

ENTERED ON DOCKET

DATE 11-30-93

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 TERESA PRICE, )  
 )  
 Defendant. )

No. 93-CR-64-E

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

ORDER OF DISMISSAL WITHOUT PREJUDICE

Now on this 23<sup>rd</sup> day of November, 1993, this cause comes on to be heard on the motion of the plaintiff, the United States of America, for dismissal of the instant Indictment, without prejudice. From that motion, and other matters and things, the Court finds as follows:

1. The plaintiff and the defendant, along with the United States Probation Office, have entered into an agreement effecting a program of pretrial diversion for defendant, Teresa Price.
2. The said defendant has waived her rights to Speedy Trial in accordance with said supervision agreement.
3. The defendant and her attorney, William Hughes, have no objection to this cause being dismissed, without prejudice.

It is, therefore, ORDERED, ADJUDGED AND DECREED that, pursuant to Rule 48(a), Federal Rules of Criminal Procedure, the above cause is dismissed, without prejudice.

IT IS SO ORDERED.

S/ JAMES O. ELLISON

JAMES O. ELLISON, Chief  
United States District Judge

DATE 11/29/93 CW

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

UNITED STATES OF AMERICA

RESENTENCING ON REMAND  
FROM THE 10TH CIRCUIT

v.

Case Number 91-CR-148-E

**FILED**  
NOV 26 1993

JOHN FREDERICK HAGGERTY  
Defendant.

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

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

The defendant, JOHN FREDERICK HAGGERTY, was represented by Ron Bennett.

The defendant pleaded guilty to count 1 of the Indictment. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 922(g)	Possession Of A Firearm After Having Been Convicted Of A Felony	12/22/90	1

As pronounced on November 19, 1993, 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.

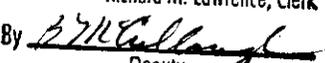
It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count 1 of the Indictment, which shall be due immediately.

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

Signed this the 23<sup>rd</sup> day of November, 1993.

  
The Honorable James O. Ellison, Chief  
United States District Judge 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.

Defendant's SSN: 446-72-9463  
Defendant's Date of Birth: 04/02/66  
Defendant's residence and mailing address: Care of Bureau of Prisons; Salvation Army Halfway House; 312 West Brady, Tulsa, Oklahoma 74103

Richard M. Lawrence, Clerk  
By   
Deputy

Defendant: JOHN FREDERICK HAGGERTY  
Case Number: 91-CR-148-E

**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.

The Court makes the following recommendations to the Bureau of Prisons: Credit for time served. This is a re-sentencing; the defendant is presently serving the remainder of his imprisonment at the Salvation Army Halfway House, is due for discharge on December 22, 1993 and will then be placed on Supervised Release.

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

**RETURN**

I have executed this Judgment as follows:

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

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

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

Defendant: JOHN FREDERICK HAGGERTY  
Case Number: 91-CR-148-E

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 2 years.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. 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.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the 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 seventy-two 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: JOHN FREDERICK HAGGERTY  
Case Number: 91-CR-148-E

**STATEMENT OF REASONS**

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

**Guideline Range Determined by the Court:**

Total Offense Level:	10
Criminal History Category:	V
Imprisonment Range:	21 months to 27 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 2,000 to \$ 20,000
Restitution:	\$ N/A

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

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.

*aw*

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

**FILE :**

**NOV 24 1993**

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

UNITED STATES OF AMERICA

v.

Case Number 93-CR-121-C

MARVIN R. BARTLETT  
Defendant.

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

The defendant, MARVIN R. BARTLETT, was represented by Steve Stidham.

The defendant pleaded guilty to count 1 of the Information. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
16 USC 1538(a)(2)(C)	Receiving And Transporting An Unlawful Species Of Plants	07/23/89	1

As pronounced on November 17, 1993, 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.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 25, for count 1 of the information, which shall be due immediately.

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

Signed this the 24<sup>th</sup> day of November, 1993.



The Honorable John Leo Wagner  
United States Magistrate Judge

United States District Court )  
Northern District of Oklahoma ) SS  
I hereby certify that the foregoing )  
is a true and correct copy of the )  
information filed in this case )

By J. Miller  
Deputy

Defendant's SSN: 514-34-8946

Defendant's Date of Birth: 03/16/38

Defendant's residence and mailing address: 4410 West Easton; Tulsa, Oklahoma 74127

Defendant: MARVIN R. BARTLETT  
Case Number: 93-CR-121-C

### PROBATION

The defendant is hereby placed on probation for a term of 4 year(s).

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall perform 100 hours of community service, as directed by the Probation Office, preferably at the Tulsa County Zoo.

### STANDARD CONDITIONS OF PROBATION

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 seventy-two 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: MARVIN R. BARTLETT  
Case Number: 93-CR-121-C

**FINE**

The defendant shall pay a fine of \$ 2,000. This fine includes any costs of incarceration and supervision.

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

This fine shall be paid in full immediately. Any amount not paid immediately shall be paid as directed by the U. S. Probation Office during the period Probation.

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: MARVIN R. BARTLETT  
Case Number: 93-CR-121-C

**STATEMENT OF REASONS**

The Court finds that an ex post facto issue arises with the use of the 1992 Guidelines manual. The 1989 manual results in a more lenient sentence because the earlier manual placed the burden of proof on the Government to prove the number of cacti affected the overall population of the species. The defendant's total offense level is therefore decreased by four (4) levels to reflect the use of the 1989 manual.

**Guideline Range Determined by the Court:**

Total Offense Level:	6
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	0 to 1 years
Fine Range:	\$ 500 to \$ 5,000
Restitution:	\$ N/A

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.

ENTERED ON DOCKET

DATE 11-23-93

**FILED**

NOV 23 1993

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

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

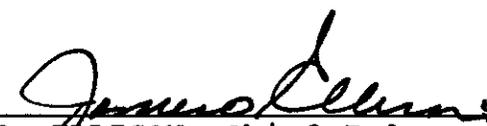
UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 SYLVESTER EUGENE GAY, )  
 )  
 Defendant. )

No. 89-CR-20-E  
(92-C-108-E)

O R D E R

This matter is before the Court pursuant to the remand of the Circuit for development of the record relative to the issue of whether Defendant could demonstrate cause sufficient to excuse his failure to raise the claims asserted herein on direct appeal and actual prejudice resulting therefrom. Accordingly on the 19th day of November, 1993, the Court received Mr. Gay's evidence and argument in open court. The Court has reviewed the supplemental record in light of the relevant law, and finding insufficient cause for Mr. Gay's failure to raise the issues on direct appeal now DENIES his §2255 motion and DISMISSES the case.

ORDERED this 22<sup>nd</sup> day of November, 1993.

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

ENTERED ON DOCKET

DATE 11-23-93

**FILED**

NOV 23 1993 *jm*

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 JAMES ALLEN FANNING, )  
 )  
 Defendant. )

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

No. 92-CR-28-E ✓

O R D E R

Before the Court is Defendant's Motion to Reconsider (docket #44). The Court has reviewed the record in this case in light of the applicable law and finds that the sentence imposed was proper under the applicable United States Sentencing Commission guidelines and that there exist no grounds for a downward departure. Therefore, Defendant's motion is DENIED.

ORDERED this 22<sup>d</sup> day of November, 1993.

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

*cw*

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

ENTERED ON DOCKET

DATE 11-23-93

UNITED STATES OF AMERICA

v.

Case Number 93-CR-122-001-E

DOUGLAS CARTER McDONALD  
Defendant.

**FILED**

NOV 23 1993

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)

The defendant, DOUGLAS CARTER McDONALD, was represented by Kurt G. Glassco.

The defendant pleaded guilty to count 1 of the Information. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense:

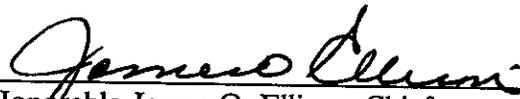
<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1001	False Statement To A Department or Agency Of The United States	06/29/91	1

As pronounced on November 12, 1993, 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.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count 1 of the Information, which shall be due immediately.

