:371	Conspiracy to Assault With Intent to Rob a Postal Employee	1-30-92	One
18:2114	Assault With Intent to Rob a Postal Employee	1-30-92	Two
18:924(c)(1)	Possession of a Firearm During Commission of a Violent Crime	1-30-92	Three
18:500	Forgery of a Postal Money Order	2-5-92	Four & Five

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 \$ 250, for count(s) One through Five of the Indictment, which shall be due immediately as follows:

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

Defendant's Soc. Sec. No.: 499-70-6981

Defendant's Date of Birth: 12-18-61

Defendant's Mailing Address:
Bureau of Prisons
Dallas, Texas

Defendant's Residence Address:
921 South 9th Street
St. Joseph, Missouri 64501

August 7, 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

Aug. 12, 1992
 Date

Defendant: James ALLEN Fanning
Case Number: 92-CR-028-001-E

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 115 months, to be followed by 60 months as to Count Three, to run consecutive, said sentence to be imposed in the individual counts as follows:

- Count One 60 months
- Count Two 115 months
- Count Four 60 months
- Count Five 60 months

(Counts One, Two, Four, and Five 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: James Allen Fann.
Case Number: 92-CR-928-001-E

SUPERVISED RELEASE

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

3 years on each count of the Indictment, 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 shall pay restitution of \$6,103.30 to the Talala Post Office and the United States Post Office, jointly and severally with codefendants Danny Duvall and Lester Chase, 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 testing at the direction of the U. S. Probation Office.

Defendant: James Allen Fanning
Case Number: 92-CR-028-001-E

Judgment—Page 4 of 5

RESTITUTION AND FORFEITURE

RESTITUTION

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Talala Post Office P. O. Box 9998 Talala, Oklahoma 74080	\$ 763.36
U. S. Postal Service - M.S.C. Attn: Postmaster 333 W. 4th Tulsa, OK 74103	\$5,339.94

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:
Payments are to begin during the custody portion of the sentence, and any balance remaining to be paid on supervised release 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: James Allen Fanning
Case Number: 92-CR-028-001-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: 23

Criminal History Category: VI

Imprisonment Range: 92 to 115 months

Supervised Release Range: 2 to 3 years Cts. One, Three, Four, and Five
Ct. Two - 3-5 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: \$ 6,103.30

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 } SS
Northern District of Oklahoma }

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

Richard M. Lawrence, Clerk

By _____
Deputy

ENTERED ON DOCKET

DATE 8-13-92

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

F I L E D

AUG 12 1992

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JOHN R. HARRISON,)
)
Defendant.)

No. 88-CR-84-C

O R D E R

Before the Court is the motion of defendant Harrison for reduction of sentence pursuant to Rule 35 F.R.Crim.P. After careful consideration, the Court has determined to grant said motion in part.

It is the Order of the Court that defendant Harrison's sentence is hereby reduced to a term of twelve years incarceration as to Count 1 and five years incarceration on Count III. Sentence on Count III to run concurrently with the sentence imposed in Count I. The fine of Twenty-Five Thousand Dollars is unchanged.

IT IS SO ORDERED this 12th day of August, 1992.


H. DALE COOK
UNITED STATES DISTRICT JUDGE

United States District Court

FILED

Northern

DISTRICT OF

Oklahoma

AUG 12 1992

ENTERED ON DOCKET
DATE 8-13-92

UNITED STATES OF AMERICA

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

JUDGMENT OF ACQUITTAL

V.

CASE NUMBER: 92-CR-058-001-E

James Edward Glover

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



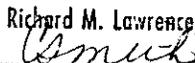
Signature of Judicial Officer
The Honorable James O. Ellison
Chief U.S. District Judge
Name and Title of Judicial Officer

July 31, 1992

Date

United States District Court)
Northern District of Oklahoma) SS

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

Richard M. Lawrence, Clerk
By  Deputy

FILED
AUG 12 1992

DATE 8-13-92

United States District Court

NORTHERN District of OKLAHOMA

Richard M. Lawrence Clerk
U.S. District Court
Northern District of Oklahoma

FILED
AUG 13 1992
Richard M. Lawrence Clerk
U.S. District Court
Northern District of Oklahoma

