

ENTERED

on docket
12-28-93 Agm

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 ISMAEL VILLEGAS MEDINA,)
)
 Defendant,)
)
 v.)
)
 INTERNATIONAL FIDELITY)
 INSURANCE COMPANY,)
)
 Defendant.)

No. 93-CR-101-B ✓

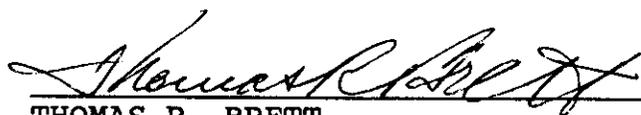
FILED

DEC 23 1993
Richard M. Lawrence, Court Clerk
U.S. DISTRICT COURT

J U D G M E N T

In accord with the Order filed November 30, 1993, forfeiting defendant's bond pursuant to Federal Rule of Criminal Procedure 46(e), the Court hereby enters judgment in favor of the Plaintiff, United States of America, and against the Defendant, Ismael Villegas Medina, and his surety, International Fidelity Insurance Company, jointly and severally, in the amount of \$10,000, along with costs and interest from the date of this judgment at the rate of 3.61% per annum.

Dated, this 23 day of December, 1993.


 THOMAS R. BRETT
 UNITED STATES DISTRICT JUDGE

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

FILED

DEC 23 1993

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 JACKIE LEE PRICE,)
)
 Defendant.)

No. 93-CR-30-B
~~(93-C-945-B)~~

ORDER

Before the Court is Defendant's motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255, and Defendant's supplement in response to the Court's order of December 3, 1993. Defendant requests to be assigned to a federal prison, rather than a state prison, to serve her federal sentence. She asserts that in a federal institution she would get paid for working, and thus, could start paying back the restitution she owes.

On July 1, 1993, the Court sentenced Price to forty-one months imprisonment pursuant to a guilty plea. The Court's Judgment and Sentence included the following recommendation:

That the Bureau of Prisons designate the Texas Department of Correction to be the place of service of this sentence, thereby making this sentence concurrent with the defendant's imprisonment imposed in #F9204684, which was filed in Dallas County, Texas. Should the defendant be released before completion of this sentence by discharge or parole, she will be transferred to the custody of the Bureau of Prisons for completion of this sentence.

Whether Defendant can serve her federal sentence in a federal or state institution is within the discretion of State and Federal Correction authorities, and not the Court. Therefore, the Court

will deny Defendant's motion to vacate, set aside, or correct sentence.

ACCORDINGLY, IT IS HEREBY ORDERED that:

- (1) Defendant's motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255 [docket #12] is **denied.**
- (2) The Clerk shall mail a copy of Defendant's supplement to the government.

SO ORDERED THIS 22nd day of Dec., 1993.


THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

ENTERED ON DOCKET

DATE 12-23-93

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

F I L E D

UNITED STATES OF AMERICA

v.

DEC 23 1993
Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA
Case Number 93-CR-159-E

JIMMY LEE MAUK
Defendant.

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

The defendant, JIMMY LEE MAUK, was represented by Charles Whitman.

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

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
26 USC 7206(1)	Submitting A False Income Tax Return	10/10/90	1

As pronounced on December 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 \$ 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 23rd day of December, 1993.


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

Defendant's SSN: 440-32-2190

Defendant's Date of Birth: 07/01/34

Defendant's residence and mailing address: Route 3, Box 617; Ponca City, Oklahoma 74604

4

Defendant: JIMMY LEE MAUK
Case Number: 93-CR-159-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, to run concurrent with 93-CR-125-E.

The Court makes the following recommendations to the Bureau of Prisons: The court recommends that the Bureau of Prisons designate the Oklahoma Department of Corrections to be the place of service of this sentence, thereby making this sentence concurrent with the defendant's imprisonment pursuant to the judgment in State of Oklahoma docket number CRF-92-55.

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: JIMMY LEE MAUK

Case Number: 93-CR-159-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.

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: JIMMY LEE MAUK
Case Number: 93-CR-159-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:	15
Criminal History Category:	II
Imprisonment Range:	21 months to 27 months
Supervised Release Range:	1 year
Fine Range:	\$ 4,000 to \$ 40,000
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.

FILED

DEC 23 1993

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

ENTERED ON DOCKET
DATE 12-23-93
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

Case Number 93-CR-125-002-E

v.

JIMMY LEE MAUK
Defendant.

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

The defendant, JIMMY LEE MAUK, was represented by Charles Whitman.

On motion of the United States the court has dismissed count 1 of the Indictment.

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

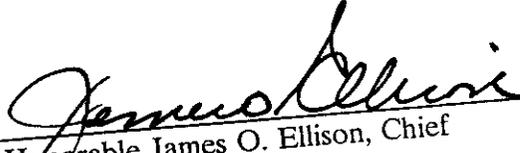
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number</u>
18 USC 1955	Operating An Illegal Gambling Business	08/04/93	2

As pronounced on December 17, 1993, the defendant is sentenced as provided in pages 2 through 4 of the 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 2 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 23rd day of December, 1993.


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

Defendant's SSN: 440-32-2190
Defendant's Date of Birth: 07/01/34
Defendant's residence and mailing address: Route 3, Box 617; Ponca City, Oklahoma 74604

Defendant: JIMMY LEE MAUK
Case Number: 93-CR-125-002-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, to run concurrent with 93-CR-159-E.

The Court makes the following recommendations to the Bureau of Prisons: The court recommends that the Bureau of Prisons designate the Oklahoma Department of Corrections to be the place of service of this sentence, thereby making this sentence concurrent with the defendant's imprisonment pursuant to the judgment in State of Oklahoma docket number CRF-92-55.

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: JIMMY LEE MAUK
Case Number: 93-CR-125-002-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.

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: JIMMY LEE MAUK
Case Number: 93-CR-125-002-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:	15
Criminal History Category:	II
Imprisonment Range:	21 months to 27 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 4,000 to \$ 40,000
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.

uw

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-056-E

FILED

MITCHELL M. GROSSMAN
Defendant.

DEC 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, MITCHELL M. GROSSMAN, was represented by Alvin E. Entin.

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

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 215(a)(1)	Bank Bribery	10/15/92	1

As pronounced on December 16, 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 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 22nd day of December, 1993.


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

Defendant's SSN: 380-48-7049

Defendant's Date of Birth: 06/02/47

Defendant's residence and mailing address: 4487 Woodfield Blvd.; Boca Raton, Florida 33434

Defendant: MITCHELL M. GROSSMAN

Case Number: 93-CR-056-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) day. Credit for time served.

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: MITCHELL M. GROSSMAN

Case Number: 93-CR-056-E

SUPERVISED RELEASE

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

While on supervised release, the defendant shall not commit another federal, state, or local crime; 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 6 months, to commence within 1 week of sentencing date. 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.

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

Defendant: MITCHELL M. GROSSMAN

Case Number: 93-CR-056-E

FINE

The defendant shall pay a fine of \$ 35,000. 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 upon release from custody, any unpaid balance shall be paid during the term of supervised release, as directed by the U. S. Probation Office.

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

Defendant: MITCHELL M. GROSSMAN

Case Number: 93-CR-056-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:	15
Criminal History Category:	I
Imprisonment Range:	18 months to 24 months
Supervised Release Range:	3 to 5 years
Fine Range:	\$ 4,000 to \$ 1,000,000
Restitution:	\$ N/A

The sentence departs from the guideline range for the following reasons: The intended benefit overstates the loss; therefore the court departs to a base offense level of 10, which with a CHC of I, results in an imprisonment range of 6 - 12 months.

ENTERED ON DOCKET

DATE 12-23-93

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

F I L E D

DEC 23 1993

UNITED STATES OF AMERICA

v.

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA
Case Number 93-CR-159-E

JIMMY LEE MAUK
Defendant.

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

The defendant, JIMMY LEE MAUK, was represented by Charles Whitman.

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

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
26 USC 7206(1)	Submitting A False Income Tax Return	10/10/90	1

As pronounced on December 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 \$ 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 23rd day of December, 1993.


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

Defendant's SSN: 440-32-2190

Defendant's Date of Birth: 07/01/34

Defendant's residence and mailing address: Route 3, Box 617; Ponca City, Oklahoma 74604

8

Defendant: JIMMY LEE MAUK
Case Number: 93-CR-159-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, to run concurrent with 93-CR-125-E.

The Court makes the following recommendations to the Bureau of Prisons: The court recommends that the Bureau of Prisons designate the Oklahoma Department of Corrections to be the place of service of this sentence, thereby making this sentence concurrent with the defendant's imprisonment pursuant to the judgment in State of Oklahoma docket number CRF-92-55.

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: JIMMY LEE MAUK
Case Number: 93-CR-159-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.

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: JIMMY LEE MAUK
Case Number: 93-CR-159-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:	15
Criminal History Category:	II
Imprisonment Range:	21 months to 27 months
Supervised Release Range:	1 year
Fine Range:	\$ 4,000 to \$ 40,000
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.

uw

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-0564E

FILED

DEC 23 1993

MITCHELL M. GROSSMAN
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, MITCHELL M. GROSSMAN, was represented by Alvin E. Entin.

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

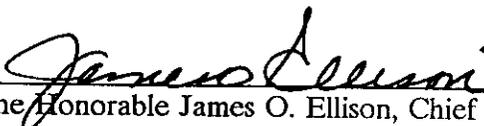
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 215(a)(1)	Bank Bribery	10/15/92	1

As pronounced on December 16, 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 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 22nd day of December, 1993.


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

Defendant's SSN: 380-48-7049

Defendant's Date of Birth: 06/02/47

Defendant's residence and mailing address: 4487 Woodfield Blvd.; Boca Raton, Florida 33434

Defendant: MITCHELL M. GROSSMAN
Case Number: 93-CR-056-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) day. Credit for time served.

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: MITCHELL M. GROSSMAN
Case Number: 93-CR-056-E

SUPERVISED RELEASE

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

While on supervised release, the defendant shall not commit another federal, state, or local crime; 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 6 months, to commence within 1 week of sentencing date. 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.

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

Defendant: MITCHELL M. GROSSMAN
Case Number: 93-CR-056-E

FINE

The defendant shall pay a fine of \$ 35,000. 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 upon release from custody, any unpaid balance shall be paid during the term of supervised release, as directed by the U. S. Probation Office.

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

Defendant: MITCHELL M. GROSSMAN
Case Number: 93-CR-056-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:	15
Criminal History Category:	I
Imprisonment Range:	18 months to 24 months
Supervised Release Range:	3 to 5 years
Fine Range:	\$ 4,000 to \$ 1,000,000
Restitution:	\$ N/A

The sentence departs from the guideline range for the following reasons: The intended benefit overstates the loss; therefore the court departs to a base offense level of 10, which with a CHC of I, results in an imprisonment range of 6 - 12 months.