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

Signed this the 19<sup>th</sup> day of November, 1993.

  
The Honorable James O. Ellison, Chief  
United States District Judge

Defendant's SSN: 440-80-8451  
Defendant's Date of Birth: 08/23/68  
Defendant's residence and mailing address: P.O. Box 1373; Haskell, Oklahoma 74436

United States District Court 1 SS  
Northern District of Oklahoma 1  
I hereby certify that the foregoing  
is a true copy of the original file  
in this Court.  
Richard M. Lawrence, Clerk  
By J. Maves  
Deputy

Defendant: DOUGLAS CARTER McDONALD  
Case Number: 93-CR-122-001-E

### PROBATION

The defendant is hereby placed on probation for a term of 2 year(s).

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The fine shall be paid during the term of probation in regular installment payments, as directed by the U. S. Probation Office.

### STANDARD CONDITIONS OF PROBATION

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 seventy-two 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: DOUGLAS CARTER McDONALD  
Case Number: 93-CR-122-001-E

**FINE**

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

The Court has determined that the defendant does not have the ability to pay interest, and it is accordingly ordered that the interest requirement is waived.

This fine shall be paid in full immediately. Any amount not paid immediately shall be paid as directed by the U.S. Probation Office during the period of Probation.

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: DOUGLAS CARTER McDONALD  
Case Number: 93-CR-122-001-E

**STATEMENT OF REASONS**

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

**Guideline Range Determined by the Court:**

Total Offense Level:	4
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 250 to \$ 5,000
Restitution:	\$ N/A

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.

AW

ENTERED ON DOCKET

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

DATE 11-16-93

UNITED STATES OF AMERICA

RESENTENCING PURSUANT TO  
10TH CIRCUIT MANDATE  
Case Number 91-CR-080-004-B

v.

CHARLES EDWIN NOTTINGHAM  
Defendant.

**FILED**

NOV 15 1993

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)

The defendant, CHARLES EDWIN NOTTINGHAM, was represented by Roy W. "Bud" Byars.

On motion of the United States the court has dismissed the original indictment.

The defendant was found guilty on counts 1 and 2 of the Superseding Indictment after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

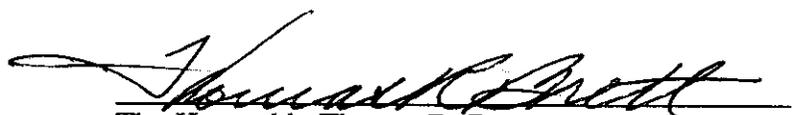
<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371, 2113(a) & (d)	Conspiracy to Commit Armed Bank Robbery	06/22/90	1
18 USC 2113(a) and (d), and 2	Aiding and Abetting Armed Bank Robbery	06/22/90	2

As pronounced on NOVEMBER 5, 1993, 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.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for counts 1 & 2 of the Superseding Indictment, which shall be due immediately.

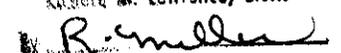
It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 15<sup>th</sup> day of Nov, 1993.

  
The Honorable Thomas R. Brett  
United States District Judge

Defendant's SSN: 440-72-3290  
Defendant's Date of Birth: 02-24-60  
Defendant's residence and mailing address: 5317 W. 8th Street, Tulsa, OK 74127

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  


Defendant: CHARLES EDWIN NOTTINGHAM  
Case Number: 91-CR-080-004-B

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 60 months as to Count 1, 156 months as to Count 2, said sentences to run concurrently.

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

**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: CHARLES EDWIN NOTTINGHAM  
Case Number: 91-CR-080-004-B

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years as to Count 1 and 5 years as to Count 2, to run concurrently.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. 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.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the 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 seventy-two 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: CHARLES EDWIN NOTTINGHAM  
Case Number: 91-CR-080-004-B

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

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

<b><u>Name of Payee</u></b>	<b><u>Amount of Restitution</u></b>
Cimarron Federal Savings and Loan P. O. Box 1649 Muskogee, OK 74402	\$12,950

Payments of restitution are to be made to the United States Attorney for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release, as directed by the U. S. Probation Office.

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

Defendant: CHARLES EDWIN NOTTINGHAM  
Case Number: 91-CR-080-004-B

**STATEMENT OF REASONS**

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

**Guideline Range Determined by the Court:**

Total Offense Level:	32	
Criminal History Category:	III	
Imprisonment Range:	151 months to 188 months	Counts 1 and 2
Supervised Release Range:	2 to 3 years	Count 1
	3 to 5 years	Count 2
Fine Range:	\$ 17,500 to \$ 175,000	Counts 1 and 2
Restitution:	\$ 31,950	

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

Full restitution is not ordered for the following reason(s): Co-defendants have been ordered to pay a portion of the total.

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason(s): The defendant acted in a supervisory capacity by recruiting the two co-conspirators who actually robbed the bank.

DATE 11-16-93  
**FILED**  
NOV 15 1993

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. )  
 )  
 MONTE MORRIS FRIESNER, )  
 )  
 Defendant. )

Case No. 92-CR-130-B

ORDER

This matter came before the Court on November 10, 1993, for a hearing on Defendant's Motion for Release Pending Sentencing. Defendant Friesner appeared in person and with counsel, Stephen J. Greubel and Robert Nigh, Jr., and the United States appeared by Assistant United States Attorneys Kenneth P. Snoke and Susan K. Morgan. Evidence was presented by both parties.

Title 18, United States Code, Section 3143(a) provides that, after conviction, and pending sentencing, the court shall order the defendant detained, unless the court finds by clear and convincing evidence that the defendant is not likely to flee or pose a danger to the safety of any other person or the community. For purposes of that section, the defendant has the burden of proof.

After considering all the evidence presented, the Court made the following findings: (1) the original bondsman stated he would not re-verify defendant's bond, so any release would have to be on an unsecured bond; (2) defendant has two prior felony convictions; (3) defendant has worldwide contacts; (4) defendant is unemployed; (5) defendant has no ties to this community, and is a Canadian

citizen; and (6) based on defendant's testimony, the court believes defendant has significant credibility problems.

Further, the recommendation by the United States Probation Office is that defendant be detained pending sentencing, based on his performance while on release pending trial, and other factors.

Therefore, the court finds that defendant has not met his burden of proof, and has not shown that he is neither a flight risk, nor a danger to the community or any person.

IT IS THEREFORE THE ORDER OF THE COURT that the defendant's Motion for Release Pending Sentencing should be denied, and defendant should be detained until the date of sentencing, January 14, 1994, at 1:30 p.m.

  
THOMAS R. BRETT  
United States District Judge

ENTERED ON DOCKET

DATE 11-16-93!

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 BOBBY JOE FABIAN, a/k/a )  
 BOBBY JOE FAUBION, )  
 )  
 Defendant. )

No. 68-CR-106-B

**FILED**

NOV 15 1993

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

ORDER

Before the Court are Defendant's motion to reduce or correct sentence pursuant to Fed. R. Civ. P. 35 and the Government's response.

On October 31, 1968, a federal jury convicted Fabian of Counts II and III. On November 20, 1968, the court sentenced Fabian to five years on Count II and ten years on Count III; the sentences to run consecutively. On November 12, 1969, the Tenth Circuit Court of Appeals reversed Defendant's convictions and sentences and remanded the case for retrial. On March 2, 1970, Fabian pleaded guilty to Count III, and the government dismissed Count II. The court passed sentencing for thirty days. However, on March 4, 1970, Defendant escaped from custody. He was subsequently arrested and convicted of the escape in Case No. 70-CR-94. On June 15, 1970, the court sentenced Defendant to ten years on Count III in Case No. 68-CR-106, and to three years for the escape charge in Case No. 70-CR-94; the sentences to run consecutively. The court then ordered that "[t]he defendant is to be returned to the authorities in La., and if found guilty of charges pending in the

State Courts in La., that sentence shall be served in advance of the sentence imposed in this case." See docket sheets attached to the Government's response.