JUDGMENT IN A CRIMINAL CASE

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

Case Number: 91-CR-159-001-E
Darrell L. Bolton (retained)
Defendant's Attorney

WILLIAM "BUDDY" DIVVER
(Name of Defendant)

THE DEFENDANT:

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

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

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21:841(a)(1) and 841(b)(1)(C)	Distribution of Cocaine	2-21-91	One

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

- The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
- Count(s) _____ (is)(are) dismissed on the motion of the United States.
- It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s) One of the Indictment, which shall be due immediately as follows:

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

Defendant's Soc. Sec. No.: 441-58-5245

Defendant's Date of Birth: 08-08-54

Defendant's Mailing Address:
2228 South 99th E. Ave., Apt 46-C
Tulsa, Oklahoma 74129

Defendant's Residence Address:
2228 South 99th E. Ave., Apt 46-C
Tulsa, Oklahoma 74129

August 7, 1992
Date of Imposition of Sentence
James O. Ellison
Signature of Judicial Officer
The Honorable James O. Ellison, Chief
U.S. District Judge
Name & Title of Judicial Officer
Aug. 11, 1992
Date

Defendant: William Diver
 Case Number: 91-CR-159-001-E

Judgment—Page 3 of 3

PROBATION

The defendant is hereby placed on probation for a term of Three 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 the first six months of probation in Home Detention, and abide by all conditions of Home Detention as directed by the U.S. Probation Office, including electronic monitoring at their direction. From the time of sentencing, electronic monitoring shall be initiated by the probation office within seventy-two hours. To defray a portion of the costs of electronic monitoring, the defendant will pay \$2.00 per day to the appropriate vendor, as directed by the U.S. Probation Office.
2. That the defendant participate in urinalysis for illegal drug use, and if deemed necessary, drug and/or alcohol treatment, all as directed by the U.S. Probation Office.
3. That the defendant complete 120 hours of community service during the term of probation, as approved and directed by the U.S. Probation Office.

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: William Dwyer
Case Number: 91-CR-159-E

gment—Page 3 of 3

STATEMENT OF REASONS

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

OR

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

Guideline Range Determined by the Court:

Total Offense Level: 10

Criminal History Category: I

Imprisonment Range: 6 to 12 months

Supervised Release Range: 3 to 5 years

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

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

Restitution: \$ N/A

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

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

OR

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

OR

The sentence departs from the guideline range

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

for the following reason(s):

United States District Court
Northern District of Oklahoma

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

Richard M. Lawrence, Clerk
By Amul
Deputy

FILED

United States District Court

DATE 8-13-92

AUG 12 1992

NORTHERN

District of

OKLAHOMA

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

UNITED STATES OF AMERICA

V.

JAY ALLEN LOVETT

(Name of Defendant)

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

Case Number: 92-CR-018-001-E

Craig Bryant

Defendant's Attorney

THE DEFENDANT:

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

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

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:842(h) and 844(a)	TRANSPORTING, SELLING AND DISPOSING OF STOLEN EXPLOSIVE MATERIAL	12-13-91	One

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

- The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
- Count(s) _____ (is)(are) dismissed on the motion of the United States.
- It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s) One of the indictment, which shall be due immediately as follows:

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

Defendant's Soc. Sec. No.: 447-56-3785

Defendant's Date of Birth: 12-12-53

Defendant's Mailing Address:

c/o Clara M. Stewart
Rt 8, Box 107, Fayetteville, AR 72701

Defendant's Residence Address:

Same as mailing

August 5, 1992

Date of Imposition of Sentence

James O. Ellison
Signature of Judicial Officer

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

Name & Title of Judicial Officer

Aug. 11, 1992
Date

TW

Defendant: Jay Allen Lovett
 Case Number: 92-CR-018-001-E

Judgment—Page 2 of -3

PROBATION

The defendant is hereby placed on probation for a term of Two (2) years

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

1. The defendant shall serve six months in home confinement to include electronic monitoring at the discretion of the probation office. The defendant is further ordered to pay the entire cost of the electronic monitoring, as directed by the U.S. Probation Office.
2. The defendant shall participate in a program for substance abuse as directed by the U.S. Probation Office, which may include random testing to determine whether the defendant has reverted to the use of alcohol or drugs.