ENTERED ON DOCKET
DATE 12-23-93

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

DEC 23 1993

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

UNITED STATES OF AMERICA

v.

Case Number 93-CR-125-002-E

JIMMY LEE MAUK
Defendant.

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

The defendant, JIMMY LEE MAUK, was represented by Charles Whitman.

On motion of the United States the court has dismissed count 1 of the Indictment.

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

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1955	Operating An Illegal Gambling Business	08/04/93	2

As pronounced on December 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 \$ 50, for count 2 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 23rd day of December, 1993.


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

Defendant's SSN: 440-32-2190

Defendant's Date of Birth: 07/01/34

Defendant's residence and mailing address: Route 3, Box 617; Ponca City, Oklahoma 74604

Defendant: JIMMY LEE MAUK
Case Number: 93-CR-125-002-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, to run concurrent with 93-CR-159-E.

The Court makes the following recommendations to the Bureau of Prisons: The court recommends that the Bureau of Prisons designate the Oklahoma Department of Corrections to be the place of service of this sentence, thereby making this sentence concurrent with the defendant's imprisonment pursuant to the judgment in State of Oklahoma docket number CRF-92-55.

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: JIMMY LEE MAUK
Case Number: 93-CR-125-002-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.

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: JIMMY LEE MAUK
Case Number: 93-CR-125-002-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:	15
Criminal History Category:	II
Imprisonment Range:	21 months to 27 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 4,000 to \$ 40,000
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.

CW
ENTERED ON DOCKET

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

DATE 12/21/93

UNITED STATES OF AMERICA

v.

Case Number 93-CR-092-001-E

FILED

ROBERT LEWIS PETTIGREW
Defendant.

DEC 21 1993

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

Clerk
COURT
OKLAHOMA

The defendant, ROBERT LEWIS PETTIGREW, was represented by Stephen J. Greubel.

On motion of the United States the court has dismissed counts 2, 3, 5, and 6 of the Indictment.

The defendant pleaded guilty to counts 1 and 4 of the Indictment. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 922(a)(6)	False Statement To Licensed Firearms Dealer	02/14/92	1
18 USC 922(g)(1) 924(a)(2)	Possession Of A Firearm After Former Conviction Of Felony	02/14/92	4

As pronounced on December 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 \$ 100, for counts 1 and 4 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 16th day of December, 1993.


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

Defendant's SSN: 443-72-2328
Defendant's Date of Birth: 01/30/62
Defendant's mailing address: 2045 North Garnett; Tulsa, Oklahoma 74106
Defendant's residence address: Tulsa County Jail

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 BM Callough
Deputy

Defendant: ROBERT LEWIS PETTIGREW
Case Number: 93-CR-092-001-E

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 34 months as to counts 1 and 4, said sentences to run concurrently, each to the other.

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: ROBERT LEWIS PETTIGREW
Case Number: 93-CR-092-001-E

SUPERVISED RELEASE

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

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: ROBERT LEWIS PETTIGREW
Case Number: 93-CR-092-001-E

FINE

The defendant shall pay a fine of \$ 2,500 as to Count 1. This fine includes any costs of incarceration and supervision.

This fine 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 during the term of supervised release, as directed by the U. S. Probation Office.

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

Defendant: ROBERT LEWIS PETTIGREW
Case Number: 93-CR-092-001-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:	13	
Criminal History Category:	V	
Imprisonment Range:	30 months to 37 months	Counts 1 and 4
Supervised Release Range:	2 to 3 years	Counts 1 and 4
Fine Range:	\$ 3,000 to \$ 30,000	Counts 1 and 4
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.

DATE 12/21/93

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-034005-E

F I L E D

DEC 21 1993

KERRY ALLISON PORTER
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, KERRY ALLISON PORTER, was represented by Craig Bryant.

On motion of the United States the court has dismissed count 1 of the Indictment.

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

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1952(a)(3)	Interstate Travel In Aid Of Racketeering	01/26/92	1

As pronounced on December 16, 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.

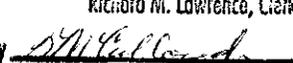
It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 21st day of December, 1993.


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

Defendant's SSN: 445-76-3669
Defendant's Date of Birth: 01/19/64
Defendant's mailing address: 2302 #B South 96th East Avenue; Tulsa, Oklahoma 74129
Defendant's residence address: Tulsa County Jail

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: KERRY ALLISON PORTER
Case Number: 93-CR-034-005-E

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. Said sentence shall run concurrently with Cherokee County District Court Cases CRF 93-45 and CRF 93-102. Accordingly, the Court recommends that the Bureau of Prisons designate the Oklahoma Department of Corrections as the place of service of this sentence, thereby making this sentence concurrent with the defendant's imprisonment pursuant to the judgment in Cherokee County District Court Cases CRF 93-45 and CRF 93-102.

The Court makes the following recommendations to the Bureau of Prisons: The Court recommends that the Bureau of prisons designate the Okiahoma Department of Corrections as the place of service of this sentence.

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: KERRY ALLISON PORTER
Case Number: 93-CR-034-005-E

SUPERVISED RELEASE

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

While on supervised release, the defendant shall not commit another federal, state, or local crime; 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: KERRY ALLISON PORTER
Case Number: 93-CR-034-005-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:	23	
Criminal History Category:	VI	
Imprisonment Range:	60 months	Ct. 1 of the Information
Supervised Release Range:	2 to 3 years	Ct. 1 of the Information
Fine Range:	\$ 10,000 to \$ 100,000	Ct. 1 of the Information
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.

ENTERED ON DOCKET *uw*
DATE 12/21/93

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

REMAND FROM 10TH CIRCUIT

v.

Case Number 91-CR-152-001-E

DEWAYNE ARTERBERRY
Defendant.

F I L E D

DEC 21 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, DEWAYNE ARTERBERRY, was represented by Roy Byars.

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

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

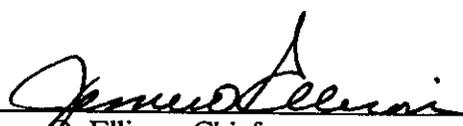
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 922(g)(1) and 924(e)(1)	Possession of a Firearm (AFCF)	03-01-91	1

As pronounced on December 10, 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 \$ 50.00, for count(s) 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 16th day of December, 1993.


James D. Ellison, Chief
United States District Judge

Defendant's SSN: 441-72-6546
Defendant's Date of Birth: 03-09-62
Defendant's residence and mailing address: 7617 E. 19th St., #12, Tulsa, 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 B.M. Callough
Deputy

Defendant: DEWAYNE ARTERBERRY
Case Number: 91-CR-152-001-E

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 180 months.

The Court makes the following recommendations to the Bureau of Prisons: The Court recommends that the Bureau of Prisons designate the Oklahoma Department of Corrections to be the place of service of this sentence, thereby making this sentence concurrent with the defendant's imprisonment pursuant to the judgment in Case CF91-1016.

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: DEWAYNE ARTERBERRY
Case Number: 91-CR-152-001-E

SUPERVISED RELEASE

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

While on supervised release, the defendant shall not commit another federal, state, or local crime; 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: DEWAYNE ARTERBERRY
Case Number: 91-CR-152-001-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:	32
Criminal History Category:	VI
Imprisonment Range:	210 months to 262 months
Supervised Release Range:	3 to 5 years
Fine Range:	\$ 17,500 to \$ 175,000
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 reasons: A departure of 30 months to the Statutory Minimum of 15 years is ordered due to the plea agreement recommending the 15 year mandatory minimum and the belief that the Sentencing Commission could not have contemplated this issue.

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

DEC 16 1993

UNITED STATES OF AMERICA

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

v.

Case Number 93-CR-135-001-C

LOYD A. RAMIREZ
Defendant.

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

The defendant, LOYD A. RAMIREZ, was represented by Glen R. Graham.

On motion of the United States the court has dismissed count 2 of the Indictment.

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

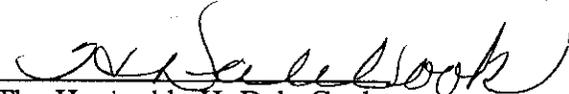
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 922(a)(6)	False Statement To A Licensed	02/10/93	1
18 USC 924(a)(1)(B)	Firearms Dealer		

As pronounced on December 7, 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 16 day of Dec, 1993.


The Honorable H. Dale Cook
United States District Judge District Court) SS
Northern District of Oklahoma)

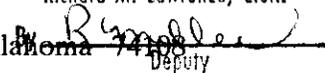
I hereby certify that the foregoing is a true copy of the original on file in this Court.

Richard M. Lawrence, Clerk

Defendant's SSN: 448-68-5081

Defendant's Date of Birth: 10/16/64

Defendant's residence and mailing address: 233 South 164th East Avenue; Tulsa, Oklahoma 74108


Deputy

Defendant: LOYD A. RAMIREZ
Case Number: 93-CR-135-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 24 months as to Count 1.

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: LOYD A. RAMIREZ
Case Number: 93-CR-135-001-C

SUPERVISED RELEASE

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

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: LOYD A. RAMIREZ
Case Number: 93-CR-135-001-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:	21
Criminal History Category:	V
Imprisonment Range:	60 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$7,500 to \$75,000
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 reasons: The guideline in the instant conviction overstates the seriousness of the offense. Ramirez' actions more closely resemble the conduct of a prohibited person and therefore the punishment is reduced to 24 months, pursuant to U.S.S.G. § 5K2.0

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

DEC - 9 1993

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

UNITED STATES OF AMERICA

v.

Case Number 92-CR-025-001-B

ALBERT JOHN BLAIR, JR.
Defendant.

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

The defendant, ALBERT JOHN BLAIR, JR., was represented by Michael Carnes.

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

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

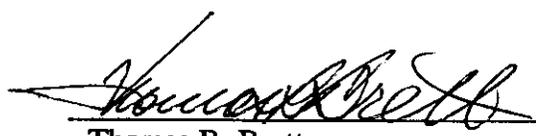
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1084	Transmission of Wagering Information	2/2/91	1
18 USC 371, 1084, & 1955	Conspiracy to Use a Wire Communications Facility in the Transmission in Foreign Commerce of Bets and Wagers	3/25/91	2

As pronounced on December 3, 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 of the Information, which shall be due immediately.

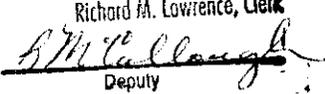
It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 8th day of December, 1993.


Thomas R. Brett
United States District Judge

Defendant's SSN: 163-26-2814
Defendant's Date of Birth: 01-16-33
Defendant's residence and mailing address: 605 Oakmount Drive, Apt. 1619; Las Vegas, NV 89109

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: ALBERT JOHN BLAIR, JR.
Case Number: 92-CR-025-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 18 months as to Counts One and Two to run concurrently.

The Court makes the following recommendations to the Bureau of Prisons: That half of any money earned during custody should be paid through the Inmate Financial Responsibility Program toward the court imposed fine. It is recommended that the defendant be confined at the Federal Prison Camp at Nellis Air Force Base, Nevada.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 11:00 a.m. on January 5, 1994.