On September 9, 1993, Defendant filed the present Rule 35 Motion, arguing his October 31, 1968 federal sentence was improperly stopped and run consecutively to a sentence in Louisiana which he did not get until October 26, 1970. Defendant asserted his sentence became final when the court sentenced him in February 1970; the court had no authority "to increase the quantum of punishment," and "split the service of a state sentence in the middle of an already validly imposed federal sentence." The Government responded that Defendant's Rule 35 motion was untimely and in any case it lacked merit. The Court agrees.

Rule 35 applicable to offenses committed prior to November 1, 1987, reads as follows:

**(a) Correction of Sentence.** The court may correct an illegal sentence at any time and may correct a sentence imposed in an illegal manner within the time provided herein for the reduction of sentence.

**(b) Reduction of Sentence.** A motion to reduce a sentence may be made, or the court may reduce a sentence without motion, within 120 days after the sentence is imposed or probation is revoked, or within 120 days after receipt by the court of a mandate issued upon affirmance of the judgment or dismissal of the appeal, or within 120 days after entry of any order or judgment of the Supreme Court denying review of, or having the effect of upholding, a judgment of conviction or probation revocation. The Court shall determine the motion within a reasonable time. Changing a sentence from a sentence of incarceration to a grant of probation shall constitute a permissible reduction of sentence under this subdivision.

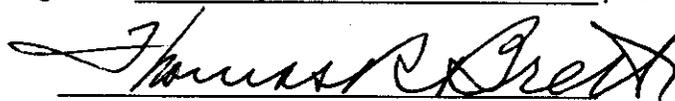
If the Court construes Defendant's motion to assert that the court imposed his October 31, 1968 federal sentence in an illegal

manner, Defendant's motion is untimely. A federal court may correct a sentence imposed in an illegal manner within 120 days after the sentence is imposed. As noted above the court imposed Defendant's sentences on June 15, 1970, and not February 1970 as Defendant asserts. Accordingly, Defendant's motion should be denied as untimely.

Even if Defendant had asserted that his federal sentence was illegal, the Court concludes that Defendant's motion lacks merit. Defendant's federal sentence was not "split" in the middle and run consecutively to a Louisiana sentence. In fact Defendant was not sentenced until June 15, 1970, in Case Nos. 68-CR-106 and 70-CR-94. In addition, the sentencing court specifically ordered that, if Defendant was found guilty of the Louisiana charges, he should serve the Louisiana sentence before the sentences imposed in Case Nos. 68-CR-106 and 70-CR-94.

ACCORDINGLY, IT IS HEREBY ORDERED that Defendant's Rule 35 Motion is denied.

SO ORDERED THIS 15 day of Nov., 1993.



THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

ENTERED ON DOCKET  
DATE 11-16-93

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-008-001-B

CURTIS FRANK BROOKS  
Defendant.

FILED

NOV 16 1993

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

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

The defendant, CURTIS FRANK BROOKS, was represented by Richard White.

The defendant pleaded guilty to count(s) 1, 2, 3, 4, and 5 of the Superseding Indictment. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 2119	Armed Carjacking	01/23/93	1 & 3
18 USC 924(c)(1)	Possession of a Firearm During Commission of Violent Felony	01/23/93	2 & 4
18 USC 922(g)(1), and 924(e)(1)	Possession of a Firearm After Former Felony Conviction	01/23/93	5

As pronounced on November 10, 1993, 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.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 250, for count(s) 1, 2, 3, 4, & 5 of the Superseding Indictment, which shall be due immediately.

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

Signed this the 16<sup>th</sup> day of Nov., 1993.

  
The Honorable Thomas R. Brett  
United States District Judge

Defendant's SSN: 462-76-5571  
Defendant's Date of Birth: 02-09-49  
Defendant's mailing address: 2336 Oakmont Drive; Bedford, TX 76021  
Defendant's residence address: U. S. Bureau of Prisons

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

Defendant: CURTIS FRANK BROOKS  
Case Number: 93-CR-008-001-B

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 634 months. 180 months in Counts 1 & 3, as to each count to run concurrently. 334 months in Count 5 to run concurrently with term imposed in Counts 1 & 3. 60 months in Count 2 to run consecutively with Counts 1, 3, & 5. 240 months in Count 4 to run consecutively with Count 2. All counts to run consecutively to the term imposed in Northern District of Texas case 3:93-CR-059-G-01.

The Court makes the following recommendations to the Bureau of Prisons: that no less than 50% of all money earned be contributed to the restitution order via the Inmate Financial Responsibility Program.

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

**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: CURTIS FRANK BROOKS  
Case Number: 93-CR-008-001-B

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years in Counts 1 through 4 as to each count to run concurrently. 5 years in Count 5 to run concurrently to terms imposed in Counts 1 through 4.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. 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.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall participate in a program for sex-offenders as directed by the U. S. Probation Officer.

### STANDARD CONDITIONS OF SUPERVISION

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

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within seventy-two 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: CURTIS FRANK BROOKS  
Case Number: 93-CR-008-001-B

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

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

<b><u>Name of Payee</u></b>	<b><u>Amount of Restitution</u></b>
Farmers Insurance Group P. O. Box 470244 Tulsa, OK 74147-0244	\$9,860
Mary Boyle 6931 E. 53rd Pl Tulsa, OK 74145	\$ 275
<b>TOTAL:</b>	<b>\$10,135</b>

Payments of restitution are to be made to the United States Attorney for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release, as directed by the U. S. Probation Office.

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

Defendant: CURTIS FRANK BROOKS  
Case Number: 93-CR-008-001-B

**STATEMENT OF REASONS**

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

**Guideline Range Determined by the Court:**

Total Offense Level:	31
Criminal History Category:	VI
Imprisonment Range:	188 months to 235 months - Counts 1,3, & 5 60 months - Count 2 consecutive 240 months - Count 4 consecutive
Supervised Release Range:	2 to 3 years - Counts 1, 2, 3, and 4 3 to 5 years - Count 5
Fine Range:	\$ 15,000 to \$ 150,000
Restitution:	\$ 10,135

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

The sentence is within the guideline departure range, that range exceeds 24 months, and the sentence is imposed for the following reasons: due to the aggravated nature of the offenses, defendant's history of committing similar violent crimes, and the fact that other criminal conduct has been excluded from guideline calculations.

The sentence departs from the guideline range for the following reasons: because the assigned criminal history score is underrepresented because of past convictions omitted due to age, similarity of past crimes to the instant conviction, and the fact that the defendant's criminal past is so serious and flagrant that the assigned category is inadequate, U.S.S.G. §§ 4A1.3(a), 4A1.3(c), and 4A1.3, respectively. Moreover, the court looks to U.S.S.G. §§ 5K2.3, 5K2.4, and 5K2.8 noting that these crimes caused extreme psychological trauma on the victims, involved victim restraint, and the defendant's conduct was unusually heinous, cruel, brutal and degrading to the victims.

JS-3  
REV. 2/86

CRIMINAL DOCKET U.S. District Court

U.S.

(LAST, FIRST, MIDDLE)

Case Filed  
Mo. Day Yc.

Docket No. Def.