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.

FILED

AUG 12 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.

Timothy Allen Ickes

(Name of Defendant)

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

Case Number: 92-CR-026-001-B

ENTERED ON DOCKET

Ernest Bedford

DATE AUG 12 1992

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)
18:922(o)	Unlawful Possession of a Machine Gun	07-25-91	One

United States District Court)
Northern District of Oklahoma) SS

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

Richard M. Lawrence, Clerk

By [Signature]
Deputy

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

- The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
- Count(s) _____ (is)(are) dismissed on the motion of the United States.
- It is ordered that the defendant shall pay a special assessment of \$ 50, for count(s) One of the Indictment, which shall be due immediately as follows:

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

Defendant's Soc. Sec. No.: 554-06-6782

Defendant's Date of Birth: 03-22-60

Defendant's Mailing Address:

Rt. 2 Box 362
Catoosa, Oklahoma 74015

Defendant's Residence Address:

Same

August 10, 1992

Date of Imposition of Sentence

[Signature]

Signature of Judicial Officer

Thomas R. Brett, U. S. District Judge

Name & Title of Judicial Officer

8-12-92

Date

Defendant: Timothy Allen Ickes
Case Number: 92-CR-026-001-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 fifteen months on Count One of the Indictment.

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

That the defendant be given credit for the 72 days which he has already served during his period of detention.

- 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: Timothy Allen Ickes
 Case Number: 92-CR-026-001-B

Judgment—Page 3 of 4

SUPERVISED RELEASE

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

Three years on Count One of the Indictment

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

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

The defendant shall seek mental health counseling if deemed necessary by the U. S. Probation Office.

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: Timothy Allen Ickes
Case Number: 92-CR-026-001-B

STATEMENT OF REASONS

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

OR

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

Guideline Range Determined by the Court:

Total Offense Level: 16

Criminal History Category: I

Imprisonment Range: 21 to 27 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 5,000 to \$ 50,000

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

Restitution: \$ -0-

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

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

OR

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

OR

The sentence departs from the guideline range

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

for the following reason(s):

The defendant had the weapon for one and one-half years and there is no evidence that the weapon was used for illegal purposes. Therefore, the Court departs downward two levels to a base offense level of sixteen. A two level reduction for acceptance of responsibility establishes a total offense level of fourteen. A total offense level of fourteen and a Criminal History Category of I provides for a range of imprisonment of 15 to 21 months.

FILED

ENTERED ON DOCKET

DATE 8-10-92

United States District Court

AUG 3 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)

Case Number: 92-CR-023-001-E

ROY CLYDE BUNDY
(Name of Defendant)

Jo Stanley Glenn
Defendant's Attorney

THE DEFENDANT:

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

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

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(x)
18:1709	Theft of Mail Matter by Employee	01-07-92	I

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

- The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
- Count(s) _____ (is)(are) dismissed on the motion of the United States.
- It is ordered that the defendant shall pay a special assessment of \$ 50.00, for count(s) One 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.: 541-38-8838

Defendant's Date of Birth: 09-14-39

Defendant's Mailing Address:
1419 North Trenton
Tulsa, Oklahoma 74106

Defendant's Residence Address:
1419 North Trenton
Tulsa, Oklahoma 74106

July 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

July 31, 1992
Date

sm

Defendant: BUNDY, CLYDE
 Case Number: 92-CR-023-001-E

Judgment—Page 2 of 4

PROBATION

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

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

1. The defendant shall pay restitution in the amount of \$1,758.00, to the Oklahoma Department of Human Services as directed by the U. S. Probation Office.
2. The defendant is not to incur any new credit charges or open additional lines of credit without prior approval of the U. S. Probation Office.
3. The defendant is to provide the U. S. Probation Office with access to any requested financial information.