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: ALBERT JOHN BLAIR, JR.
Case Number: 92-CR-025-001-B

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 2 years. One year as to Count One, two years as to Count Two, both counts 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. If you maintain interest in any business or enterprise, you shall, upon request, surrender and/or make available for review, any and all documents and records of said business or enterprise to the United States Probation Officer.
5. Until satisfaction of the \$4,000 fine you shall:
 - a) Maintain a single checking account in your name. Deposit into this account all income, monetary gains or other pecuniary proceeds, and make use of this account for payment of personal expenses. All other bank accounts must be disclosed to the United States Officer;
 - b) Disclose all assets and liabilities to the United States Probation Officer. You shall not transfer, sell, give away, or otherwise convey any asset, without first consulting with the United States Probation Officer; and,
 - c) Upon request of the United States Probation Officer, authorize release of any and all financial information, to include income and tax return records, by execution of a Release of Financial Information form, or by any other appropriate means.
6. The defendant is authorized to participate in all lawful gambling activities.

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: ALBERT JOHN BLAIR, JR.
Case Number: 92-CR-025-001-B

FINE

The defendant shall pay a fine of \$ 4,000. This fine includes any costs of incarceration and supervision.

This amount is the total of the fines imposed on individual counts, as follows:
\$4,000 on Count One of the Information.

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 while in custody through the bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release, as directed by the U. s. Probation Office.

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

Defendant: ALBERT JOHN BLAIR, JR.
Case Number: 92-CR-025-001-B

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report, except the Court finds that acceptance of responsibility applies in this case, and reduces the offense level two points. The court also finds that a three level increase is more appropriate for role in the offense, not the four level increase as stated in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	15
Criminal History Category:	I
Imprisonment Range:	18 months to 24 months - Counts One and Two
Supervised Release Range:	1 year - Count One 2 to 3 years - Count Two
Fine Range:	\$ 4,000 to \$ 40,000 - Counts One and Two
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.

DATE 12/9/93 **FILED**

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

DEC - 9 1993

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

UNITED STATES OF AMERICA

v.

Case Number 93-CR-119-001-B

STEVE PHELAN
Defendant.

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

The defendant, STEVE PHELAN, was represented by Richard Couch.

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

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 4	Misprision Of A Felony	09/17/92	1

As pronounced on December 3, 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 9th day of December, 1993.


The Honorable Thomas R. Brett
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.

Richard M. Lawrence, Clerk
By 
Deputy

Defendant's SSN: 442-56-0216

Defendant's Date of Birth: 04/24/61

Defendant's residence and mailing address: 4112 South 130th East Avenue; Tulsa, Oklahoma 74134

Defendant: STEVE PHELAN
Case Number: 93-CR-119-001-B

PROBATION

The defendant is hereby placed on probation for a term of 18 months.

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.

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: STEVE PHELAN
Case Number: 93-CR-119-001-B

FINE

The defendant shall pay a fine of \$ 100. 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: STEVE PHELAN
Case Number: 93-CR-119-001-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:	2
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	1 year
Fine Range:	\$ 100 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.

DATE 12/17/93

FILED

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

DEC 16 1993

UNITED STATES OF AMERICA

v.

Richard M. Lawrence, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA
Case Number 93-CR-134-002

DONALD LYNN SLAWSON
Defendant.

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

The defendant, DONALD LYNN SLAWSON, was represented by Bransford H. Shoemake.

On motion of the United States the court has dismissed counts 2, 3, 4, and 5 of the Indictment.

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

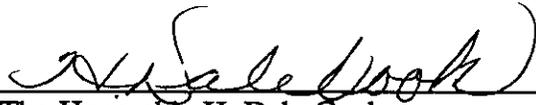
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371	Conspiracy To Commit Theft From Interstate Pipeline	05/16/93	1

As pronounced on December 7, 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.

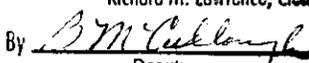
It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 16 day of Dec, 1993.


The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 461-82-2907
Defendant's Date of Birth: 09/08/50
Defendant's residence and mailing address: 607 Lamar Street; Healdton, 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 
Deputy

Defendant: DONALD LYNN SLAWSON
Case Number: 93-CR-134-002-C

PROBATION

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

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; 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 be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of 6 months, to commence within 120 hours of sentencing date. 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.

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: DONALD LYNN SLAWSON
Case Number: 93-CR-134-002-C

RESTITUTION AND FORFEITURE

RESTITUTION

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Koch Industries P.O. Box 2256 Wichita, Kansas 67201	\$8,622.20

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. Said amount shall be paid joint and several, but in no event less than \$2,874.07, with Terry Leo Traynor and Jerry Keith Gordon.

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.

Defendant: DONALD LYNN SLAWSON
Case Number: 93-CR-134-002-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:	9
Criminal History Category:	II
Imprisonment Range:	6 months to 12 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$1,000 to \$10,000
Restitution:	\$8,622.20 Joint and several, but in no event less than 1/3 of that amount.

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 12/17/93

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

RESENTENCING ON REMAND FROM THE TENTH CIRCUIT
Case Number 89-CR-82-C

v.

FILED

BOBBY KENT WALKER
Defendant.

DEC 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, BOBBY KENT WALKER, was represented by Jeff Fischer.

The defendant was found guilty on count(s) 1 and 2 of the Indictment after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:922(g)(1) 18:924(e)(1)	Possession of Firearm (AFCF)	03-10-89	1
18:922(g)(1) 18:924(e)(1)	Possession of Firearm (AFCF)	03-29-89	2

As pronounced on December 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 \$ 100, for count(s) 1 and 2 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 16 day of Dec, 1993.

H. Dale Cook
The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 446-52-6707
Defendant's Date of Birth: 10-22-49
Defendant's residence and mailing address: 1300 Metropolitan, Leavenworth, Kansas 66048

United States District Court
Richard M. Lawrence, Clerk
by *RM Lawrence*
Clerk

Defendant: BOBBY KENT WALKER
Case Number: 89-CR-82-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 180 months as to each count, 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: BOBBY KENT WALKER
Case Number: 89-CR-82-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years as to each count 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.

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: BOBBY KENT WALKER
Case Number: 89-CR-82-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:	11	
Criminal History Category:	V	
Imprisonment Range:	180 months	Counts 1 & 2
Supervised Release Range:	3 to 5 years	Counts 1 & 2
Fine Range:	\$ 2,000 to \$ 20,000	Counts 1 & 2
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 (which is the statutory minimum of fifteen years), 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.

FILED ON DOCKET *aw*
12/17/93

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-134-003

FILED

JERRY KEITH GORDON
Defendant.

DEC 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, JERRY KEITH GORDON, was represented by Lawrence Martin.

On motion of the United States the court has dismissed counts 2, 3, 4, and 5 of the Indictment.

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

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 317	Conspiracy To Commit Theft From Interstate Oil Pipeline	05/16/93	1

As pronounced on December 7, 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.

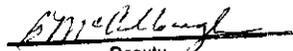
Signed this the 16 day of Dec, 1993.


The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 445-48-7866
Defendant's Date of Birth: 01/13/48
Defendant's residence and mailing address: 603 Railroad Street; Healdton, Oklahoma 73438

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

Richard M. Lawrence, Clerk

By 
Deputy

Defendant: JERRY KEITH GORDON
Case Number: 93-CR-134-003

PROBATION

The defendant is hereby placed on probation for a term of 5 years.

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 be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of 6 months, to commence as soon as it can be arranged by the U. S. Probation Office. 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.

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: JERRY KEITH GORDON
Case Number: 93-CR-134-003

RESTITUTION AND FORFEITURE

RESTITUTION

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Koch Industries, Inc. P.O. Box 2256 Wichita, Kansas 67201-2256	\$8,622.20

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.

Defendant: JERRY KEITH GORDON
Case Number: 93-CR-134-003

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:	9
Criminal History Category:	I
Imprisonment Range:	4 months to 10 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 1,000 to \$ 10,000
Restitution:	\$ 8,622.20

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 12/17/93

FILED

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

DEC 16 1993

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

UNITED STATES OF AMERICA,)
)
)
 Plaintiff,)
)
 vs.)
)
 JAMES BARNES,)
)
)
 Defendant.)

Case No. 91-CR-50-C

ORDER

Before the Court is the motion of defendant James Barnes to vacate and/or correct the sentence imposed by this Court on December 11, 1991, filed pursuant to 28 U.S.C. §2255. For the following reasons, the Court finds that defendant's motion is without merit.

Defendant was convicted for violation of 21 U.S.C. §846 as charged in count two of the indictment. Defendant asserts that since the overt acts contained in the indictment fail to allege that the defendant acted with "intent to manufacture, distribute, or dispense, a controlled substance" the grand jury was presented with an indictment which failed to contain an essential element of the offense. Defendant asserts that the government improperly "broadened the indictment" at trial by presenting evidence of intent "for which no grand jury had indicted him." (Defendant's Motion Pursuant to 28 U.S.C. §2255, filed May 28, 1993 p. 2). Further, defendant asserts that by the Court instructing the jury that the essential elements of the offense charged under §846 include a finding of intent, the proof offered at trial is in variance with the indictment and thus his conviction was improperly

obtained and should be vacated.

In support of his assertion, defendant erroneously states that "an overt act is required for a conspiracy prosecution, to show the jury a step taken by the defendant toward execution and as manifestation that the conspiracy is at work. . . . Absent such overt act in furtherance of the conspiracy the defendant cannot be convicted." (Defendant's Motion Pursuant to 28 U.S.C. §2255 filed May 28, 1993 p. 4-5).

In 1988, the Tenth Circuit held that an overt act is not a necessary element of conspiracy under the federal drug enforcement statutes. U.S. v. Savaiano, 843 F.2d 1280, 1294 (10th Cir. 1988) overruling U.S. v. King, 521 F.2d 61 (10th Cir.1975). Although "intent" need not be alleged in the language setting forth the overt acts contained within an indictment, "intent" is a requisite element of a §846 offense. The subject indictment clearly sets forth this element:

Beginning in or about May, 1986, and continuing until December, 1989, in the Northern District of Oklahoma and elsewhere, . . . JAMES BARNES, . . . did willfully and knowingly combine, conspire confederate and agree together and with others, both known and unknown to the Grand Jury, to commit offenses against the United States of America, in violation of Title 21 United States Code §846, as follows:

- (1) To knowingly and intentionally manufacture methamphetamine. . . .
- (2) To knowingly and intentionally possess with intent to distribute methamphetamine. . . .
- (3) To knowingly and intentionally distribute methamphetamine

Count Two, Indictment filed
May 9, 1991.

The indictment properly set forth the requisite elements of the offense charged in count two.