PO	<input type="checkbox"/> 1085	Assigned	<input type="checkbox"/> 4511
Misd.	<input type="checkbox"/>	Dist. Serv.	<input type="checkbox"/>
Felony	<input checked="" type="checkbox"/>	Judge/Magistr.	<input type="checkbox"/>

WRITE  JUVENILE  VS.  ALIAS

OFFENSE ON INDEX CARD

**JOHNSON, MELVIN, A/R/A**  
**G-MAN**

ORIGINAL COUNTS: 1

DISM. 1 NG

U.S. TITLE/SECTION: 18:922(g)(1)  
OFFENSES CHARGED: Possession of a firearm after former conviction of a felony

- SENTENCE CODE SECTION**
- 0. None
  - 1. 4244
  - 2. 5037 (c)
  - 3. 5010 e
  - 4. 4205 (c,d)
  - 5. 4252
  - 6. 2902 (a,b)

**I. CHARGES**

Draw a line between the last original and the first superseding charge and check

SUPERSEDING COUNTS: 1

- STUDY AND OBSERVATION SECTION**
- 0. Regular
  - 1. 4205 b-1
  - 2. 4205 b-2
  - 3. 5010 a,b, 4216
  - A. 4205f
  - B. 3575
  - 4. 5010c, 4216
  - 5. FJDA
  - 6. 4253 a
  - 7. 4253 b
  - 8. DAPCA
  - 9. 28, 2903

**II. KEY DATE**

INTERVAL ONE

KEY DATE: [ ]

EARLIEST OF: [ ]

arrest sum'n's custody- appears-on complaint

END ONE AND/OR BEGIN TWO (OR RESTART PERIOD TO TRIAL)

KEY DATE: 5-6-93

APPLICABLE: 2

Indictment filed/unsettled consent to Magg. trial on complaint Information Felony/Waiver

KEY DATE: [ ]

APPLICABLE: 3A, 3B, 3C, 3D, 3E, 3F, 3G, 3H, 3I, 3J, 3K, 3L, 3M, 3N, 3O, 3P, 3Q, 3R, 3S, 3T, 3U, 3V, 3W, 3X, 3Y, 3Z

Remand Withdrawn

END INTERVAL TWO

KEY DATE: [ ]

APPLICABLE: 4

Dismissal Pled guilty After N.G. Trial (voir dire) begun

VII SENTENCE (& Disposition)

*X. 20 to CP CP*

*11-15-93*

DATE: [ ]

CODE: [ ]

STUDY & OBSERVATION/ STATUTE CODE USED

DISPOSITION DATE: [ ]

SENTENCE DATE: [ ]

SENTENCE: [ ]

PTD Note or S.T. grounds W.P. WOP on gov't motion

COMPLETE BOX NET DAYS TYPE

AMT. EXCESS

Dist/Off No. *0973/2*

LEFT AND BOTTOM STUBS MAY BE TORN OFF AFTER TYPING. TO REDUCE FORM TO 5" x 8" SIZE.

ENTERED IN DOCKET

DATE 11-12-93

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

NOV 10 1993

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 CHARLES REX PAYNE, )  
 )  
 Defendant. )

Case No. 93-CR-130-B

ORDER OF DISMISSAL

Upon application of the United States, leave of court is granted for the filing of the foregoing Motion to Dismiss, and the Court hereby orders dismissal of the indictment in case number 93-CR-130-B against Charles Rex Payne. Said dismissal is without prejudice.

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

U.S. 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 BM Cal Couch  
Deputy

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

**FILED**

NOV 16 1993

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

UNITED STATES OF AMERICA

v.

AMENDED  
Case Number 91-CR-080-005-B  
REMAND PURSUANT TO 10TH CIRCUIT MANDATE

DEE DEE ROMO  
aka DEIDRE HARRELL  
Defendant.

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

The defendant, DEE DEE ROMO, was represented by Mark Lyons.

The defendant was found guilty on count(s) I and the lesser and included offense of Bank Robbery in Count II of the Superseding Indictment after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

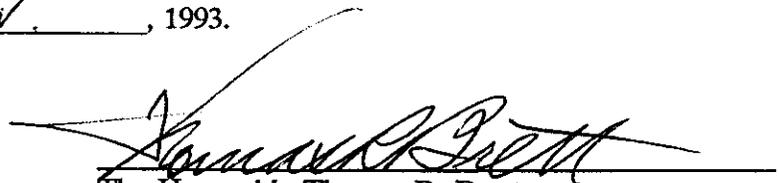
<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371			
18 USC 2113(d)	Conspiracy to Commit Armed Bank Robbery	06-22-90	I
18 USC 2113(a) and 2	Bank Robbery and Aiding and Abetting	06-22-90	II

As pronounced on November 5, 1993, 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.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100, for count(s) I and II of the Indictment, which shall be due immediately.

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

Signed this the 10<sup>th</sup> day of Nov., 1993.

  
The Honorable Thomas R. Brett  
United States District Judge

Defendant's SSN: 444-72-8708  
Defendant's Date of Birth: 04-07-63  
Defendant's residence and mailing address: 5031 S. 88TH E. AVE., TULSA, OK 74145

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 BTM Callough  
Deputy

Defendant: DEE DEE ROMO  
aka DEIDRE HARRELL  
Case Number: 91-CR-080-005-B

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 60 months in Count I, and 70 months in Count II, each count to run concurrently with each other.

**RETURN**

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

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: DEE DEE ROMO  
aka DEIDRE HARRELL  
Case Number: 91-CR-080-005-B

### SUPERVISED RELEASE

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

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. 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.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program approved by the probation office for urinalysis testing, and, if necessary, treatment of substance abuse.
5. If deemed necessary by the probation office, the defendant shall seek and participate in mental health counseling.

### 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 seventy-two 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: DEE DEE ROMO  
aka DEIDRE HARRELL  
Case Number: 91-CR-080-005-B

**STATEMENT OF REASONS**

The court adopts the factual findings and guideline application in the presentence report with the exception of the four point enhancement for use of a firearm. Accordingly, the Court finds that the Total Offense Level is 27 as opposed to Level 31 as determined in the presentence report.

**Guideline Range Determined by the Court:**

Total Offense Level:	27
Criminal History Category:	I
Imprisonment Range:	70 months to 87 months
Supervised Release Range:	2 to 3 years each count
Fine Range:	\$ 12,500 to \$ 125,000
Restitution:	\$ 31,950

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

Full restitution is not ordered for the following reasons: Defendant received no remuneration for her involvement in the instant offense.

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.

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

ENTERED ON DOCKET  
DATE 11-10-93

UNITED STATES OF AMERICA

v.

Case Number 93-CR-106-001-C

MICHAEL G. CHAMBERLAIN  
Defendant.

**FILED**

NOV 10 1993

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

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

The defendant, MICHAEL G. CHAMBERLAIN, was represented by Keith A. Ward.

On motion of the United States the court has dismissed count(s) One and Six of the Indictment.

The defendant pleaded guilty to count(s) Two, Three, Four and Five of the Indictment. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

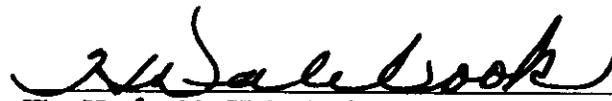
<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18:371	Conspiracy to Counterfeit, Possess and Deliver U.S. Obligations	07-07-93	Two
18:471	Counterfeiting U.S. Obligations	09-92	Three
18:472	Possession of Counterfeit Obligations	11-92	Four
18:473	Delivery of Counterfeit Obligations	11-92	Five

As pronounced on November 2, 1993, 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.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50 each, for count(s) Two, Three, Four and Five of the Indictment, for a total of \$200, which shall be due immediately.

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

Signed this the 9<sup>th</sup> day of November, 1993.

  
The Honorable H. Dale Cook  
United States District Judge

Defendant's SSN: 442-54-1597  
Defendant's Date of Birth: 01-28-52  
Defendant's residence and mailing address: Route 1, Box 230, Eucha, 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 R. Miller

Defendant: MICHAEL G. CHAMBERLAIN  
Case Number: 93-CR-106-001-C

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 14 months on each of Counts Two, Three, Four and Five; all sentences to run concurrently, each to the other.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 9:00 a.m. on December 6, 1993.

**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: MICHAEL G. CHAMBERLAIN

Case Number: 93-CR-106-001-C

**SUPERVISED RELEASE**

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

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. 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.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

**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 seventy-two 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: MICHAEL G. CHAMBERLAIN  
Case Number: 93-CR-106-001-C

**STATEMENT OF REASONS**

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

**Guideline Range Determined by the Court:**

Total Offense Level:	18	
Criminal History Category:	I	
Imprisonment Range:	27 months to 33 months	Counts 2, 3, 4, and 5
Supervised Release Range:	2 to 3 years	Counts 2, 3, 4, and 5
Fine Range:	\$ 6,000 to \$ 60,000	Counts 2, 3, 4, and 5
Restitution:	\$ N/A	

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

The sentence departs from the guideline range for the following reason(s): Upon motion of the government, as a result of defendant's substantial assistance.