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: **BUNDY, ROY CLYDE**
Case Number: **92-CR-023-001-E**

Judgment—Page **3** of **5**

RESTITUTION AND FORFEITURE

RESTITUTION

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Oklahoma Department of Human Services Finance Division P. O. Box 25352 Oklahoma City, OK 73125	\$1,758.00

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: BUNDY, ROY CLYDE
Case Number: 92-CR-023-001-E

Judgment - Page 4 of 4

STATEMENT OF REASONS

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

OR

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

Guideline Range Determined by the Court:

Total Offense Level: 5

Criminal History Category: I

Imprisonment Range: 0 to 6 months

Supervised Release Range: 2 to 3 years

Fine Range: \$ 250 to \$ 5,000

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

Restitution: \$ 1,758.00

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

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

OR

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

OR

The sentence departs from the guideline range

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

for the following reason(s):

United States District Court }
Northern District of Oklahoma } 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

United States District Court

NORTHERN

District of OKLAHOMA

ENTERED ON DOCKET

DATE 8-10-92

UNITED STATES OF AMERICA

v.

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

DANNY JOE DUVAL

Case Number: 92-CR-028-002-E

(Name of Defendant)

Richard D. White (Appointed)

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)
18:USC:2	Aiding and Abetting in Assault With Intent to Rob a Postal Employee	1-30-92	Two

FILED

AUG 10 1992

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

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

- The defendant has been found not guilty on count(s) _____ and is discharged as to such count(s).
- Count(s) One, Three, and Four of the Indictment (~~is~~ are) dismissed on the motion of the United States.
- It is ordered that the defendant shall pay a special assessment of \$ 50.00, for count(s) 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.: 441-52-9996

Defendant's Date of Birth: 05-19-48

Defendant's Mailing Address:

56 North Zunis

Tulsa, Oklahoma

(Incarcerated in Tulsa County Jail)

Defendant's Residence Address:

Same

August 4, 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

Date

United States District Court

NORTHERN

District of OKLAHOMA

ENTERED ON DOCKET

DATE 8-10-92

UNITED STATES OF AMERICA

v.

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

DANNY JOE DUVAL

Case Number: 92-CR-028-002-E

(Name of Defendant)

Richard D. White (Appointed)

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)
18:USC:2	Aiding and Abetting in Assault With Intent to Rob a Postal Employee	1-30-92	Two

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) One, Three, and Four of the Indictment (~~is~~) (are) dismissed on the motion of the United States.
 It is ordered that the defendant shall pay a special assessment of \$ 50.00, for count(s) 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.: 441-52-9996

Defendant's Date of Birth: 05-19-48

Defendant's Mailing Address:

56 North Zunis

Tulsa, Oklahoma

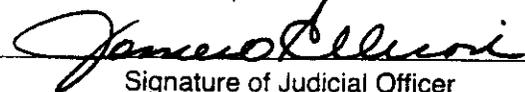
(Incarcerated in Tulsa County Jail)

Defendant's Residence Address:

Same

August 4, 1992

Date of Imposition of Sentence


Signature of Judicial Officer

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

Name & Title of Judicial Officer

Date

Defendant: DANNY JOE DUVALL
Case Number: 92-CR-028-002-E

Judgment—Page 2 of 5

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 57 months, as to Count Two

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: DANNY JOE DUVAL
 Case Number: 92-CR-028-002-E

Judgment—Page 3 of 5

SUPERVISED RELEASE

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

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

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

That the defendant be held jointly and severally liable for total restitution in the amount of \$6,103.30. Of this amount, \$5,339.94 should be directed to the United States Postal Service M.S.C., Attn: Postmaster, 333 W. 4th St., Tulsa, OK 74103-9998. The remaining amount \$763.36, should be directed to the Talala, OK Post Office, P.O. Box 9998, Talala, OK 74080. Payment is to commence while the defendant is in custody, and any remaining balance will be paid during the term of supervised release, as directed by the U.S. Probation Office.