Defendant's characterization of the courtroom being "packaged" with defendants and the trial consisting of a "parade of convicts to testify against them without distinction" is a gross misstatement of the proceeding. (Defendant's Motion Pursuant to 28 U.S.C. §2255 dated May 28, 1993 p.22). Defendant Barnes was on trial with three co-defendants all charged with participation in the same drug conspiracy. The trial was handled in the normal orderly fashion, with the rights of each of the defendants being fully protected. The Court did not observe any attempt by government to confuse the evidence as it related to each individual defendant on trial.

On July 19, 1993 defendant Barnes filed an amended motion raising an additional claim for relief. In his amended motion, Barnes asserts that his base offense level under the sentencing guidelines was improperly computed by erroneously attributing to him 17 pounds of methamphetamine. At trial Johnny Glover testified that he alone furnished Barnes 15 pounds of methamphetamine; other witnesses testified to delivering various smaller quantities of methamphetamine to Barnes. In support of his claim, Barnes offers a summary of the trial testimony and argues that after considering the quantities of methamphetamine admittedly manufactured by Johnny Glover in comparison to the quantities admittedly distributed by Johnny Glover, there is an amount less than 15 pounds remaining for distribution by Johnny Glover to Barnes. Barnes argues that under

the evidence he could not have received more than two pounds of methamphetamine.

The defendant's rationale is misplaced. The trial evidence and the investigative reports support a finding that Barnes received at least 17 pounds of methamphetamine. Moreover, at the time of sentencing the Court specifically addressed defendant Barnes and inquired whether the presentence report was accurate and correct. Defendant Barnes advised the Court that it was. Defendant's personal affirmative statement as to the accuracy of the presentence report immediately prior to sentencing is more credible than his contradictory statement following incarceration.

As a final argument Barnes asserts that he had ineffective assistance of counsel at his sentencing hearing. Following the jury verdict of guilty, attorney Paul Brunton entered an appearance on behalf of defendant Barnes. Mr. Brunton represented Barnes at the sentencing hearing on December 11, 1991. Barnes contends that his former trial attorney (Jim Robertson) did not make necessary interview reports available to his sentencing attorney (Mr. Brunton) to enable Mr. Brunton to investigate the witnesses' statements which would have provided the opportunity to make additional objections to the presentence report. Barnes argues that since Johnny Glover's trial testimony was uncorroborated it was unreliable. Barnes argues that Mr. Brunton should have been able to impeach Johnny Glover's trial testimony by conducting an investigation of the witnesses' statements contained in the interview reports.

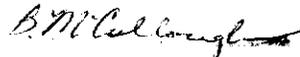
Barnes' argument is speculative, at best. Further, defendant Barnes does not direct the Court to any specific interview reports which he asserts were not considered by the probation office in preparing the presentence report. All known reports are routinely provided to the probation department in its preparation of presentence reports. Additionally, Johnny Glover's trial testimony was uncontradicted thereby alleviating the argument that the testimony should have been corroborated to be reliable. The credibility of Johnny Glover's testimony was a factual issue for the jury.

At the sentencing hearing, the Court inquired personally of defendant Barnes whether his new counsel, Mr. Brunton, was fully cognizant of and knowledgeable about this matter so that Mr. Brunton could adequately represent Barnes. Upon Barnes' affirmative statement, the Court granted Barnes' trial counsel leave to withdraw. From the close of the trial until the commencement of the sentencing hearing, Barnes had the benefit of both attorneys. There is no indication that either of his attorneys were ineffective in this regard.

Accordingly the Court finds and concludes that the motion of defendant James Barnes for relief under 28 U.S.C. §2255 should be and hereby is DENIED.

IT IS SO ORDERED this 15th day of December, 1993.


H. DALE COOK
United States District Judge



ENTERED ON DOCKET

DATE 12-16-93

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

F I L E D

DEC 15 1993

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

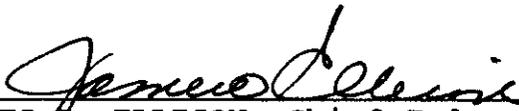
UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 LARRY VAUGHN COWAN,)
)
 Defendant.)

No. 93-CR-34-E

O R D E R

The Defendant herein has moved for reconsideration of this Court's Order denying him a new trial. The Court has reviewed the record and, finding Defendant's position unpersuasive, DENIES the motion.

ORDERED this 14th day of December, 1993.



JAMES P. ELLISON, Chief Judge
UNITED STATES DISTRICT COURT

DATE 12-15-93

United States District Court

NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

V.

- A M E N D E D -

JUDGMENT IN A CRIMINAL CASE

JOHN W. DANIELS

Case Number: 86-CR-4-01-BT

(Name and Address of Defendant)

W. Creekmore Wallace II, retained counsel
Attorney for Defendant

THE DEFENDANT ENTERED A PLEA OF:

guilty nolo contendere] as to count(s) 2, 3, 4, and 5 of the Indictment, and
 not guilty as to count(s) _____

THERE WAS A:

finding verdict] of guilty as to count(s) 2, 3, 4, and 5 of the Indictment

THERE WAS A:

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

FILED

DEC 15 1993

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

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

Having violated Title 21, U.S.C., Section 848, Title 18, U.S.C., Section 371, and Title 26, U.S.C., Section 7201 as charged in Counts 2, 3, 4, and 5 of the Indictment.

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

IT IS THE JUDGMENT OF THIS COURT THAT:

- Count 2 - Eighteen (18) years without parole and a \$50 special Assessment. By R. Miller
- Count 3 - Five (5) years to run concurrent with Count 2 and a \$50 Special Assessment. Deputy
- Count 4 - Five (5) years to run concurrent with Counts 2 & 3.
- Count 5 - Imposition of Sentence for a period of five (5) years to commence upon completion of sentence imposed in Counts 2,3, & 4.

The defendant is to pay the costs of prosecution in the amount of \$5,046.96 (current balance totals \$3,631.56). Payments are to begin 90 days after the defendant's release from prison and shall be paid at the rate of \$25 per month.

The Court recommends that the defendant receive drug treatment and supervision, any necessary medical attention for stomach ulcers and an opportunity to learn a trade.

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

CONDITIONS OF PROBATION

Where probation has been ordered the defendant shall:

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

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

IT IS FURTHER ORDERED that the defendant shall pay a total special assessment of \$ 100 pursuant to Title 18, U.S.C. Section 3013 for count(s) 2 and 3 as follows:

IT IS FURTHER ORDERED THAT counts 1, 8 and 9 of the Indictment are DISMISSED on the motion of the United States.

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

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

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

12-15-93
Date of Imposition of Sentence

Thomas R. Brett
Signature of Judicial Officer

The Honorable Thomas R. Brett U.S. District Judge
Name and Title of Judicial Officer

12-15-93
Date

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____ at _____ Date

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

United States Marshal

By _____
Deputy Marshal

DATE 12/14/93

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 THOMAS FULLERTON FIELDS,)
)
 Defendant.)

No. 93-CR-146-B

FILED

DEC 10 1993

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

MOTION AND ORDER OF DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of court endorsed hereon, the United States Attorney for the Northern District of Oklahoma hereby moves to dismiss without prejudice the Indictment for Threat Against the President of the United States filed against THOMAS FULLERTON FIELDS, defendant, for the reason that Fields has been placed in the pre-trial diversion program for a period of eighteen (18) months, or until June 8, 1995.

STEPHEN C. LEWIS
United States Attorney
Susan K. Morgan
SUSAN K. MORGAN
Assistant United States Attorney

Leave of Court is granted for the filing of the foregoing Motion to Dismiss, and the Court hereby orders dismissal of the Indictment against THOMAS FULLERTON FIELDS without prejudice.

Thomas R. Brest
UNITED STATES DISTRICT JUDGE

B. M. Callahan

ew

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET

DATE 12/14/93

UNITED STATES OF AMERICA

v.

Case Number 93-CR-138-001-B

CLINTON JAY CLARK
Defendant.

FILED
DEC 10 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, CLINTON JAY CLARK, was represented by William Hughes.

On motion of the United States the court has dismissed counts 1, 2, 3, 4, 7, 8, 9, and 10 of the Indictment.

The defendant pleaded guilty to counts 5 and 6 of the Indictment. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

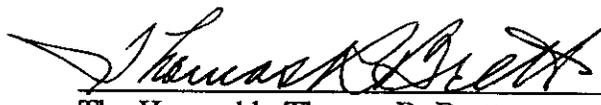
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 924(c)(1)	Use Of Firearm During A Federal Crime Of Violence	03/13/93	5
18 USC 924(c)(1)	Use Of Firearm During A Federal Crime Of Violence	03/28/93	6

As pronounced on December 6, 1993, the defendant is sentenced as provided in pages 2 through 6 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$100, for counts 5 and 6 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 10th day of December, 1993.



The Honorable Thomas R. Brett
United States District Judge

Defendant's SSN: 447-76-4707
Defendant's Date of Birth: 06/20/62
Defendant's residence and mailing address: Oklahoma Department of Corrections

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 SM Cullough
Deputy

Defendant: CLINTON JAY CLARK
Case Number: 93-CR-138-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 300 months, 60 months as to Count 5 and 240 months as to Count 6, both counts are consecutive to each other and to any other state or federal sentences previously imposed.

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: CLINTON JAY CLARK
Case Number: 93-CR-138-001-B

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years as to Counts 5 and 6 to run concurrent each with the 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 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: CLINTON JAY CLARK
Case Number: 93-CR-138-001-B

FINE

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

This amount is the total of the fines imposed on individual counts, as follows: \$2,000 on Count 5.

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 while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release, as directed by the U. S. Probation Office. The restitution should be paid prior to any fine payment.

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: CLINTON JAY CLARK
Case Number: 93-CR-138-001-B

RESTITUTION AND FORFEITURE

RESTITUTION

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Git N Go Attn.: Division Manager 8316 East 73rd Tulsa, Oklahoma 74133	\$363.52
Quik Trip Corporation Attn.: Mr. Waddell 901 North Mingo Tulsa, Oklahoma 74116	\$714.00
Sharla Ramsey (Whitt) 6021 South Joplin Tulsa, Oklahoma 74135	\$600.00

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: CLINTON JAY CLARK
Case Number: 93-CR-138-001-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:	N/A
Criminal History Category:	VI
Imprisonment Range:	60 months Count 5 240 years Count 6
Supervised Release Range:	2 to 3 years Count 5 2 to 3 years Count 6
Fine Range:	\$ N/A
Restitution:	\$ 1,677.52

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.

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

F I L E D

DEC 13 1993

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 LEWIS AARON COOK,)
)
 Defendant.)

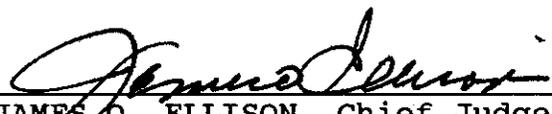
No. 89-CR-107-E

JUDGMENT

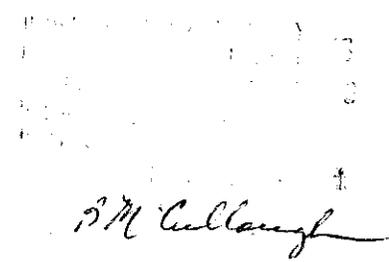
Pursuant to the remand Order of the Tenth Circuit Court of Appeals, this court conducted an evidentiary hearing on issues raised by Defendant's Section 2255 motion. The hearing was held on September 22, 23 and 27, 1993. Thereafter, on the 7th day of December, 1993, this Court entered its Findings of Fact and Conclusions of Law ruling that Defendant's claims of ineffective appellate counsel and denial of a full and fair opportunity to raise all his Fourth Amendment claims on direct appeal lacked merit. As a consequence of those rulings, the Court concluded that Defendant's remaining claims were procedurally barred.

IT IS THEREFORE ORDERED that Judgment be entered in favor of the United States of America and against Lewis Aaron Cook.

ORDERED this 10TH day of December, 1993.



JAMES O. ELLISON, Chief Judge
UNITED STATES DISTRICT COURT



UNITED STATES DISTRICT COURT
Northern District of Oklahoma

F I L E D

DEC - 8 1993

UNITED STATES OF AMERICA

v.

Case Number 93-CR-116-001-B

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

KAREN ELIZABETH LeBLANC
Defendant.

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

The defendant, KAREN ELIZABETH LeBLANC, was represented by C. W. Hack.

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

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1344(1) and 2	Bank Fraud And Causing A Criminal Act	07/23/92	1

As pronounced on December 3, 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 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 8th day of December, 1993.

Thomas R. Brett

The Honorable Thomas R. Brett
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.

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

Defendant's SSN: 440-78-4003

Defendant's Date of Birth: 03/31/65

Defendant's residence and mailing address: 15040 East 36th Street; Tulsa, Oklahoma 74134

Defendant: KAREN ELIZABETH LeBLANC
Case Number: 93-CR-116-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 0 months.

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: KAREN ELIZABETH LeBLANC
Case Number: 93-CR-116-001-B

SUPERVISED RELEASE

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

While on supervised release, the defendant shall not commit another federal, state, or local crime; 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.

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: KAREN ELIZABETH LeBLANC
Case Number: 93-CR-116-001-B

FINE

The defendant shall pay a fine of \$ 250. 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 unpaid balance shall be paid during the term of supervised release, as directed by the U. S. Probation Office.

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

Defendant: KAREN ELIZABETH LeBLANC
Case Number: 93-CR-116-001-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:	6
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	3 to 5 years
Fine Range:	\$500 to \$1,000,000
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.

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 91-CR-033-003-B

FILED

STEVEN JEFFREY DEVRIES
Defendant.

DEC - 9 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, STEVEN JEFFREY DEVRIES, was represented by Martin G. Hart.

The defendant was found guilty on count(s) 1, 18, 19, 20 and 21 of the Indictment after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371 & 2	Conspiracy to Commit Mail & Wire Fraud, and Securities Violations; and Causing a Criminal Act	05/31/90	1
15 USC 77e(a)(1) and 18 USC 2	Use of Interstate Commerce Transportation Or Communication Or Devices Or Mails to Sell Unregistered Securities; and Causing a Criminal Act	05/31/90	18,19, & 20
15:77q(a)(2) and/or (3); and 18 USC 2	Use of Interstate Commerce or by Mails for Purpose of Fraud and Deceit in the Sale of Securities; and Causing a Criminal Act	05/31/90	21

As pronounced on December 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 \$ 250, for count(s) 1, 18, 19, 20 and 21 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 9th day of December, 1993.

Thomas R. Brett
The Honorable Thomas R. Brett
United States District Judge

Defendant's SSN: 481-66-8102
Defendant's Date of Birth: 08/21/50
Defendant's residence and mailing address: 6702 South 28th West Avenue, Tulsa, Oklahoma

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.

By *B.M. Culough*
Richard M. Lawrence, Clerk

Defendant: STEVEN JEFFREY DEVRIES
Case Number: 91-CR-033-003-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 6 months on each of Counts, 1, 18, 19, 20 and 21, all to run concurrently, each with the other.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant be incarcerated at the El Reno Federal Correctional Institution.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 11:00 a.m. on January 3, 1994.

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: STEVBEN JEFFREY DEVRIES
Case Number: 91-CR-033-003-B

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of Three (3) years on each count, all to run concurrently, each to the 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 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: STEVEN JEFFREY DEVRIES
Case Number: 91-CR-033-003-B

RESTITUTION AND FORFEITURE

RESTITUTION

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
See Attachment A for victims, individual amounts and addresses.	\$18,000

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: STEVEN JEFFREY DEVRIES
Case Number: 91-CR-033-003-B

STATEMENT OF REASONS

The Court finds that the objections filed by the defendant's counsel concerning the probation officer's denial of reduction in the offense level for Acceptance of Responsibility and Minor Role are well founded. The offense level of 20, as determined by the probation office based on a total loss of \$2,632,851.41, overrepresents the loss attributable to this defendant, and is rejected by the Court. The defendant did not know of the false profit statements prepared by his codefendants and clearly was unaware of their theft of investors' funds. The Court finds that the defendant should only be held accountable for the \$111,095 he received as investor referral commissions. This amount more closely represents his criminal involvement in this conspiracy. Therefore, the enhancement to the base offense level of six should be an additional 6 points based on the amount received by the defendant. The Court does find that two levels are appropriate for more than minimal planning. The Court finds that an additional two level reduction should be given under U.S.S.G. Section 3B1.2(b) for his minor role in the criminal conspiracy. The defendant was clearly the least culpable member of this conspiracy. Although he is guilty of the sale of unregistered securities and making false representations about the credentials of his codefendants and false misrepresentations about the investments he was selling, he had no part in or no knowledge of the false profit statements prepared by his codefendants or their theft of investor funds. Finally, contrary to the probation officer's determination, the Court finds that the defendant should receive a two level reduction for acceptance of responsibility under U.S.S.G. Section 3E1.1 as demonstrated by his efforts to expose the criminal wrongdoing of his codefendants and his efforts to alarm various regulatory investigative agencies. Therefore the total combined offense level should be a level 10.

Guideline Range Determined by the Court:

Total Offense Level:	10	
Criminal History Category:	I	
Imprisonment Range:	6 to 12 months	(Counts 1,18,19,20,21)
Supervised Release Range:	2 to 3 years	(Counts 1,18,19,20,21)
Fine Range:	\$2,000 to \$20,000	(Counts 1,18,19,20,21)
Restitution:	\$2,632,851.41	

The fine is waived due to the defendant's inability to pay.

Less than full restitution is ordered due to 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.

**ATTACHMENT A
TO PRESENTENCE REPORT OF
STEVEN JEFFREY DEVRIES**

Restitution totals \$2,632,851.41, and is made payable as prescribed below:

<u>NAME</u>	<u>AMOUNT</u>
Guy L. and Rita Abbey 205 Richards Road LaGrange, TX 68945	\$ 500.00
Dr. John Abel 6117-A E. 21st Street Tulsa, OK 74114	90,927.64
Acadia Veterinary Hospital, Inc. Ralph W. Grogan Russell Grogan 5202 East 11th Street Tulsa, OK 74112	2,500.00
Bobby Adams Route 1, Box 557B9 LaGrange, TX 78945	2,000.00
Cyriac Alexander 841 Santa Florencia Solana Beach, CA 92071	10,000.00
Dr. Robert A. Anderson 10613 South Oxford Tulsa, OK 74136	110,000.00
W. E. (Bill) Anderson 2245 S. Indianapolis Tulsa, OK 74114	11,000.00
Don L. Asher 6705 S. Peach Broken Arrow, OK 74011	500.00
Mario Aus 6144-B S. Madison Place Tulsa, OK 74136	1,050.00
Richard and Doris Auten 2108 E. El Parque Tempe, AZ 85282	1,085.00
Auto Refinish L. C. Clark P. O. Box 169 Tulsa, OK 74101	5,000.00

Kenneth Banks P. O. Box 397 Schulenburg, TX 78956	10,000.00
Budelia R. Barnard 300 N. Fir Avenue Broken Arrow, OK 74012	2,000.00
Bonnie Bell 6210 Amogene Houston, TX 77074	500.00
Paul Bernius 10 Spring Creek Lane Broken Arrow, OK 74014	1,000.00
Ray and Pat Bethke P. O. Box 152 Fayetteville, TX 78940	5,000.00
Andrew T. Boyce 212 S. 276th East Avenue Catoosa, OK 74015	10,000.00
Donnie & Sandra Briner 7551 S. 234th East Avenue Broken Arrow, OK 74014	12,100.00
Jack and Polly Brent Route 2, Box 25-B Angleton, TX 77515	1,000.00
Christopher Brooke 10699 San Diego Mission Road, Apt. 201 San Diego, CA 92108	810.00
Rex Bronnenberg 368 W. Linden Avenue Burbank, CA 91506	500.00
Walter H. and Lydia Bryant 654 Spanish Oak Road Elon College, NC 27244	5,000.00
Hans Von Bussman 4101 E. 53rd Place Tulsa, OK 74135	2,000.00
Kirk Andrew Von Bussman 4101 E. 53rd Place Tulsa, OK 74135	3,500.00

Bill and Diane Butler 429 W. Quanah Street Broken Arrow, OK 74011	34,025.00
Wesley Butler 12626 S. 199th East Avenue Broken Arrow, OK 74011	79,190.00
Doris Caldwell 8210 E. 71st Street, Suite 286 Tulsa, OK 74133	1,055.00
Annette Capps 1101 West Huntsville Broken Arrow, OK 74011	25,000.00
Peggy Capps Route 3, Box 101 England, AR 72046	3,500.00
Enrico Chiarelli P. O. Box 1240 LaGrange, TX 78945	500.00
Don, Steve & Gladys Copeland 11222 E. Pine Street Tulsa, OK 74116	278,170.94
Deborah Cowden P. O. Box 20790 Oklahoma City, OK 73156	500.00
Tim or Monique Cowden 13 Coventry Court Edmond, OK 73034	1,000.00
Tom Cowden P. O. Box 20790 Oklahoma City, OK 73156	1,000.00
Christin Cox 5035 Shadow Mountain Road Las Cruces, NM 88001	1,055.00
Curtis Cox 2404 Margaret Street Sedalia, MO 75301	1,100.00
CRN Financial Group 3333 E. 38th Street, Suite 8 Tulsa, OK 74135	8,500.00

Dale E. and Doris M. Cox 413 S. First Street Grayville, IL 62844	2,500.00
James B. and Anita Cox 801 Bennett Box 85 Dumas, TX 79029-0085	1,000.00
Dr. Bob Daniel & Group 10446 S. 66th East Avenue Tulsa, OK 74133	355,000.00
Eleanor DeVries 10102 E. 26th Street Tulsa, OK 74129	1,250.00
Mary DeVries 10102 E. 26th ST Tulsa, OK 74129	500.00
Frank Draper 3229 Cypress Claremore, OK 74017	1,000.00
Harry M. Durham 5034 Libbey Houston, TX 77092	2,449.00
Debra Ellisor 307 Brenda Conroe, TX 77305	500.00
Rick Engles 7005 E. 100th Place South Tulsa, OK 74133	1,000.00
Charles H. Evans 16005 E. 83rd Street North Owasso, OK 74055	500.00
Charles A. Falke P. O. Box 103 Warda, TX 78960	2,500.00
Alva Fletcher 802 East Elgin Place Broken Arrow, OK 74012	1,000.00
Ronnie & Judy Fletcher Route 3, Box 510 Coweta, OK 74459	500.00

Mike Forehand 2637 East Marshall Tulsa, OK 74110-4757	4,060.00
Ernest W. Freeman 3809 E. 40th Street Tulsa, OK 74135	5,000.00
Cathy Garoutte 11826 E. 16th Street Tulsa, OK 74128	500.00
Marquerite M. Gavin 1319 Wildbriar Liberty, MO 64068	46,741.25
Glen Giddens 15420 N. 97th E. Avenue Collinsville, OK 74021	1,000.00
Williams and Pauline Giddens 3227 E. Woodrow Tulsa, OK 74110	1,000.00
Brenda Gordon P. O. Box 1503 Broken Arrow, Ok 74013	1,000.00
Charles Graham, Jr. 1861 Surrey Drive Pryor, OK 74361	500.00
Jeff Graves 1713 E. Broadway, No 311 Tempe, AZ 85282	2,500.00
David Greer & Associates, Inc. 13115 Via Suena Valley Center, CA 92082	2,000.00
Henry Gunn P. O. Box 488 LaGrange, TX 87945	3,000.00
Larry and Sandra Gunn P. O. Box 550 LaGrange, TX 78945	500.00
Pat Hallman 7658 E. 58th Place Tulsa, OK 74145	1,000.00

Doug Hardwick 7536 E. 28th Street Tulsa, OK 74129	500.00
James Hardwick 7536 E. 28th Street Tulsa, Ok 74129	1,000.00
Ronald J. and Linda K. Hart P. O. Box 111 Winchester, TX 78964	500.00
Ralph Hawash, M.D. 17235 Banwood Houston, TX 77090	500.00
Roland Hayes 9109 E. 131st North Collinsville, OK 74021	1,000.00
Charles, Lois and Vera Hebard 511 E. Earl Drive, #211 Scottsdale, AZ 85251	77,000.00
Keith Herron 7494 E. Earll Drive, #211 Scottsdale, AZ 85251	7,000.00
J. Michael Hess 1451 N. Fulton Tulsa, OK 74115	1,000.00
Charles Hewlett 1916 Crockett Court Irving, TX 74038	10,000.00
Riley M. Hill, M.D. 2003-A S. Elm Place Broken Arrow, Ok 74012	2,700.00
Grover Hillbolt Route 1, Box 109B Round Top, TX 78945	14,500.00
Gerald G. Himes 5318 S. 71st East Avenue Tulsa, OK 74145	8,000.00
Gerald L. Hinderman 214 W. Quanah Court Broken Arrow, OK 74011	4,350.00

Rosemary S. Hiss 432 N. Monroe Street LaGrange, TX 78945	3,000.00
Mark A. Hoffman Route 5, Box 120 LaGrange, TX 78945	1,000.00
Patrick Hoffman Route 5, Box 119 LaGrange, Tx 78945	5,000.00
Richard Hoffman Route 5, Box 1119 LaGrange, TX 78945	1,000.00
Raymond and Martha Holder 7364 E. 58th Court Tulsa, OK 74145	8,000.00
Bobbie and Judith Holland 312 Camelot Drive Collinsville, IL 62234	6,500.00
Clyde Hopping 11222 E. Pine Street Tulsa, OK 74116	1,000.00
William Howell 6121 Sylvia Avenue Reseda, CA 91335	500.00
Donald L. Imler 8722 Cedarspur Houston, TX 77055	22,481.00
JoAnn Ingram 25819 Oak Ridge Drive The Woodlands, TX	1,000.00
Vicki Jamison-Peterson Ministries P. O. Box 700030 Tulsa, OK 74170	20,000.00
Gary Jennings Jenco Fabriectors, Inc. 1850 N. 170th E. Avenue Tulsa, OK 74416	7,500.00
Miles Johnson 7845 Park Avenue Broken Arrow, OK 74011	500.00

Larry and Mary Kahanek P. O. Box 522 LaGrange, Tx 78945	2,000.00
Russell and Janet Keirse 4322 S. Cincinnati Avenue Tulsa, Ok 74105	500.00
Frank T. Kennan, Jr. 14B Myrtle Court Wrightsville Beach, NC 28480	2,000.00
Raymond Kenney 3532 South Troost Tulsa, OK 74105	500.00
Patrick H. Kernan Kernan & Kernan 4500 S. Garnett, Suite 900 Tulsa, OK 74146	98,500.00
Mary Jo Klabzuba 8305 Meadowood Avenue Broken Arrow, OK 74011	1,500.00
J. C. and Caroline Kline P. O. Box 124 Roundtop, TX 78945	2,000.00
Leonard Klein 5628 Santa Cruz Drive Hanover Park, IL 60103	2,500.00
Howard W. Koester 6005 N. W. 23rd Street Oklahoma City, OK 73127-1253	1,000.00
Scott A. Koons 1526 East 71st Street, #405 Tulsa, OK 74136	1,500.00
Ruthe M. Lamb 2656 E. 69th Street Tulsa, OK 74136	5,000.00
Bill Lange P. O. Box 63 Wanda, TX 78960	500.00
Marion Lewis 11222 E. Pine Street Tulsa, OK 74116	1,000.00

Dr. Paul Liechty 3334 Town East Mesquite, TX 75150	160,000.00
Glen A. Lowe 1532 S. College Tulsa, OK 74104	500.00
Lauren C. Malewski 7237 E. Oak Street Scottsdale, AZ 85251	2,500.00
D. Allen Mandlebaum 3524 E. 70th Place Tulsa, OK 74136	500.00
Arthur and Margaret Mantz 2230 S. Piney Point, #114 Houston, TX 77063	2,425.00
Ronald L. Marsh (Image Designs) also for Julie Marsh, daughter John Marsh, son Tim Marsh, son 209 S. Indianwood Broken Arrow, Ok 74012	2,000.00 1,000.00 1,000.00 1,000.00
Steve Mathre Box 412 Nora Springs, Iowa	4,000.00
Jeania Mayer 125 N. 11th Street Broken Arrow, OK 74012	500.00
Ruth McCoy P. O Box 405 Broken Bow, OK 74728	5,000.00
G. M. McGrath 13951 Pequot Poway, CA 92064	10,000.00
Charles McGregor 12115 N. E Expressway Oklahoma City, OK 73131	2,500.00
Geraldine M. McKay 13769.5 Acorn Patch Road Poway, CA 92064	5,000.00
Stacy McMillan P. O. Box 20790 Oklahoma City, OK 73156	500.00

Charles Meadows 1601 S. 1st Place Broken Arrow, OK 74012	500.00
Helen Menning 1920 W. Oak Ridge Street Broken Arrow, OK 74012	69,000.00
Bill Middlebrook 4223 E. 97th Street, South Tulsa, OK 74137	150,000.00
Allan Milhan 124 Rebel Ridge Yukon, OK 73099	1,000.00
James W. Miller 17403 East 78th Street North Owasso, OK 74055	1,000.00
Jenna Miller Anna Miller 2905 S. Elm Street Broken Arrow, OK 74012	500.00
Sherry Miller 9960 E. 21st Street Tulsa, OK 74129	560.00
Sharon J. Montgomery 9901 E. 13th Street Tulsa, OK 74128	500.00
Warren V. Moore 7406 N. W. 36th Street Bethany, OK 73008	2,000.00
William Kirk Morgan, Trustee of the William Wade Morgan Trust P. O. Box 64 Plum, TX 78952	1,000.00
Maxine Morris 307 Brenda Conroe, TX 77305	1,000.00
Mike & Dorothy Mowdy 10710 S. Broadway Oklahoma City, OK 73170	2,500.00
N.B.T. Inc. 1101 S. Johnston Bartlesville, OK 74003	2,500.00

N & N Investments Box 517 Angleton, TX 77516	14,000.00
Deborah Noe 728 Noreda Angleton, TX 77515	6,000.00
Byron and Erica Northrup Route 2, Box 233 LaGrange, TX 78945	5,315.00
Mary Lou Ochs 3744 N. W. 33rd Street P. O. Box 12096 Oklahoma City, OK 73157	500.00
Steve Ochs 8300 N. W. 107th Oklahoma City, OK 73162	510.00
Jeff O'Connor 3266 E. Foxrun Way San Diego, CA 92111	500.00
Daniel R. and Myra Diane Odell 1515 Purdue Avenue, #14 W. Los Angeles, CA 90025	5,000.00
Earl G. and Elizabeth Odell 6918 Alderney Drive Houston, TX 77055	19,000.00
Mary Anna Oksenkrug 1901 White Rose Carrollton, TX 75007	5,125.00
Thomas D. Pendleton 3411 S. 27th Street Muskogee, OK 74401	2,000.00
Dr. and Mrs. Carl R. Peterson 3411 S. 27th Street Tulsa, Ok 74136	50,000.00
David Polasek Route 4, Box 28-D LaGrange, TX 78945	5,000.00
William Potts P. O. Box 1380 Edmond, OK 73080	2,060.00

Phillip A. Purpura 117 W. San Diego Street Broken Arrow, OK 74011	1,000.00
Leonard & Merle Quary P. O. Box 428 Brashear, TX 75420	50,000.00
Tim and Barbara Rackley Route 4, Box 381D LaGrange, TX 78945	3,000.00
Norman Ramsey 3235 S. 93rd East Avenue Tulsa, OK 74145	1,000.00
Fred Raschen 1638 E. 31st Place Tulsa, OK	1,000.00
Jerry L. Richards 3005 East Jackson Place Broken Arrow, OK 74014	500.00
Walter G. Richards 7912 Pecos Lane Scottsdale, AZ 85250	4,085.00
Randall Roberts 6605 S. Fifth Avenue Broken Arrow, OK 74011	2,000.00
James Rott 2500 S. Oak Place Broken Arrow, OK 74012	500.00
Michael Ruhbush Box 109 Spencer, WI 54479	1,060.00
Charles and Betty Russell 307 Brenda Conroe, Tx 77305	10,000.00
Randall Russell 307 Brenda Conroe, TX 77305	2,172.00
Robin Russell 307 Brenda Conroe, TX 77305	500.00

Robert Story 12320 E. 16th Place Tulsa, OK 74128	7,000.00
Michael Strayhorn 3325 Willow Creek Way Bedford, TX 76021	808.00
Raymond R. Streger 255 E. Fannin LaGrange, TX 77840	1,000.00
Robert R. and Frances J. Stricker 4009 S. Gum Avenue Broken Arrow, Ok 74011	500.00
Gene H. and Sharon Stromley 2505 Wedglea Drive, Suite 116 Dallas, TX 75211	500.00
Howard Stuart 11471 E. 6th Street Tulsa, OK 74128	2,000.00
William C. Sweeney 1359 Mt. Pleasant Dubuque, Iowa 52001	1,550.00
Jason Taylor 300 N. Fir Avenue Broken Arrow, OK 74012	20,000.00
Wilda Taylor 300 N. Fir Avenue Broken Arrow, OK 74012	5,000.00
James and Grace Tomey 1577 Madrid Drive Vista, CA 92083	3,000.00
Byron H. and Janet Thompson 9487 E. 139th Street Bixby, OK 74008	2,000.00
Ty Tonnessen 1007 Howard Avenue, Unit 55 Escondido, CA 92025	20,000.00
Stanley M. Townsend 6731 S. 66th E. Avenue Tulsa, OK 74133	5,000.00

Judy Upjohn 8619 S. Atlanta Tulsa, OK 74137	1,000.00
Fred VanEman Jarrid, Inc Box 702766 Tulsa, OK 74170	2,500.00
Brian and Peggy Varner 740 S. Remington Angleton, TX 77515	3,000.00
Phillips H. Viles, Jr. (for Amada Erin Viles, OUTMA) P. O. Box 518 Claremore, OK 74018-0518	5,000.00
L. David Vogel Route 3, Box 121E LaGrange, TX 78945	3,000.00
Carol Walker Women of Faith, International 1109 W. Huntsville Broken Arrow, OK 74011	3,000.00
Doris Walker c/o William A. Walker Nisen & Elliot 200 West Adams Street Chicago, IL 60606	500.00
Bob Waller 9960 S. Quebec Tulsa, OK 74137	2,000.00
Betty R. Wesolick 110 Sweet Gum Drive Conroe, TX 77304	2,500.00
Mary L. Wesolicik 529 Oak Knoll Montgomery, TX 77356	1,500.00
Clarence T. West, Jr. 1411 S. Pittsburg Avenue Tulsa, Ok 74112	2,000.00
Ronald E. White 4823 S. 71st East Avenue Tulsa, OK 74145	500.00

Bob and Gail Williams 1204 Honan Drive Manor House #2 South Bend, IN 46614	336,226.58
John F. and Debbie Williams 901 S. Redbud Broken Arrow, OK 74012	500.00
Robert and Dollie Jean Wolverton 9501 E. 13th Street Tulsa, OK 74128	3,500.00
Barbara Wright 5757 Guhn Road, #125 Houston, TX 77040	1,000.00
Dora Wyatt 307 Brenda Conroe, TX 73305	1,000.00
James M. Zoch Route 1, Box 73 Giddings, TX 78942	1,060.00
Roland S. Zock Route 1, Box 73 Giddings, TX 78942	5,000.00

ENTERED ON DOCKET
DATE 12/8/93

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

DEC - 7 1993
Richard M. Lawrence, C.
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Case Number 93-CR-117-001-B

DONALD SMITH, JR.
Defendant.

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

The defendant, DONALD SMITH, JR., was represented by Jack M. Short.

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

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>
18 USC 4	Misprision of a Felony - Bank Fraud	09/17/92

As pronounced on December 3, 1993, the defendant is sentenced as provided in pages 2 through 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 cost 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 by this Judgment are fully paid.

Signed this the 7th day of December, 1993.


Thomas R. Brett
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.

Richard M. Lawrence, Clerk
By RM Lawrence
Deputy

Defendant's SSN: 448-66-4630

Defendant's Date of Birth: 01-06-59

Defendant's residence and mailing address: 15040 E. 36th Street; Tulsa, Oklahoma 74134

Defendant: DONALD SMITH, JR.

Case Number: 93-CR-117-001-B

PROBATION

The defendant is hereby placed on probation for a term of 18 months.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not 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 successfully participate in a program of testing and treatment (to include inpatient drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program) as directed by the Probation Officer.

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 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 legitimate 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, 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 crime, 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 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 agency.
- 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 record or personal history or characteristics, and shall permit the probation officer to make such notifications and to take such action as the probation officer deems necessary to ensure 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: DONALD SMITH, JR.
Case Number: 93-CR-117-001-B

FINE

The defendant shall pay a fine of \$ 100. 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: DONALD SMITH, JR.
Case Number: 93-CR-117-001-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:	2
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months (Count 1)
Supervised Release Range:	NMT 1 year (Count 1)
Fine Range:	\$ 100 to \$ 5,000 (Count 1)
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.

08

DATE 12-8-93

F I L E D

DEC 8 - 1993

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA**

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

UNITED STATES OF AMERICA)
)
 vs.)
)
 LAWRENCE KEITH WILLIAMS)

Docket No. 90-CR-013-001-C

**JUDGMENT AND COMMITMENT ORDER
ON REVOCATION OF SUPERVISED RELEASE**

Now on this 2nd day of December, 1993, this cause comes on for sentencing after a previous finding that the defendant violated conditions of supervised release as set out in the Petition on Probation and Supervised Release filed on November 17, 1993. The defendant is present in person and with his attorney, Richard Couch. The Government is represented by Assistant United States Attorney James Swartz, and the United States Probation Office is represented by Tony Budzinsky.

The defendant was heretofore, on April 18, 1990, found guilty by jury verdict in a one-count Indictment which charged Possession of a Firearm After Former Conviction of a Felony in violation of Title 18, United States Code, Section 922(g). He was subsequently sentenced on June 27, 1990, to a twenty-one month custody sentence to be followed by three years of supervised release. The standard

United States District Court) SS
Northern District of Oklahoma)

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

Richard M. Lawrence, Clerk

By R. Miller
Deputy

conditions of supervised release recommended by the Sentencing Commission were also imposed. The conditions were modified during supervision to include a special condition requiring a period of in-patient drug treatment followed by aftercare.

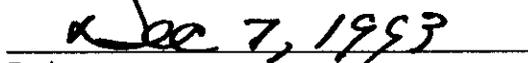
On November 22, 1993, a revocation hearing was held regarding the allegations noted in the Petition on Probation and Supervised Release, said allegations being that the defendant committed two law violations while under supervision and submitted urinalysis specimens on October 9, November 1, and November 5, 1993, which tested positive for cocaine and phencyclidine. The Court made a finding that the defendant violated his conditions of supervised release, and a sentencing hearing was set for December 2, 1993.

As a result of the sentencing hearing, the Court finds that the violations occurred after November 1, 1987, and that Chapter Seven of the U.S. Sentencing Commission Guidelines is applicable. Further, the Court finds that the violations of supervised release constitute Grade C violations in accordance with Section 7B1.1(a)(3), and that the defendant's original Criminal History Category of III is now applicable for determining the imprisonment range. In addition, the Court finds that a Grade C violation and a Criminal History Category of III establish a revocation imprisonment range of 5-11 months, in accordance with Section 7B1.4(a) and Title 18, United States Code, Section 3583(e)(3). In consideration of these findings and pursuant to U.S. V. Lee, 957 F.2d 770 (Tenth Circuit, 1992), in which the Circuit determined

that the policy statements in Chapter Seven were not mandatory, but must be considered by the Court, the following sentence is ordered:

It is adjudged by the Court that the defendant shall be sentenced to serve ten (10) months in the custody of the Bureau of Prisons. The Court recommends that the defendant undergo treatment for substance abuse while incarcerated.

The defendant was remanded to the custody of the U.S. Marshal.


H. Dale Cook
United States District Judge

Date

AW

ENTERED ON DOCKET

DATE 12/7/93

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

FILED
DEC 7 1993

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

UNITED STATES OF AMERICA)
)
 vs.)
)
 BARBARA ANN HEARNS)

Docket No. 91-CR-014-001-C

JUDGMENT AND COMMITMENT ORDER
ON REVOCATION OF SUPERVISED RELEASE

Now on this 2nd day of December, 1993, this cause comes on for sentencing after a previous finding that the defendant violated conditions of supervised release as set out in the Petition on Probation and Supervised Release filed on October 7, 1993. The defendant is present in person and with her attorney, Steven J. Greubel. The Government is represented by Assistant United States Attorney Susan Morgan, and the United States Probation Office is represented by Tony Budzinsky.

The defendant was heretofore, on April 8, 1991, convicted on her plea of guilty to a one-count Indictment which charged Theft by a Person Connected With a Bank Insured by F.D.I.C. in violation of Title 18, United States Code, Section 656. She was subsequently sentenced on June 18, 1991, to a five month custody sentence consecutive to four months imposed in a revocation of Docket No. 88-CR-056, to be followed by thirty-six months of supervised release. The standard conditions of supervised release recommended

cl/prot

by the Sentencing Commission were also imposed with a special condition added regarding \$2,000 in restitution.

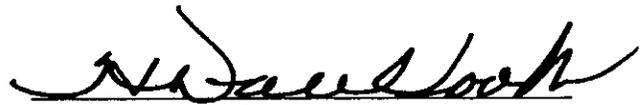
On November 22, 1993, a revocation hearing was held regarding the allegations noted in the Petition on Probation and Supervised Release, said allegations being that the defendant was Indicted in the United States District Court for the Northern District of Oklahoma on July 7, 1993, and entered a plea of guilty before U.S. District Judge Thomas R. Brett on September 20, 1993, and had failed to make any payments toward the \$2,000 restitution. The Court made a finding that the defendant violated her conditions of supervised release and a sentencing hearing was set for December 2, 1993.

As a result of the sentencing hearing, the Court finds that the violations occurred after November 1, 1987, and that Chapter Seven of the U.S. Sentencing Commission Guidelines is applicable. Further, the Court finds that the violations of supervised release constitute Grade B and Grade C violations in accordance with Section 7B1.1(a)(2)(3) and that the grade of the violation is determined by the violation having the most serious grade according to Section 7B1.1(b). The Court also finds that the defendant's original Criminal History Category of III is now applicable for determining the imprisonment range. In addition, the Court finds that a Grade B violation and a Criminal History Category of III establish a revocation imprisonment range of 8-14 months, in accordance with Section 7B1.4(a) and Title 18, United States Code, Section 3583(e)(3). In consideration of these findings and pursuant to U.S. V. Lee, 957 F.2d 770 (Tenth Circuit 1992), in

which the Circuit determined that the policy statements in Chapter Seven were not mandatory, but must be considered by the Court, the following sentence is ordered:

It is adjudged by the Court that the defendant shall be sentenced to serve fourteen (14) months in the custody of the Bureau of Prisons concurrent to the sentence imposed in Docket No. 93-CR-109-001-B.

Execution of the sentence is suspended until January 3, 1994, at 11:00 A.M. at which time the defendant shall voluntarily surrender to the designated institution.



H. Dale Cook
United States District Judge

Dec 7, 1993
Date

12/7/93

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 B.M. Callaghan
Deputy

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET

DATE 12-2-93

UNITED STATES OF AMERICA

v.

Case Number 93-CR-109-001-B

BARBARA ANN VERNER (AKA - BARBARA ANN HEARNS)
Defendant.

F I L E D

jur DEC 2 - 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, BARBARA ANN VERNER (AKA - BARBARA ANN HEARNS), was represented by Stephen J. Greubel.

On motion of the United States the court has dismissed counts 2 and 3 of the Indictment.

The defendant pleaded guilty to counts 1 and 4 of the Indictment. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offenses:

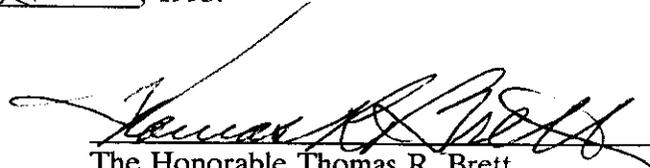
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 641	Theft Of Government Property	05/11/93	1
18 USC 641	Theft Of Government Property	06/15/93	4

As pronounced on November 26, 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 and 4 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 18 day of December, 1993.


The Honorable Thomas R. Brett
United States District Judge

Defendant's SSN: 431-08-9098
Defendant's Date of Birth: 12/30/53
Defendant's residence and mailing address: 2229 North Marion; Tulsa, 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. Mueller
Deputy

Defendant: BARBARA ANN VERNER (AKA - BARBARA ANN HEARNS)
Case Number: 93-CR-109-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 12 months as to Counts 1 and 4, each count to run concurrently, each with the other.

The defendant shall surrender for service of sentence to the Bureau of Prisons as notified by the U. S. Marshal before 11:00 a.m. on January 3, 1994.

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: BARBARA ANN VERNER (AKA - BARBARA ANN HEARNS)
Case Number: 93-CR-109-001-B

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years as to Counts 1 and 4 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.
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: BARBARA ANN VERNER (AKA - BARBARA ANN HEARNS)
Case Number: 93-CR-109-001-B

RESTITUTION AND FORFEITURE

RESTITUTION

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Park Chase Resident Association 1433 South 107th East Avenue Tulsa, Oklahoma 74128	\$1,630.00

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: BARBARA ANN VERNER (AKA - BARBARA ANN HEARNS)
Case Number: 93-CR-109-001-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:	6
Criminal History Category:	V
Imprisonment Range:	9 months to 15 months Counts 1 and 4
Supervised Release Range:	2 to 3 years Counts 1 and 4
Fine Range:	\$500 to \$5,000 Counts 1 and 4
Restitution:	\$1,630

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.

UNITED STATES DISTRICT COURT ENTERED ON DOCKET
Northern District of Oklahoma

DATE 12-2-93

UNITED STATES OF AMERICA

v.

Case Number 93-CR-061-001-B

KEITH EDWARD OVERSTREET
Defendant.

FILED

DEC 2 - 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, KEITH EDWARD OVERSTREET, was represented by Craig Bryant.

The defendant was found guilty on counts 1, 2, and 3 of the Superseding Indictment after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 2119	Armed Carjacking	02/26/93	1
18 USC 924(c)(1)	Possession Of A Firearm During Commission Of A Violent Crime	02/26/93	2
18 USC 922(g)(1) 18 USC 924(e)(1)	Possession Of A Firearm After Former Felony Conviction	02/26/93	3

As pronounced on November 26, 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 \$150, for counts 1, 2, and 3 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 1st day of December, 1993.

Thomas R. Brett
The Honorable Thomas R. Brett
United States District Judge

Defendant's SSN: 444-68-3140

Defendant's Date of Birth: 02/04/70

Defendant's residence and mailing address: 4327 North Garrison Avenue; Tulsa, 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. M. Lawrence*
Deputy

Defendant: KEITH EDWARD OVERSTREET
Case Number: 93-CR-061-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 137 months. 77 months as to Counts 1 and 3, as to each count to run concurrently, 60 months as to Count 2 to run consecutive to the sentence imposed in Counts 1 and 3.

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: KEITH EDWARD OVERSTREET
Case Number: 93-CR-061-001-B

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years as to Counts 1, 2, and 3 as to each count 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.
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: KEITH EDWARD OVERSTREET
Case Number: 93-CR-061-001-B

FINE

The defendant shall pay a fine of \$2,000 as to Count 1 of the Superseding Indictment.. This fine includes any costs of incarceration and supervision.

This fine 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 during the term of supervised release, as directed by the U. S. Probation Office.

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

Defendant: KEITH EDWARD OVERSTREET
Case Number: 93-CR-061-001-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:	22
Criminal History Category:	V
Imprisonment Range:	77 months to 96 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$10,000 to \$100,000
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

ENTERED ON DOCKET
DATE 12-2-93

UNITED STATES OF AMERICA

v.

Case Number 93-CR-052-001-B ✓

TRACY R. WALKER
Defendant.

FILED

DEC 2 - 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, TRACY R. WALKER, was represented by Stephen J. Greubel.

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

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 495	Altering U. S. Treasury Check	03/18/92	1

As pronounced on November 26, 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 2nd day of December, 1993.


The Honorable Thomas R. Brett
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.

Richard M. Lawrence, Clerk
By R. Miller
Deputy

Defendant's SSN: 445-78-0447
Defendant's Date of Birth: 01/23/67
Defendant's residence and mailing address: 611 S.E. 22nd; Oklahoma City, Oklahoma 73129

Defendant: TRACY R. WALKER
Case Number: 93-CR-052-001-B

PROBATION

The defendant is hereby placed on probation for a term of 2 years.

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.
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 of mental health treatment (to include inpatient), as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Officer.

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: TRACY R. WALKER
Case Number: 93-CR-052-001-B

FINE

The defendant shall pay a fine of \$250. 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: TRACY R. WALKER
Case Number: 93-CR-052-001-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:	5
Criminal History Category:	II
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

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET
DATE 12-1-93

UNITED STATES OF AMERICA

v.

Case Number 93-CR-093-001-B

F I L E D

ROBERT LAMONT HOREY
Defendant.

DEC 1 - 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, ROBERT LAMONT HOREY, was represented by Charles W. Hack.

The defendant pleaded guilty to counts 1 and 2 of the Superseding Indictment. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 922(g)(1)	Possession Of Firearm After Former Conviction Of A Felony	11/07/92	1
18 USC 922(k)	Possession Of Firearm With An Obliterated Serial Number	11/07/92	2

As pronounced on November 26, 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 and 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 30 day of Nov., 1993.


The Honorable Thomas R. Brett
United States District Judge

Defendant's SSN: 446-68-8893

Defendant's Date of Birth: 02/15/69

Defendant's residence and mailing address: Tulsa County Jail; 500 South Denver; Tulsa, Oklahoma 74103

By Richard M. Lawrence
Deputy
Clerk

Defendant: ROBERT LAMONT HOREY
Case Number: 93-CR-093-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 77 month on Count 1 and 60 months on Count 2; to run concurrently, each with the other.

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: ROBERT LAMONT HOREY
Case Number: 93-CR-093-001-B

SUPERVISED RELEASE

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

While on supervised release, the defendant shall not commit another federal, state, or local crime; 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 residence.

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: ROBERT LAMONT HOREY
Case Number: 93-CR-093-001-B

FINE

The defendant shall pay a fine of \$1,500. This fine includes any costs of incarceration and supervision.

This amount is the total of the fines imposed on individual counts, as follows: \$750 on Count 1 and \$750 on Count 2.

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 while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release, as directed by the U. S. Probation Office.

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

Defendant: ROBERT LAMONT HOREY
Case Number: 93-CR-093-001-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:	22	
Criminal History Category:	V	
Imprisonment Range:	77 months to 96 months	<i>006/17/28</i>
Supervised Release Range:	2 to 3 years	<i>(11, 112)</i>
Fine Range:	\$7,500 to \$75,000	<i>(11, 112)</i>
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

ENTERED ON DOCKET
DATE 12-1-93

UNITED STATES OF AMERICA

Resentencing on Tenth Circuit Remand

v.

Case Number 91-CR-072-001-B

JIMMY GENE KELLY
Defendant.

F I L E D

DEC 1 - 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, JIMMY GENE KELLY, was represented by Steven Greubel.

The defendant was found guilty on count(s) 1 of the Indictment after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

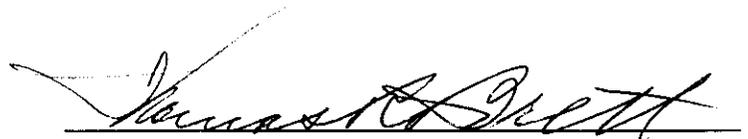
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1111	Murder, 2nd Degree	04-28-91	1

As pronounced on November 24, 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 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 30 day of Nov., 1993.


The Honorable Thomas R. Brett
United States District Judge

Defendant's SSN: 444-66-8345
Defendant's Date of Birth: 01-14-70
Defendant's residence and mailing address: 1818 West 4th, Joplin, Missouri

Defendant: JIMMY GENE KELLY
Case Number: 91-CR-072-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 360 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: JIMMY GENE KELLY
Case Number: 91-CR-072-001-B

SUPERVISED RELEASE

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

While on supervised release, the defendant shall not commit another federal, state, or local crime; 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 of mental health treatment (to include inpatient), as directed by the Probation Officer, until such time as the defendant is 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: JIMMY GENE KELLY
Case Number: 91-CR-072-001-B

RESTITUTION AND FORFEITURE

RESTITUTION

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Mrs. Louise Moyer 300 South Picher Picher, Oklahoma 74360	\$3,436.75

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: JIMMY GENE KELLY
Case Number: 91-CR-072-001-B

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report except: The Court determined that, since the instant offense was committed while the defendant was under a deferred sentence, that sentence was "countable", pursuant to U.S.S.G. § 4A1.1(c), which resulted in one point being added. Additionally, according to U.S.S.G. § 4A1.1(d), two points were added as the defendant was under a criminal justice sentence when the crime was committed. This resulted in a criminal history category of II.

Guideline Range Determined by the Court:

Total Offense Level:	33
Criminal History Category:	II
Imprisonment Range:	151 months to 188 months
Supervised Release Range:	3 to 5 years
Fine Range:	\$ 17,500 to \$ 175,000
Restitution:	\$ 3,436.75

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 reasons: The Court determined that an upward departure of six levels is justified based on U.S.S.G. § 5K2.8 (Extreme Conditions). The six level increase was arrived at due to the analogous increase to the base offense level under U.S.S.G. § 2A2.2 (Aggravated Assault) for permanent or life threatening injury.