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

**F I L E D**

NOV 8 1993

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 LARRY VAUGHN COWAN, )  
 )  
 Defendant. )

No. 93-CR-34-E

O R D E R

The Court has for consideration Defendant's Motion for Judgment of Acquittal and Defendant's Motion for a New Trial. The court finds that the Government submitted probative evidence as to each element of the crime of conspiracy as delineated in United States v. Evans, 970 F.2d 663 (10th Cir. 1992). The Court specifically finds that it is the law in this Circuit that the Government need only present evidence from which the jury could conclude that Defendant was an active, albeit minor, participant in the scheme in order to make its conspiracy case against the Defendant. See, United States v. Savaiant, 843 F.2d 1280 (10th Cir. 1988). Based upon the foregoing, the Court concludes Defendant's Motion for Judgment of Acquittal must be DENIED.

The Court has also reviewed the Defendant's Motion for a New Trial in light of the record and applicable law. The court finds insufficient authority for taking judicial notice of Defendant's submissions on cock fighting terminology pursuant to Rule 202 of the Fed.R.Evid. and, thus, declines to do so. The court further finds that Government's Exhibit #3 was properly admitted pursuant

to Rule 401 of the Fed.R.Evid. and its admission did not work to deny Defendant of a fair trial. Therefore the Defendant's Motion for a New Trial will also be denied.

ORDERED this 5<sup>th</sup> day of November, 1993.

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

*B.M. Callough*



UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

RESENTENCING PURSUANT TO  
10TH CIRCUIT MANDATE  
Case Number 91-CR-033-002-B

FILED

CHRISTOPHER ARUTUNOFF  
Defendant.

NOV 8 1993

Richard M. Lawrence, Clerk  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

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

The defendant, CHRISTOPHER ARUTUNOFF, was represented by Craig Bryant.

On motion of the United States the court has dismissed count(s) 2 through 17 of the Indictment.

The defendant pleaded guilty to count One of the Indictment. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371 15:77q(a)(2) and (3)	Conspiracy To Commit Security Fraud	05/90	1

As pronounced on October 29, 1993, 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.

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

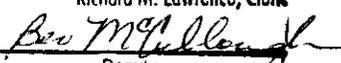
It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 8<sup>th</sup> day of Nov, 1993.

  
The Honorable Thomas R. Brett  
United States District Judge

Defendant's SSN: 447-46-9425  
Defendant's Date of Birth: 11/10/49  
Defendant's residence and mailing address: P.O. Box 11, Ketchum, Oklahoma 74349

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

Defendant: CHRISTOPHER ARUTUNOFF  
Case Number: 91-CR-033-002-B

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 30 months.

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

**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: CHRISTOPHER ARUTUNOFF  
Case Number: 91-CR-033-002-B

### SUPERVISED RELEASE

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

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. 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.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

### 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 seventy-two 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: CHRISTOPHER ARUTUNOFF  
Case Number: 91-CR-033-002-B

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

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

<b><u>Name of Payee</u></b>	<b><u>Amount of Restitution</u></b>
See Attachment A to Presentence Report.	\$18,000

Payments of restitution are to be made to the United States Attorney for transfer to the payee(s).

Restitution shall be paid jointly and severally with any codefendants who have previously been ordered to pay or who may be ordered to pay in the future. Restitution shall be paid immediately including any funds the defendant may have in his Bureau of Prisons account currently.

Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release, as directed by the U. S. Probation Office.

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

Defendant: CHRISTOPHER ARUTUNOFF  
Case Number: 91-CR-033-002-B

**STATEMENT OF REASONS**

The court adopts the factual findings and guideline application in the presentence report except the Court has determined that the actual loss attributable to the defendant is \$862,000, which results in a total offense level of 17.

**Guideline Range Determined by the Court:**

Total Offense Level:	17
Criminal History Category:	III
Imprisonment Range:	30 months to 37 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 5,000 to \$ 50,000
Restitution:	\$ 2,632,851.41

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

Full restitution is not ordered for the following reason(s): The defendant does not have the ability to pay the full amount.

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.

## ATTACHMENT A

Page 1

Guy L. and Rita Abbey 205 Richards Road LaGrange, TX 68945	\$ 500.00	Paul Bernius 10 Spring Creek Lane Broken Arrow, OK 74014	1,000.00
Dr. John Abel 6117-A E. 21st Street Tulsa, OK 74114	90,927.64	Ray and Pat Bethke P. O. Box 152 Fayetteville, TX 78940	5,000.00
Acadia Veterinary Hospital, Inc. Ralph W. Grogan Russell Grogan 5202 East 11th Street Tulsa, OK 74112	2,500.00	Andrew T. Boyce 212 S. 276th East Avenue Catoosa, OK 74015	10,000.00
Bobby Adams Route 1, Box 557B9 LaGrange, TX 78945	2,000.00	Donnie & Sandra Briner 7551 S. 234th East Avenue Broken Arrow, OK 74014	12,100.00
Cyriac Alexander 841 Santa Florencia Solana Beach, CA 92071	10,000.00	Jack and Polly Brent Route 2, Box 25-B Angleton, TX 77515	1,000.00
Dr. Robert A. Anderson 10613 South Oxford Tulsa, OK 74136	110,000.00	Christopher Brooke 10699 San Diego Mission Road Apt. 201 San Diego, CA 92108	810.00
W. E. (Bill) Anderson 2245 S. Indianapolis Tulsa, OK 74114	11,000.00	Rex Bronnenberg 368 W. Linden Avenue Burbank, CA 91506	500.00
Don L. Asher 6705 S. Peach Broken Arrow, OK 74011	500.00	Walter H. and Lydia Bryant 654 Spanish Oak Road Elon College, NC 27244	5,000.00
Mario Aus 6144-B S. Madison Place Tulsa, OK 74136	1,050.00	Hans Von Bussman 4101 E. 53rd Place Tulsa, OK 74135	2,000.00
Richard and Doris Auten 2108 E. El Parque Tempe, AZ 85282	1,085.00	Kirk Andrew Von Bussman 4101 E. 53rd Place Tulsa, OK 74135	3,500.00
Auto Refinish L. C. Clark P. O. Box 169 Tulsa, OK 74101	5,000.00	Bill and Diane Butler 429 W. Quanah Street Broken Arrow, OK 74011	34,025.00
Kenneth Banks P. O. Box 397 Schulenburg, TX 78956	10,000.00	Wesley Butler 12626 S. 199th East Avenue Broken Arrow, OK 74011	79,190.00
Budelia R. Barnard 300 N. Fir Avenue Broken Arrow, OK 74012	2,000.00	Doris Caldwell 8210 E. 71st Street, Suite 286 Tulsa, OK 74133	1,055.00
Bonnie Bell 6210 Amogene Houston, TX 77074	500.00	Annette Capps 1101 West Huntsville Broken Arrow, OK 74011	25,000.00
		Peggy Capps Route 3, Box 101 England, AR 72046	3,500.00

## ATTACHMENT A

Page 2

Enrico Chiarelli P. O. Box 1240 LaGrange, TX 78945	500.00	Debra Ellisor 307 Brenda Conroe, TX 77305	500.00
Don, Steve & Gladys Copeland 11222 E. Pine Street Tulsa, OK 74116	278,170.94	Rick Engles 7005 E. 100th Place South Tulsa, OK 74133	1,000.00
Deborah Cowden P. O. Box 20790 Oklahoma City, OK 73156	500.00	Charles H. Evans 16005 E. 83rd Street North Owasso, OK 74055	500.00
Tim or Monique Cowden 13 Coventry Court Edmond, OK 73034	1,000.00	Charles A. Falke P. O. Box 103 Warda, TX 78966	2,500.00
Tom Cowden P. O. Box 20790 Oklahoma City, OK 73156	1,000.00	Alva Fletcher 802 East Elgin Place Broken Arrow, OK 74012	1,000.00
Christin Cox 5035 Shadow Mountain Road Las Cruces, NM 88001	1,055.00	Ronnie & Judy Fletcher Route 3, Box 510 Coweta Ok 74459	500.00
Curtis Cox 2404 Margaret Street Sedalia, MO 75301	1,100.00	Mike Forehand 2637 East Marshall Tulsa, OK 74110-4757	4,060.00
CRN Financial Group 3333 E. 38th Street, Suite 8 Tulsa, OK 74135	8,500.00	Ernest W. Freeman 3809 E. 40th Street Tulsa, OK 74135	5,000.00
Dale E. and Doris M. Cox 413 S. First Street Grayville, IL 62844	2,500.00	Cathy Garoutte 11826 E. 16th Street Tulsa, OK 74128	500.00
James B. and Anita Cox 801 Bennett Box 85 Dumas, TX 79029-0085	1,000.00	Marquerite M. Gavin 1319 Wildbriar Liberty, MO 64068	46,741.25
Dr. Bob Daniel & Group 10446 S. 66th East Avenue Tulsa, OK 74133	355,000.00	Glen Giddens 15420 N. 97th E. Avenue Collinsville, OK 74021	1,000.00
Eleanor De Vries 10102 E. 26th Street Tulsa, OK 74129	1,250.00	Williams and Pauline Giddens 3227 E. Woodrow Tulsa, OK 74110	1,000.00
Mary De Vries 10102 E. 26th ST Tulsa, OK 74129	500.00	Brenda Gordon P. O. Box 1503 Broken Arow, Ok 74013	1,000.00
Frank Draper 3229 Cypress Claremore, OK 74017	1,000.00	Charles Graham, Jr. 1861 Surrey Drive Pryor, OK 74361	500.00
Harry M. Durham 5034 Libbey Houston, TX 77092	2,449.00	Jeff Graves 1713 E. Broadway, No 311 Tempe, AZ 85282	2,500.00

## ATTACHMENT A

Page 3

David Greer & Associates, Inc. 13115 Via Suena Valley Center, CA 92082	2,000.00	Gerald G. Himes 5318 S. 71st East Avenue Tulsa, OK 74145	8,000.00
Henry Gunn P. O. Box 488 LaGrange, TX 87945	3,000.00	Gerald L. Hinderman 214 W. Quanah Court Broken Arrow, OK 74011	4,350.00
Larry and Sandra Gunn P. O. Box 550 LaGrange, TX 78945	500.00	Rosemary S. Hiss 432 N. Monroe Street LaGrange, TX 78945	3,000.00
Pat Hallman 7658 E. 58th Place Tulsa, OK 74145	1,000.00	Mark A. Hoffman Route 5, Box 120 LaGrange, TX 78945	1,000.00
Doug Hardwick 7536 E. 28th Street Tulsa, OK 74129	500.00	Patrick Hoffman Route 5, Box 119 LaGrange, TX 78945	5,000.00
James Hardwick 7536 E. 28th Street Tulsa, OK 74129	1,000.00	Richard Hoffman Route 5, Box 1119 LaGrange, TX 78945	1,000.00
Ronald J. and Linda K. Hart P. O. Box 111 Winchester, TX 78964	500.00	Raymond and Martha Holder 7364 E. 58th Court Tulsa, OK 74145	8,000.00
Ralph Hawash, M.D. 17235 Banwood Houston, TX 77090	500.00	Bobbie and Judith Holland 312 Camelot Drive Collinsville, IL 62234	6,500.00
Roland Hayes 9109 E. 131st North Collinsville, OK 74021	1,000.00	Clyde Hopping 11222 E. Pine Street Tulsa, OK 74116	1,000.00
Charles, Lois and Vera Hebard 511 E. Earll Drive, #211 Scottsdale, AZ 85251	77,000.00	William Howell 6121 Sylvia Avenue Reseda, CA 91335	500.00
Keith Herron 7494 E. Earll Drive, #211 Scottsdale, AZ 85251	7,000.00	Donald L. Imler 8722 Cedarspur Houston, TX 77055	22,481.00
J. Michael Hess 1451 N. Fulton Tulsa, OK 74115	1,000.00	JoAnn Ingram 25819 Oak Ridge Drive The Woodlands, TX	1,000.00
Charles Hewlett 1916 Crockett Court Irving, TX 74038	10,000.00	Vicki Jamison-Peterson Ministries P. O. Box 700030 Tulsa, OK 74170	20,000.00
Riley M. Hill, M.D. 2003-A S. Elm Place Broken Arrow, Ok 74012	2,700.00	Gary Jennings Jenco Fabricators, Inc. 1850 N. 170th E. Avenue Tulsa, OK 74416	7,500.00
Grover Hillboht Route 1, Box 109B Round Top, TX 78945	14,500.00	Miles Johnson 7845 Park Avenue Broken Arrow, OK 74011	500.00

## ATTACHMENT A

Page 4

Larry and Mary Kahanek P. O. Box 522 LaGrange, Tx 78945	2,000.00	Lauren C. Malewski 7237 E. Oak Steet Scottsdale, AZ 85251	2,500.00
Russell and Janet Keirsey 4322 S. Cincinnati Avenue Tulsa, OK 74105	500.00	D. Allen Mandelbaum 3524 E. 70th Place Tulsa, OK 74136	500.00
Frank T. Kennan, Jr. 14B Myrtle Court Wrightsville Beach, NC 28480	2,000.00	Arthur and Margaret Mantz 2230 S. Piney Point, #114 Houston, TX 77063	2,425.00
Raymond Kenney 3532 South Troost Tulsa, OK 74105	500.00	Ronald L. Marsh (Image Designs) also for Julie Marsh, daughter John Marsh, son Tim Marsh, son	2,000.00 1,000.00 1,000.00 1,000.00
Patrick H. Kernan Kernan & Kernan 4500 S. Garnett, Suite 900 Tulsa, OK 74146	98,500.00	209 S. Indianwood Broken Arrow, OK 74012	
Mary Jo Klazuba 8305 Meadowood Avenue Broken Arrow, OK 74011	1,500.00	Steve Mathre Box 412 Nora Springs, Iowa	4,000.00
J. C. and Caroline Kline P. O. Box 124 Roundtop, TX 78945	2,000.00	Jeania Mayer 125 N. 11th Street Broken Arrow, OK 74012	500.00
Leonard Klein 5628 Santa Cruz Drive Hanover Park, IL 60103	2,500.00	Ruth McCoy P. O. Box 405 Broken Bow, OK 74728	5,000.00
Howard W. Koester 6005 N. W. 23rd Street Oklahoma City, OK 73127-1253	1,000.00	G. M. McGrath 13951 Pequot Poway, CA 92064	10,000.00
Scott A. Koons 1526 East 71st Street, #405 Tulsa, OK 74136	1,500.00	Charles McGregor 12115 N. E Expressway Oklahoma City, OK 73131	2,500.00
Ruthe M. Lamb 2656 E. 69th Street Tulsa, OK 74136	5,000.00	Geraldine M. McKay 13769.5 Acorn Patch Road Poway, CA 92064	5,000.00
Bill Lange P. O. Box 63 Wanda, TX 78960	500.00	Stacy McMillan P. O. Box 20790 Oklahoma City, OK 73156	500.00
Marion Lewis 11222 E. Pine Street Tulsa, OK 74116	1,000.00	Charles Meadows 1601 S. 1st Place Broken Arrow, OK 74012	500.00
Dr. Paul Liechty 3334 Town East Mesquite, TX 75150	160,000.00	Helen Menning 1920 W. Oak Ridge Street Broken Arrow, OK 74012	69,000.00
Glen A. Lowe 1532 S. College Tulsa, OK 74104	500.00	Bill Middlebrook 4223 E. 97th Street, South Tulsa, OK 74137	150,000.00
		Allan Milhan 124 Rebel Ridge Yukon, OK 73099	1,000.00

## ATTACHMENT A

Page 5

James W. Miller 17403 East 78th Street North Owasso, OK 74055	1,000.00	Daniel R. and Myra Diane Odell 1515 Purdue Avenue, #14 W. Los Angeles, CA 90025	5,000.00
Jenna Miller Anna Miller 2905 S. Elm Street Broken Arrow, OK 74012	500.00	Earl G. and Elizabeth Odell 6918 Alderney Drive Houston, TX 77055	19,000.00
Sherry Miller 9960 E. 21st Street Tulsa, OK 74129	560.00	Mary Anna Oksenkbrug 1901 White Rose Carrollton, TX 75007	5,125.00
Sharon J. Montgomery 9901 E. 13th Street Tulsa, OK 74128	500.00	Thomas D. Pendleton 3411 E. 27th Street Muskogee, OK 74401	2,000.00
Warren V. Moore 7406 N. W. 36th Street Bethany, OK 73008	2,000.00	Dr. and Mrs. Carl R. Peterson 3411 S. 27th Street Tulsa, Ok 74136	50,000.00
William Kirk Morgan, Trustee of the William Wade Morgan Trust P. O. Box 64 Plum, TX 78952	1,000.00	David Polasek Route 4, Box 28-D LaGrange, TX 78945	5,000.00
Maxine Morris 307 Brenda Conroe, TX 77305	1,000.00	William Potts P. O. Box 1380 Edmond, OK 73080	2,060.00
Mike & Dorothy Mowdy 10710 S. Broadway Oklahoma City, OK 73170	2,500.00	Phillip A. Purpura 117 W. San Diego Street Broken Arrow, OK 74011	1,000.00
N.B.T. Inc. 1101 S. Johnston Bartlesville, OK 74003	2,500.00	Leonard & Merle Quary P. O. Box 428 Brashear, TX 75420	50,000.00
N & N Investments Box 517 Angleton, TX 77516	14,000 00	Tim and Barbara Rackley Route 4, Box 381D LaGrange, TX 78945	3,000.00
Deborah Noe 728 Noreda Angelton, TX 77515	6,000.00	Norman Ramsey 3235 S. 93rd East Avenue Tulsa, OK 74145	1,000.00
Byron and Erica Northrup Route 2, Box 233 LaGrange, TX 78945	5,315.00	Fred Raschen 1638 E. 31st Place Tulsa, OK	1,000.00
Mary Lou Ochs 3744 N. W. 33rd Street P. O. Box 12096 Oklahoma City, OK 73157	500.00	Jerry L. Richards 3005 East Jackson Place Broken Arrow, OK 74014	500.00
Steve Ochs 8300 N. W. 107th Oklahoma City, OK 73162	510.00	Walter G. Richards 7912 Pecos Lane Scottsdale, AZ 85250	4,085.00
Jeff O'Connor 3266 E. Foxrun Way San Diego, CA 92111	500.00	Randall Roberts 6605 S. Fifth Avenue Broken Arrow, OK 74011	2,000.00

## ATTACHMENT A

Page 6

James Rott 2500 S. Oak Place Broken Arrow, OK 74012	500.00	Bill Sowers 13793 Gull Way Clearwater, FL 34622	500.00
Michael Ruhbush Box 109 Spencer, WI 54479	1,060.00	Jonathan Starling 4851 N. Johnstown Tulsa, OK 74126	1,000.00
Charles and Betty Russell 307 Brenda Conroe, TX 77305	10,000.00	Eira and Sharon M. Stine Daniel Stine and Kevin Stine 3158 S. 89th E. Avenue Tulsa, OK 74145	3,000.00
Randall Russell 307 Brenda Conroe, TX 77305	2,172.00	Robert Story 12320 E. 16th Place Tulsa, OK 74128	7,000.00
Robin Russell 307 Brenda Conroe, TX 77305	500.00	Michael Strayhorn 3325 Willow Creek Way Bedford, TX 76021	808.00
Royden M. Severson 12610 Brandywine Drive Sun City West, AZ 85375	50,000.00	Raymond R. Streger 255 E. Fannin LaGrange, TX 77840	1,000.00
Charles and LaRue Scheller 25903 Oak Ridge Drive Spring, TX 77380	5,000.00	Robert R. and Frances J. Stricker 4009 S. Gum Avenue Broken Arrow, Ok 74011	500.00
Christine Scheller 27321 Blueberry Hill Conroe, TX 77385	1,000.00	Gene H. and Sharon Stromley 2505 Wedglea Drive, Suite 116 Dallas, TX 75211	500.00
Suzanne Schnelder Box 283 LaGrange, TX 78945	900.00	Howard Stuart 11471 E. 6th Street Tulsa, OK 74128	2,000.00
Russell and Sylvia Schoenewe 1212 S. Sycamore Court Broken Arrow, OK 74012	9,000.00	William C. Sweeney 1359 Mt. Pleasant Dubuque, Iowa 52001	1,550.00
Edward L. Seier E. L. Seier Associates 3201 Highfield Drive, Suite M Bethlehem, PA 18017	2,000.00	Jason Taylor 300 N. Fir Avenue Broken Arrow, OK 74012	20,000.00
Charles Severson 2016 Lynn Avenue Los Gatos, CA 95032	5,045.00	Wilda Taylor 300 N. Fir Avenue Broken Arrow, OK 74012	5,000.00
Jim Severson 515 8th N.W. Nora Springs, IA 50458	10,000.00	James and Grace Tomey 1577 Madrid Drive Vista, CA 92083	3,000.00
Sam L.Smith c/o Carl Peterson P. O. Box 700023 Tulsa, OK 74170	500.00	Byron H. and Janet Thompson 9487 E. 139th Street Bixby, OK 74008	2,000.00
Steven R. Smith 2211 E. 41st Street Tulsa, OK 74105	2,000.00	Ty Tonnessen 1007 Howard Avenue, Unit 55 Escondido, CA 92025	20,000.00

ATTACHMENT A

Stanley M. Townsend 6731 S. 66th E. Avenue Tulsa, OK 74133	5,000.00	Mary L. Wesolicik 529 Oak Knoll Montgomery, TX 77356	1,500.00
Judy Upjohn 8619 S. Atlanta Tulsa, OK 74137	1,000.00	Clarence T. West, Jr. 1411 S. Pittsburg Avenue Tulsa, OK 74112	2,000.00
Fred VanEman Jarrid, Inc Box 702766 Tulsa, OK 74170	2,500.00	Ronald E. White 4823 S. 71st East Avenue Tulsa, OK 74145	500.00
Brian and Peggy Varner 740 S. Remington Angleton, TX 77515	3,000.00	Bob and Gail Williams 1204 Honan Drive Manor House #2 South Bend, IN 46614	336,226.58
Phillips H. Viles, Jr. (for Amada Erin Viles, OUTMA) P. O. Box 518 Claremore, OK 74018-0518	5,000.00	John F. and Debbie Williams 901 S. Redbud Broken Arrow, OK 74012	500.00
L. David Vogel Route 3, Box 121E LaGrange, TX 78945	3,000.00	Robert and Dollie Jean Wolverton 9501 E. 13th Street Tulsa, OK 74128	3,500.00
Carol Walker Women of Faith, International 1109 W. Huntsville Broken Arrow, OK 74011	3,000.00	Barbara Wright 5757 Guhn Road, #125 Houston, TX 77040	1,000.00
Doris Walker c/o William A. Walker Nisen & Elliot 200 West Adams Street Chicago, OL 60606	500.00	Dora Wyatt 307 Brenda Conroe, TX 73305	1,000.00
Bob Waller 9960 S. Quebec Tulsa, OK 74137	2,000.00	James M. Zoch Route 1, Box 73 Giddings, TX 78942	1,060.00
Betty R. Wesolick 110 Sweet Gum Drive Conroe, TX 77304	2,500.00	Roland S. Zock Route 1, Box 73 Giddings, TX 78942	5,000.00

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 RANDY ANDERSON, )  
 )  
 Defendant. )

No. 92-CR-86-C

F I L E D

NOV 9 - 1993

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

O R D E R

Now on this 9<sup>th</sup> day of November, 1993 this cause comes on to be heard in the matter of the plaintiff's Motion for Leave to Dismiss, without prejudice, the Indictment against defendant Randy Anderson in the above styled cause. The Court finds that said request ought to be granted and the Indictment against defendant Randy Anderson is dismissed, without prejudice.

IT IS SO ORDERED.

(Signed) H. Dale Cook

H. DALE COOK  
United States District Judge



DATE 11-9-93

**FILED**

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

NOV 8 1993

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 KATHLEEN A. PERRY, )  
 )  
 Defendant. )

No. 92-CR-135-B

**DISMISSAL**

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of court endorsed hereon, the United States Attorney for the Northern District of Oklahoma hereby dismisses the Indictment filed November 6, 1992, against Kathleen a. Perry, defendant.

STEPHEN C. LEWIS  
United States Attorney

By: *Gordon B. Cecil*  
Gordon B. Cecil  
Assistant United States Attorney

On this 8<sup>th</sup> day of November, 1993, leave of this court is granted for the filing of the foregoing Dismissal of the Indictment filed in this proceeding November 6, 1992, against the defendant, Kathleen A. Perry.

*Thomas R. Brett*  
THOMAS R. BRETT  
United States District Judge

GBC:rlk

United States District Court  
Northern District of Oklahoma  
Filed by *R.M. Lawrence*  
By *R.M. Lawrence*  
Clerk

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

ENTERED ON DOCKET  
DATE 11-5-93

UNITED STATES OF AMERICA

v.

Case Number 93-CR-086-001-E

GEORGE WILLIAM ELIAS, SR.  
Defendant.

**FILED**  
NOV 4 1993  
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)

The defendant, GEORGE WILLIAM ELIAS, SR., was represented by Phil Frazier.

On motion of the United States the court has dismissed count(s) 3 through 6 of the Indictment.

The defendant pleaded guilty to count(s) 1 and 2 of the Indictment. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1014 & 2	False Statement on Loan Document & Aiding and Abetting	11/29/90	1 & 2

As pronounced on November 1, 1993, 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.

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

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

Signed this the 4<sup>th</sup> day of November, 1993.

James O. Ellison  
James O. Ellison, Chief  
United States District Judge

Defendant's SSN: 444-34-3378  
Defendant's Date of Birth: 04-17-36  
Defendant's residence and mailing address: 6918 E. 66th St.; Tulsa, OK 74133

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

Defendant: GEORGE WILLIAM ELIAS, SR.  
Case Number: 93-CR-086-001-E

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of one (1) month, as to Counts 1 and 2, both counts to run concurrently.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 p.m. on December 1, 1993.

**RETURN**

I have executed this Judgment as follows:

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

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

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

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

Defendant: GEORGE WILLIAM ELIAS, SR.

Case Number: 93-CR-086-001-E

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 4 years as to Count II, 3 years as to Count I, sentences to run concurrently.

While on supervised release, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. 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.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of 5 months, to commence within 72 hours of release from imprisonment. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the defendant.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

### 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 seventy-two 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: GEORGE WILLIAM ELIAS, SR.  
Case Number: 93-CR-086-001-E

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

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

<b><u>Name of Payee</u></b>	<b><u>Amount of Restitution</u></b>
Dillards Dept. Stores Collection Dept. P.O. Box 52005 Phoenix, AZ 85072	\$ 3,704.74
CitiBank P.O. Box 6500 Sioux Falls, SD 57117-6500	\$ 4,580.87
American Express P.O. Box 7871 Ft. Lauderdale, FL 33329	\$10,240.42
Total:	\$18,526.03

Payments of restitution are to be made to the United States Attorney for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release, as directed by the U. S. Probation Office.

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

Defendant: GEORGE WILLIAM ELIAS, SR.  
Case Number: 93-CR-086-001-E

**STATEMENT OF REASONS**

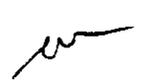
The court adopts the factual findings and guideline application in the presentence report.

**Guideline Range Determined by the Court:**

Total Offense Level:	10
Criminal History Category:	I
Imprisonment Range:	6 months to 12 months - Counts 1 and 2
Supervised Release Range:	2 to 3 years - Count 1 3 to 5 years - Count 2
Fine Range:	\$ 2,000 to \$ 2,000,000 - Counts 1 and 2
Restitution:	\$ 18,526.03

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

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.



DATE 11/4/93

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 CONNIE JEAN MARTIN, )  
 )  
 Defendant. )

No. 93-CR-12-E

**FILED**

NOV 4 1993

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

O R D E R

Now on this 3 day of November, 1993, this cause comes on to be heard in the matter of the plaintiff's motion to dismiss the Indictment in the above styled cause. The Court finds that said motion ought to be granted and the Indictment is dismissed with prejudice.

IT IS SO ORDERED.

6/ JAMES O. ELLISON  
CHIEF JUDGE JAMES O. ELLISON

*[Handwritten signature]*  
Bill Cullough

ENTERED ON RECORD  
11/4/93

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 MARK DEWAYNE MALLOY, )  
 )  
 Defendant. )

No. 93-CR-34-E-03

**F I L E D**

NOV 4 1993

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

ORDER OF DISMISSAL

Pursuant to the motion filed by the plaintiff, and to best meet the ends of justice, it is hereby ordered that defendant Mark Dewayne Malloy be dismissed from the above-styled Indictment and that he be transported by the United States Marshal from the Northern District of Oklahoma to Monroe, Louisiana, to begin service of the sentence imposed upon him in that jurisdiction.

S/ JAMES O. ELLISON

\_\_\_\_\_  
JAMES O. ELLISON  
Chief United States District Judge

*B.M. Callough*

ENTERED ON DOCKET  
 DATE 11-3-93

**UNITED STATES DISTRICT COURT**  
 Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-089-B

FILED

NOV 3 - 1993

HAROLD JACOB PENNYFEATHER  
 Defendant.

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)

The defendant, HAROLD JACOB PENNYFEATHER, was represented by Robert Nigh.

On motion of the United States the court has dismissed count(s) Two through Five, Seven and Ten of the Indictment.

The defendant pleaded guilty to count(s) One, Six, Eight, and Nine of the Indictment. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1708	Theft Of Mail	03/12/92	1,6,8, & 9

As pronounced on October 29, 1993, 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.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 200, for count(s) One, Six, Eight, and Nine of the Indictment, which shall be due immediately.

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

Signed this the 3<sup>rd</sup> day of November, 1993.

United States District Court )  
 Northern District of Oklahoma ) SS

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

Richard M. Lawrence, Clerk

By R. Miller  
 Deputy

  
 The Honorable Thomas R. Brett  
 United States District Judge

Defendant's SSN: 200-50-6565  
 Defendant's Date of Birth: 08/02/58  
 Defendant's residence and mailing address: 2824 Brentwood, Drive, Anderson, Indiana 46011-4045

Defendant: HAROLD JACOB PENNYFEATHER  
Case Number: 93-CR-089-B

### PROBATION

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

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.

The defendant shall serve 2 months (60 days) beginning November 29, 1993, at 11:00 a.m. in community confinement, as scheduled, arranged, and approved by the U. S. Probation Office. The defendant may be allowed to maintain employment while in community confinement.

### STANDARD CONDITIONS OF PROBATION

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 seventy-two 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: HAROLD JACOB PENNYFEATHER  
Case Number: 93-CR-089-B

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

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

<b><u>Name of Payee</u></b>	<b><u>Amount of Restitution</u></b>
Discover Card Services P.O. Box 860090, Pasadena, CA 91186-0090	\$1,922.50
Margie Grammer 109 E. Brentwood Lane, Longview, TX 75604	\$ 60.00
Annette King 5350 Amesbury #103-1, Dallas, TX 75206	\$ 5.00
Total:	<u>\$1,987.50</u>

Payments of restitution are to be made to the United States Attorney for transfer to the payee(s).

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation, as directed by the U. S. Probation Office.

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

*pu*

Defendant: HAROLD JACOB PENNYFEATHER  
Case Number: 93-CR-089-B

**STATEMENT OF REASONS**

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

**Guideline Range Determined by the Court:**

Total Offense Level:	6	
Criminal History Category:	I	
Imprisonment Range:	0 months to 6 months	Counts 1, 6, 8, & 9
Supervised Release Range:	2 to 3 years	Counts 1, 6, 8, & 9
Fine Range:	\$500 to \$5,000	Counts 1, 6, 8, & 9
Restitution:	\$1,987.50	

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

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.