That the defendant, upon his release from custody and as a Special Condition of Supervised Release, participate in an alcohol treatment program, to include urinalysis for his use of controlled substances, as approved and 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: DANNY JOE DUVALL
 Case Number: 92-CR-028-002-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>
1. U.S. Postal Service Attn: Postmaster Tulsa, Oklahoma 74101	\$5,339.94
2. Talala, Oklahoma Post Office Talala, Oklahoma	\$ 763.36

Payments of restitution are to be made to:

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

Restitution shall be paid:

- in full immediately.
 in full not later than _____.
 in equal monthly installments over a period of _____ months. The first payment is due on the date of this judgment. Subsequent payments are due monthly thereafter.
 in installments according to the following schedule of payments: The defendant is held jointly and severally liable with his two codefendants for the total restitution of \$6,103.30. While in custody of the Bureau of Prisons, the defendant shall make installment payments through the Inmate Financial Responsibility Program. Upon release from imprisonment, the defendant shall pay any remaining restitution balance, 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: **DANNY JOE DUVAL**
Case Number: **92-CR-028-002-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: 23

Criminal History Category: III

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: \$ 6,103.30

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

United States District Court

NORTHERN

District of

OKLAHOMA

DATE 8-10-92
FILED

UNITED STATES OF AMERICA

V.

Lester Roy Chase

(Name of Defendant)

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed Prior to November 1, 1987)

AUG 7 1992

U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

Case Number: 92-CR-028-003-E

Curtis Biram

Defendant's Attorney

THE DEFENDANT:

- pleaded guilty to count(s) II & IV 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)
18:2	Aiding & Abetting in Assault With Intent to Rob a Postal Employee	1/30/92	II
18:2	Aiding & Abetting in Forgery of Postal Money Order	1/30/92	IV

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 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, for count(s) II & IV 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.: 494-70-0443

Defendant's Date of Birth: 6-11-63

Defendant's Mailing Address:
2324 S. 12th Street
St. Joseph, Missouri 64503
c/o Sharon Travernicsh

Defendant's Residence Address:
same

August 4, 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

August 6, 1992
Date

Defendant: Lester Roy Chase
Case Number: 92-CR-028-003-E

Judgment - Page 2 of 5

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 87 months as to Counts II & IV to run concurrent.

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: Lester Roy Chase
 Case Number: 92-CR-028-003-E

Judgment—Page 3 of 5

SUPERVISED RELEASE

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

5 years as to Count II; 3 years as to Count IV, Count IV to run concurrent to sentence imposed in Count II.

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

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

The defendant shall pay restitution as noted on page 4 of this Order.

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: Lester Roy Chase
 Case Number: 92-CR-028-003-E

Judgment—Page 4 of 5

RESTITUTION AND FORFEITURE

RESTITUTION

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
United States Postal Service, M. S. C., Attn: Postmaster 333 W. 4th Tulsa, OK 74103-9998	\$5,339.94
United States Post Office P. O. Box 9998 Talala, OK 74080	\$ 763.36

Payments of restitution are to be made jointly and severally with codefendants James Allen Fanning and Danny Joe Duvall to:

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

Restitution shall be paid:

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

any amount not paid immediately shall be paid during the term of confinement, with any unpaid balance payable at the discretion of the United States Probation Office during the term of supervised release.

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

FORFEITURE

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

Defendant: Lester Roy Chase
Case Number: 92-CR-028-003-E

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: 28

Criminal History Category: II

Imprisonment Range: .87 to 1.08 months

Supervised Release Range: 3 to 5 years

Fine Range: \$ 12,000 to \$ 125,000

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

Restitution: \$ 6,103.30 ordered to be paid jointly and severally with codefendants James Allen Fanning and Danny Joe Duvall.

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):

disposition of the appeal may render the [§ 2255] motion unnecessary. *Feldman v. Henman*, 815 F.2d 1318, 1320 (9th Cir. 1987).

In this case, nothing in the record suggests any unusual circumstances. Therefore, Carroll's §2255 motion will be dismissed without prejudice. When the Tenth Circuit has disposed of the direct appeal, Carroll may re-file his petition.

SO ORDERED THIS 31 day of July, 1992.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE