

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

**FILED**

UNITED STATES OF AMERICA

MAY 26 1994

v.

Case Number 94-CR-14-E Richard M. Lawrence, Clerk  
U. S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

HAROLD JAMES BOURKE  
Defendant.

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

The defendant, HAROLD JAMES BOURKE, was represented by ROBERT NIGH.

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

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18:1014 & 2	False Statement to a Financial Institution and Causing a Criminal Act	11-30-91	1

As pronounced on May 19, 1994, 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 \$ 50.00, for count(s) One of the Indictment, which shall be due immediately.

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

Signed this the 25<sup>th</sup> day of May, 1994.

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

Defendant's SSN: 506-62-9921  
Defendant's Date of Birth: 11-17-46  
Defendant's residence and mailing address: 4312 HARTLEIGH COURT, NORMAN, OK 73072

United States District Court )  
Northern District of Oklahoma ) SS  
Richard M. Lawrence, Clerk  
By *R.M. Lawrence*

Defendant: HAROLD JAMES BOURKE  
Case Number: 94-CR-14-E

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 4 months.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 noon on 6-20-94.

**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: HAROLD JAMES BOURKE  
Case Number: 94-CR-14-E

### SUPERVISED RELEASE

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

While on supervised release, the defendant shall not commit another federal, state, or local crime; 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 four (4) months, to commence within 72 hours of the release 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.
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.
6. The defendant shall pay any restitution that is imposed by this judgment, in regular monthly installment payments as directed by the U.S. Probation Office.

### STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: HAROLD JAMES BOURKE  
Case Number: 94-CR-14-E

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

The defendant shall make restitution in the total amount of \$55,364.76.

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

<b><u>Name of Payee</u></b>	<b><u>Amount of Restitution</u></b>
Bank IV Oklahoma Attn: David Jackson, Special Assets Division Post Office Box 2360 Tulsa, Oklahoma	\$ 55,364.76

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: HAROLD JAMES BOURKE  
Case Number: 94-CR-14-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:	11
Criminal History Category:	I
Imprisonment Range:	8 months to 14 months
Supervised Release Range:	3 to 5 years
Fine Range:	\$ 2,000 to \$ 1,000,000
Restitution:	\$ 55,364.76

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 93-CR-097-002-E

STEVEN LEE VAN OVER  
Defendant.

**FILED**

MAY 26 1994

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 LEE VAN OVER, was represented by Curtis "Bud" Biram.

On motion of the United States, the Court has dismissed count 2 of the 2nd Superseding Indictment.

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

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 846, 841(a)(1), and 841(b)(1)(A)	Conspiracy to Possess With Intent to Distribute and to Distribute Marijuana in Excess of 1,000 Kilograms	09/09/93	1

As pronounced on May 20, 1994, 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, which shall be due immediately.

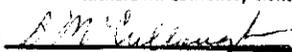
It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 25<sup>th</sup> day of May, 1994.

  
The Honorable James O. Ellison  
Chief United States District Judge

Defendant's SSN: 450-23-0591  
Defendant's Date of Birth: 09-04-58  
Defendant's residence and mailing address: Bureau of Prisons

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: STEVEN LEE VAN OVER  
Case Number: 93-CR-097-002-E

**IMPRISONMENT**

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

The Court makes the following recommendations to the Bureau of Prisons: The Court requests that the Bureau of Prisons incarcerate the defendant at a facility in or near Boron, California.

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: STEVEN LEE VAN OVER  
Case Number: 93-CR-097-002-E

### **SUPERVISED RELEASE**

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

While on supervised release, the defendant shall not commit another federal, state, or local crime; 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. Upon release from imprisonment, the defendant shall pay any fine balance in regular monthly installment payments, as directed by the U. S. Probation Office.

### **STANDARD CONDITIONS OF SUPERVISION**

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

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 6) The defendant shall notify the probation officer within 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 LEE VAN OVER  
Case Number: 93-CR-097-002-E

**FINE**

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.

The defendant shall pay a fine of \$ 1,500. 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: STEVEN LEE VAN OVER  
Case Number: 93-CR-097-002-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:	31	
Criminal History Category:	I	
Imprisonment Range:	120 months to 135 months	Count 1
Supervised Release Range:	5 years	
Fine Range:	\$ 15,000 to \$ 4,000,000	Count 1
Restitution:	\$ N/A	

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

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

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-097-001-E

JAMES HOBART VAN OVER  
Defendant.

FILED

MAY 26 1994

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, JAMES HOBART VAN OVER, was represented by Bertram Polis.

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

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

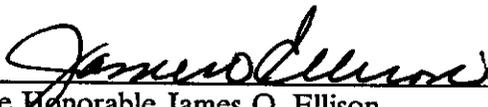
<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 846 841(a)(1) 841(b)(1)(A)	Conspiracy to Possess With Intent to Distribute and to Distribute Marijuana in Excess of 1,000 kilograms	9/9/93	1

As pronounced on May 20, 1994, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

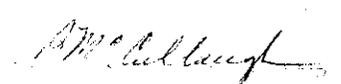
It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count(s) 1, which shall be due immediately.

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 25<sup>th</sup> day of May, 1994.

  
The Honorable James O. Ellison  
Chief United States District Judge

Defendant's SSN: 275-28-2072  
Defendant's Date of Birth: 07/22/34  
Defendant's residence and mailing address: Custody of Bureau of Prisons, Dallas, Texas



Defendant: JAMES HOBART VAN OVER  
Case Number: 93-CR-097-001-E

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 40 months to run concurrent with sentence imposed in 93-CR-172-001-E.

The Court makes the following recommendations to the Bureau of Prisons: That the Bureau of Prisons designate the place of incarceration in or near Boron, California.

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: JAMES HOBART VAN OVER  
Case Number: 93-CR-097-001-E

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years concurrent with the term imposed in 93-CR-172-001-E.

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. Upon release from the custody of the Bureau of Prisons, any fine balance shall be paid in monthly installment payments, as directed by the probation office during the term of supervision.

### 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: JAMES HOBART VAN OVER  
Case Number: 93-CR-097-001-E

**FINE**

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.

The defendant shall pay a fine of \$ 1,500. 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: JAMES HOBART VAN OVER  
Case Number: 93-CR-097-001-E

**STATEMENT OF REASONS**

The court adopts the factual findings and guideline application in the presentence report, except the Court finds that the defendant's offense level and other related guideline applications should not be enhanced for Possession of a Firearm as stated in the presentence report. Therefore, the offense level will be reduced to a level 33.

**Guideline Range Determined by the Court:**

Total Offense Level:	33
Criminal History Category:	I
Imprisonment Range:	135 months to 168 months
Supervised Release Range:	5 years
Fine Range:	\$ 17,500 to \$ 4,500,000
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 reason(s): Upon motion of the government, as a result of defendant's substantial assistance.

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

**FILED**  
MAY 26 1994  
Richard M. Lawrence, Clerk  
U. S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Case Number 93-CR-172-002-E

BETTY VAN OVER  
Defendant.

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

The defendant, BETTY VAN OVER, was represented by Bertram Polis.

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

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1956(a)(1)(A)(i) and 18 USC 1956(a)(1)(B)(i)	Laundering of Monetary Instruments	05/15/92	1

As pronounced on May 20, 1994, 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, 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 25<sup>th</sup> day of May, 1994.

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

Defendant's SSN: 407-42-7801

Defendant's Date of Birth: 08/19/33

Defendant's residence and mailing address: 514 Jacobson Court; Tehachapi, CA 93561-1850

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 *RTM*  
Deputy

Defendant: BETTY VAN OVER  
Case Number: 93-CR-172-002-E

### PROBATION

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

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

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

### STANDARD CONDITIONS OF PROBATION

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

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

Defendant: BETTY VAN OVER  
Case Number: 93-CR-172-002-E

**FINE**

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.

The defendant shall pay a fine of \$1,500. 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: BETTY VAN OVER  
Case Number: 93-CR-172-002-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:	21
Criminal History Category:	I
Imprisonment Range:	37 months to 46 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 7,500 to \$ 500,000
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 reason(s): upon motion of the government, as a result of defendant's substantial assistance.

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-097-03-E

**FILED**

MAY 25 1994

DONALD WILLIAM McCLELLAND  
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, DONALD WILLIAM McCLELLAND, was represented by Paul D. Brunton.

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

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

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 846 & 841(a)(1)	Conspiracy to Possess With Intent to Distribute and to Distribute Marijuana	9/9/93	1

As pronounced on May 20, 1994, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count(s) Count 1, 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 25<sup>th</sup> day of May, 1994.

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

Defendant's SSN: 376-76-1635  
Defendant's Date of Birth: 08/11/60  
Defendant's residence and mailing address: 4808 S. Elwood, No. 310, Tulsa, OK 74107

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

Richard M. Lawrence, Clerk  
By *Bill Lullough*  
Deputy

Defendant: DONALD WILLIAM McCLELLAND  
Case Number: 93-CR-097-003-E

**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.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 p.m. on July 20, 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: DONALD WILLIAM McCLELLAND  
Case Number: 93-CR-097-003-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.

### 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: DONALD WILLIAM McCLELLAND  
Case Number: 93-CR-097-003-E

**FINE**

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.

The defendant shall pay a fine of \$ 1,000.00. 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: DONALD WILLIAM McCLELLAND  
Case Number: 93-CR-097-003-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:	29
Criminal History Category:	I
Imprisonment Range:	87 months to 108 months
Supervised Release Range:	4 to 5 years
Fine Range:	\$ 15,000 to \$ 2,000,000
Restitution:	\$ N/A

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

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

DATE 5/25/94 CW

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-097-008-E

DEBBIE RAMIREZ  
Defendant.

**FILED**

MAY 25 1994

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, DEBBIE RAMIREZ, was represented by Reuben Davis.

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

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

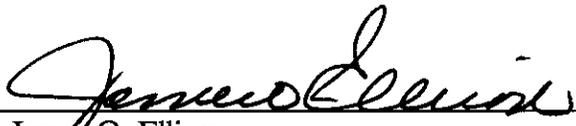
<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 846 & 841(a)(1)	Conspiracy to Possess With Intent to Distribute and to Distribute Marijuana	9/9/93	1

As pronounced on May 20, 1994, 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(s) 1 of the Second 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 25<sup>th</sup> day of May, 1994.

  
James O. Ellison  
Chief United States District Judge

Defendant's SSN: 527-23-6300  
Defendant's Date of Birth: 07-20-59  
Defendant's residence and mailing address: 1426 W. Hualapai; Tucson, AR 85745

*[Handwritten signature]*

Defendant: DEBBIE RAMIREZ

Case Number: 93-CR-097-008-E

### PROBATION

The defendant is hereby placed on probation for a term of 5 year(s).

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

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

### 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: DEBBIE RAMIREZ  
Case Number: 93-CR-097-008-E

**FINE**

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.

The defendant shall pay a fine of \$ 1,000. This fine shall be paid 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: **DEBBIE RAMIREZ**  
Case Number: 93-CR-097-008-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:	I
Imprisonment Range:	60 months
Supervised Release Range:	4 to 5 years
Fine Range:	\$ 10,000 to \$ 2,000,000
Restitution:	\$ N/A

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

The sentence departs from the guideline range upon motion of the government, as a result of defendant's substantial assistance.

ENTERED ON DOCKET  
DATE 5/25/94

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-097-010-E

GARY UNDERWOOD  
Defendant.

FILED

MAY 25 1994

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, GARY UNDERWOOD, was represented by Martin Hart.

On motion of the United States the court has dismissed count(s) two of the Second Superseding Indictment.

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

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USA 846 & 841(a)(1)	Conspiracy to Possess With Intent to Distribute Marijuana	9/9/93	1

As pronounced on May 20, 1994, 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.

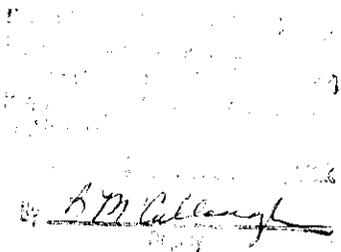
It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) one of the Second Superseding Indictment, which shall be due immediately.

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 25<sup>th</sup> day of May, 1994.

  
James D. Ellison, Chief  
United States District Judge

Defendant's SSN: 263-11-0828  
Defendant's Date of Birth: 08-28-56  
Defendant's residence and mailing address: 5030 Fleetwood Place, Cocoa, Florida 32925



Defendant: GARY UNDERWOOD  
Case Number: 93-CR-097-010-E

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 16 months.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant serve his sentence at Eglin Air Force Base or nearby facility to Tampa, Florida.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 noon on July 20, 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: GARY UNDERWOOD  
Case Number: 93-CR-097-010-E

### SUPERVISED RELEASE

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

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

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.

### 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: GARY UNDERWOOD  
Case Number: 93-CR-097-010-E

**FINE**

The defendant shall pay a fine of \$ 1,500. This fine (plus any interest required) 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: GARY UNDERWOOD  
Case Number: 93-CR-097-010-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:	27
Criminal History Category:	III
Imprisonment Range:	87 months to 108 months
Supervised Release Range:	4 to 5 years
Fine Range:	\$ 12,500 to \$ 2,000,000
Restitution:	\$ not applicable

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

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

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF OKLAHOMA

CLERK'S OFFICE

UNITED STATES COURT HOUSE

333 West Fourth Street, Room 411

TULSA, OKLAHOMA 74103-3881

ENTERED ON DOCKET

DATE 5-25-94

(918) 581-7796

RICHARD M. LAWRENCE  
CLERK

May 24, 1994

TO: Counsel/Parties of Record

RE: Case No. 86-CR-112-C  
U.S. v. Mose Stephens, Jr.

This is to advise you that Judge H. Dale Cook entered the following Minute Order this date in the above case:

Defendant's pleading filed May 20, 1994 styled "Motion to Alter Judgment" is hereby denied.

Very truly yours,

RICHARD M. LAWRENCE, CLERK

By: R. Miller  
Deputy Clerk

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF OKLAHOMA

CLERK'S OFFICE

UNITED STATES COURT HOUSE

333 West Fourth Street, Room 411

TULSA, OKLAHOMA 74103-3881

ENTERED ON DOCKET

DATE 5-25-94

(918) 581-7796

RICHARD M. LAWRENCE  
CLERK

May 24, 1994

TO: Counsel/Parties of Record

RE: Case No. 93-CR-185-C  
U.S. v. Milton Edwards

This is to advise you that Judge H. Dale Cook entered the following Minute Order this date in the above case:

Defendant's motion for judgment of acquittal is denied. The evidence offered at trial was sufficient to support's the jury's finding of guilty.

Very truly yours,

RICHARD M. LAWRENCE, CLERK

By: R. Miller  
Deputy Clerk

ENTERED ON DOCKET  
DATE 5-24-94

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-114-001-C

JOHN DEREL USHER  
Defendant.

FILED

MAY 23 1994

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

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

The defendant, JOHN DEREL USHER, was represented by Stephen J. Greubel.

On motion of the United States the court has dismissed counts 1 through 6 and 10 through 13 of the Indictment.

The defendant pleaded guilty to counts 7, 8, and 9 of the Indictment. 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 924(c)	Possession Of A Firearm During A Federal Crime Of Violence	05/09/93	7
18 USC 924(c)	Possession Of A Firearm During A Federal Crime Of Violence	05/13/93	8
18 USC 924(c)	Possession Of A Firearm During A Federal Crime Of Violence	05/16/93	9

As pronounced on May 4, 1994, 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 \$ 150, for counts 7, 8, and 9 of the Indictment, which shall be due immediately.

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

Signed this the 23<sup>rd</sup> day of May, 1994.

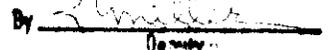
Defendant's SSN: 552-08-3268  
Defendant's Date of Birth: 02/13/67  
Defendant's residence and mailing address: c/o United States Marshal Service

  
The Honorable H. Dale Cook  
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: JOHN DEREL USHER  
Case Number: 93-CR-114-001-C

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 540 months; 60 months on count 7, and 240 months on each of counts 8 and 9. The terms of imprisonment imposed in each of these three counts shall run consecutively, each to the other, and to the defendant's imprisonment under any other previous state or federal 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: JOHN DEREL USHER  
Case Number: 93-CR-114-001-C

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 9 years. 3 years on each of counts 7, 8, and 9 of the Indictment, all to run consecutively to each other.

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

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program 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. Upon release from custody, the defendant shall pay any restitution and fine balance that remains, in regular monthly installment payments as directed by the U. S. Probation Office.

### STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: JOHN DEREL USHER  
Case Number: 93-CR-114-001-C

**FINE**

The defendant shall pay a fine of \$ 1,500 as to counts 7, 8, and 9 of the Indictment.

This amount is the total of the fines imposed on individual counts, as follows: \$500 on count 7, \$500 on count 8, and \$500 on count 9.

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: JOHN DEREL USHER  
 Case Number: 93-CR-144-001-C

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

The defendant shall make restitution in the total amount of \$565.62

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

<b><u>Name of Payee</u></b>	<b><u>Amount of Restitution</u></b>
Git-N-Go Store Attn.: Division Manager, Mr. Hogan 8316 East 73rd Street Tulsa, Oklahoma 74145	\$243.41
Circle K Store Attn.: Loss Prevention 13831 Northwest Freeway, Suite 600 Houston, Texas 74040	\$190.21
Purity Oil (Robbery of Fastop #121) 10711 East 11th Street Tulsa, Oklahoma 74128	\$132.00
	_____

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: JOHN DEREL USHER  
Case Number: 93-CR-114-001-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:	N/A	
Criminal History Category:	VI	
Imprisonment Range:	60 months	count 7
	240 months	count 8
	240 months	count 9
Supervised Release Range:	2 to 3 years	count 7
	2 to 3 years	count 8
	2 to 3 years	count 9
Fine Range:	\$ 0 to \$250,000	count 7
	\$ 0 to \$250,000	count 8
	\$ 0 to \$250,000	count 9
Restitution:	\$ 565.62	

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

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

ENTERED ON DOCKET  
DATE 5-24-94

UNITED STATES OF AMERICA

RESENTENCE PURSUANT TO REMAND BY THE  
10TH CIRCUIT COURT OF APPEALS  
Case Number 92-CR-015-B

v.

**FILED**

CHESTER VERNON ZEIGLER, JR.  
Defendant.

MAY 24 1994

**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, CHESTER VERNON ZEIGLER, JR., was represented by Robert Nigh.

The defendant was found guilty on count(s) 1, 2, 3, 4, 5, 6, 7, & 8 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 &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 924(c)(1)	Possession of Firearm During a Federal Crime of Violence	09/16/91	1, 2, 3, 4, 5, & 6
18 USC 922(k)	Possession of Firearm With Altered, Removed, or Obliterated Serial Number	09/19/91	7
18 USC 922(g)(1)	Possession of a Firearm After Former Conviction of a Felony	09/19/91	8

As pronounced on May 20, 1994, 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 a total of \$400, for count(s) 1, 2, 3, 4, 5, 6, 7, & 8 of the Indictment, which shall be due immediately with credit for payments already made toward these assessments.

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

Signed this the 24<sup>th</sup> day of May, 1994.

  
Thomas R. Brett  
United States District Judge

Defendant's SSN: 442-62-0679  
Defendant's Date of Birth: 12-25-60  
Defendant's residence and mailing address: Federal Bureau of Prisons

United States District Court ) 55  
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  
Recorder

Defendant: CHESTER VERNON ZEIGLER, JR.  
Case Number: 92-CR-015-001-B

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total of 1,297 months as follows: Count 1: 60 months; Counts 2-6: 240 months as to each count; Counts 7-8: 37 months as to each count. Sentences in Counts 7-8 are to run concurrently with each other. All other sentences are to run consecutive to each other and to the sentence imposed in Counts 7 and 8, as well as to any other federal or state 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: CHESTER VERNON ZEIGLER, JR.  
Case Number: 92-CR-015-001-B

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years as to each count, all of which to run concurrently, except for the term imposed in Count 6, which shall run consecutively to all other seven counts.

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: CHESTER VERNON ZEIGLER, JR.  
Case Number: 92-CR-015-001-B

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

The defendant shall make restitution in the total amount of \$3,768.12

The defendant shall make restitution to the following persons in the following amounts: This amount is the total of the restitution imposed on individual counts, as follows: \$614.12 on Count 1, \$649.00 on Count 2, \$150.00 on Count 3, \$335.00 on Count 4, \$520.00 on Count 5, and \$1,500.00 on Count 6.

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Traveler's Insurance Co. Attention: Ray Pickens, Manager Claim No. BJ-35983 (Lucky Stop Store in Tulsa) Oklahoma City, Oklahoma 73126-6780	\$614.12
Total Petroleum (Vicker's Station ) Attention: Roger Bittel 5590 Havana Street Denver, Colorado 80239	\$649.00
Hudson Oil Company (Apco Service Station) Attention: Rick Grubbs 8908 South Yale #420 Tulsa, Oklahoma 74137	\$150.00
Mazzio's Corporate Office Attention: Brad Williams (loss incurred in store at 6505 East Pine, Tulsa, OK) 4441 South 72nd East Avenue Tulsa, Oklahoma 74145	\$335.00
Keith DeWitt (Keith's Food Store) 131 East 18th Street Tulsa, Oklahoma 74103	\$520.00
Travelers Insurance, Subrogation Unit Attention: Mary Soheili P. O. Box 98760 Lubbock, Texas 79499	\$1,500.00

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. The defendant shall be required to pay one half of his earnings while in custody towards his restitution obligation. 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: CHESTER VERNON ZEIGLER, JR.  
Case Number: 92-CR-015-001-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:	14
Criminal History Category:	VI
Imprisonment Range:	60 months - Ct. 1 240 months - Cts. 2,3,4,5,6 37 to 46 months - Cts. 7 & 8
Supervised Release Range:	2 to 3 years - Cts. 1,2,3,4,5,6,7, & 8
Fine Range:	up to \$250,000 per count - Cts. 1,2,3,4,5, & 6 \$4,000 to \$40,000 - Cts. 7 & 8
Restitution:	\$ 3,763.12

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

DATE 5.24.94

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

UNITED STATES OF AMERICA, )

Plaintiff, )

vs. )

No. 87-CR-138-C

CHARLES OWEN WILLIAMSON, )

Defendant. )

**F I L E D**

MAY 23 1994

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

ORDER

Before the Court is the motion of the defendant to vacate sentence and plea pursuant to 28 U.S.C. §2255. In the present motion, defendant raises the issue of his mental competence at the time of his guilty plea and argues that this Court should have ordered a competency examination sua sponte. As the government notes, defendant has previously raised the issue of his competence to plead guilty in another §2255 motion. This Court rejected the contention, based upon the detailed inquiry which took place at the time of the plea. The United States Court of Appeals for the Tenth Circuit affirmed this Court's decision by Order and Judgment filed December 5, 1991 (Case No. 91-5103). Consequently, defendant's second motion raising the same issue is barred under Rule 9(b) of the Rules Governing Proceedings in the United States District Courts Under Section 2255 of Title 28, United States Code. United States v. Talk, 597 F.2d 249, 250 (10th Cir. 1979).

Even were this Court to consider the merits, it is established that under 18 U.S.C. §4241(a), a district court is required to order a competency hearing sua sponte only if

United States District Court  
Northern District of Oklahoma

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

Richard M. Lawrence, Clerk

By R. Miller  
Deputy

there exists reasonable cause to believe that defendant is unable to assist properly in his defense or was incapable of understanding the consequences or nature of the proceedings against him. United States v. Fuller, 15 F.3d 646, 649 (7th Cir.1994). Again, these matters were fully explored at the plea hearing, and the Court concluded--and hereby concludes again--that no such reasonable cause existed.

It is the Order of the Court that the motion of the defendant to vacate sentence and plea is hereby denied.

*IT IS SO ORDERED this 23rd day of May, 1994.*

A handwritten signature in black ink, appearing to read "H. Dale Cook", written in a cursive style.

**H. DALE COOK**  
**UNITED STATES DISTRICT JUDGE**

DATE 5/23/94

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

MAY 20 1994

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 WESLEY R. MCKINNEY, )  
 )  
 Defendant. )

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

No. 85-CR-69-B

ORDER

Now before the Court is Defendant Wesley R. McKinney's Application for Modifications of Sentence. Defendant moves the Court to terminate his term of probation, which otherwise will not expire until August 11, 1995, and for a remission of the balance of his fines and restitution obligations.

Defendant contends his efforts to obtain employment and to establish himself as a self-employed business consultant are hampered by his probationary status and that continued restriction and supervision of his activities is unnecessary. Defendant also asserts that he will never be able to significantly reduce the amount of his fines or restitution obligations and thus he should be relieved of these obligations. The Government vigorously opposes Defendant's application.

Upon review of Defendant's application, the Government's response, the record in this matter and the pertinent legal authority, the Court concludes the interest of justice would not be furthered by modifying Defendant's sentence. 28 U.S.C. § 3553(a) and 3564(c). For this reason, Defendant's Application for Modification of Sentence is DENIED.

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 *S. M. Callough*  
Deputy

IT IS SO ORDERED, this 20<sup>th</sup> day of May, 1994.

A handwritten signature in cursive script, reading "Thomas R. Brett". The signature is written in black ink and is positioned above the printed name and title.

THOMAS R. BRETT  
UNITED STATES DISTRICT JUDGE

*dw*

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

ENTERED ON DOCKET

DATE 5-23-94

UNITED STATES OF AMERICA

v.

Case Number 94-CR-031-B

STEVEN DEWAYNE GAMMON  
Defendant.

**F I L E D**

**MAY 23 1994**

**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, STEVEN DEWAYNE GAMMON, was represented by Rob Nigh.

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

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 2113(a) and (d)	Armed Robbery of a Federally Insured Bank	2/22/94	1
18 USC 924(c)	Possession of a Firearm During Commission of a Violent Crime	2/22/94	2

As pronounced on May 18, 1994, 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 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 23<sup>rd</sup> day of May, 1994.

  
Thomas R. Brett  
United States District Judge

Defendant's SSN: 441-54-8822  
Defendant's Date of Birth: 11/21/52  
Defendant's residence and mailing address: 1 Hillside #4; Ponca City, 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.  
Richard M. Lawrence, Clerk  
By R. Miller  
Deputy

Defendant: STEVEN DEWAYNE GAMMON  
Case Number: 94-CR-031-B

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total of 72 months as follows: twelve months as to Count 1; 60 months as to Count 2, to be imposed to run consecutive to Count 1.

The Court makes the following recommendations to the Bureau of Prisons: The defendant shall be given drug/alcohol treatment while incarcerated. Also, placement is recommended at El Reno Correctional Center, if possible.

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: STEVEN DEWAYNE GAMMON  
Case Number: 94-CR-031-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 2, 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 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: STEVEN DEWAYNE GAMMON  
Case Number: 94-CR-031-B

**FINE**

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.

The defendant shall pay a fine of \$ 1,500 as to Count 1. 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: STEVEN DEWAYNE GAMMON  
Case Number: 94-CR-031-B

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

The defendant shall make restitution in the total amount of \$228 as to Count 1.

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

<b><u>Name of Payee</u></b>	<b><u>Amount of Restitution</u></b>
Leanna Adams c/o Pioneer Bank and Trust 1223 E. Highland Ponca City, Oklahoma 74601	\$228.00

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: STEVEN DEWAYNE GAMMON  
Case Number: 94-CR-031-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:	21	
Criminal History Category:	II	
Imprisonment Range:	41 months to 51 months	Count 1
	60 months	Count 2
Supervised Release Range:	3 to 5 years	Count 1
	2 to 3 years	Count 2
Fine Range:	\$ 7,500 to \$ 75,000	Counts 1 & 2
Restitution:	\$ 228.00	Count 1

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

The sentence departs from the guideline range for the following reason(s): Based primarily on the aberrant behavior involved in the instant offense as compared to his past behavior as influenced by his family loss and loss of employment. The Court finds that this warrants a departure of nine levels to an offense level of twelve, and with a criminal history category of II, the departure guideline range is 12 - 18 months as to Count 1.

ENTERED ON DOCKET

DATE 5-23-94

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

UNITED STATES OF AMERICA )  
 )  
 vs. )  
 )  
 ROBERT DWAYNE LEIKER )

Case No. 92-CR-148-001-B

**F I L E D**

**MAY 23 1994**

**ORDER REVOKING SUPERVISED RELEASE**

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

Now on this 19th day of May, 1994, this cause comes on for sentencing concerning allegations that the defendant violated conditions of supervised released as set out in the Petition on Supervised Release filed on May 5, 1994. The defendant is present in person and with his attorney, Rob Nigh. The Government is represented by Assistant U. S. Attorney, Allen Litchfield, and the U. S. Probation Office is represented by Larry Morris.

The defendant was heretofore convicted on his plea of guilty to a one-count Indictment which charged him with Possession of a Firearm after Former Conviction of a Felony, in violation of Title 18, U.S.C. § 922(g). He was sentenced on July 2, 1993, to a thirty month custody term.

On February 3, 1994, the U. S. Attorney filed a Motion For Reduction of Sentence Pursuant to Rule 35(b), Federal Rules of Criminal Procedure, informing the Court of Leiker's assistance in the investigation and prosecution of another

United States District Court  
Northern District of Oklahoma ) 55  
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

committed an offense and requested that the defendant's sentence be reduced. On March 11, 1994, Leiker was resentenced pursuant to the Rule 35(b) Motion. He was ordered to pay a \$50 special assessment and was committed to the custody of Bureau of Prisons to be imprisoned for a term of nine months with credit given for time served. Leiker was also ordered to serve a three year term of supervised release. The standard conditions of supervised release recommended by the Sentencing Commission were also imposed as was a special condition requiring successful participation in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the U. S. Probation Officer, until such time as released from the program by the U. S. Probation Officer.

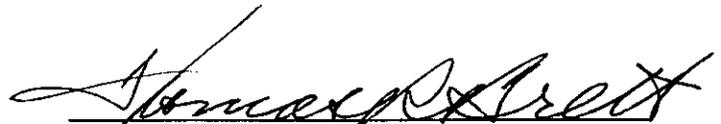
On May 11, 1994, a revocation hearing was held regarding the allegation noted in the Petition on Supervised Release, filed on May 5, 1994, said allegation being that on April 27, 1994, the defendant committed the crime of Larceny of Merchandise from a Retailer, a felony crime under Oklahoma State law. Leiker stipulated to the violation at the revocation hearing, and a sentencing hearing was set for May 19, 1994.

On May 19, 1994, as a result of the sentencing hearing, the Court found that the violations occurred after November 1, 1987, and that Chapter 7 of the U. S. Sentencing Guidelines is applicable. Further, the Court found that the violations of supervised release constituted a Grade B violation in accordance with U. S. Sentencing Guidelines 7B1.1(a)(2), and that the defendant's original criminal history category of VI was applicable

for determining the imprisonment range. In addition the Court found that a Grade B violation and a criminal history category of VI establish a revocation imprisonment range of 21 to 27 months. However, the maximum term of imprisonment that can be imposed as a result of a revocation of a Class C felony is two years, pursuant to Title 18, U.S.C. § 3583(e)(3). Therefore, the Guideline range is twenty-one to twenty-four months. In consideration of these findings and pursuant to U.S. v. Lee, 957 F2d 770 (10th Cir. 1992), in which the Circuit determined that the policy statements in Chapter 7 were not mandatory, but must be considered by the Court, the following was ordered:

The defendant is committed to the custody of the Bureau of Prisons to be imprisoned for a term of twenty-one (21) months. It is recommended that the defendant be placed in a minimum security prison. It is further recommended that the defendant be placed in an institution offering a substance abuse program and psychiatric services.

The defendant is remanded to the custody of the U. S. Marshal for transportation to the designated Bureau of Prisons' institution.



Thomas R. Brett  
United States District Judge

5-23-94  
Date

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-163-004-E

LEWIS STACY LACY II  
Defendant.

**FILED**

MAY 18 1994

**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, LEWIS STACY LACY II, was represented by Kenny Joe Smith.

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 &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 846, 841(a)(1), and 841(b)(1)(B)(vii)	Conspiracy To Possess And Distribute 100 Kilograms Or More Of Marijuana	12/31/92	2

As pronounced on May 13, 1994, 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.

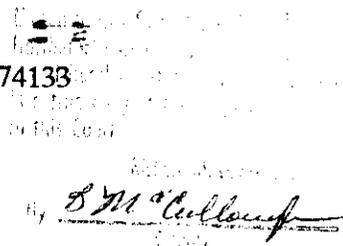
Signed this the 18<sup>th</sup> day of May, 1994.

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

Defendant's SSN: 441-84-9461

Defendant's Date of Birth: 01/27/69

Defendant's residence and mailing address: 7326 S. 67th East Avenue, Tulsa, Oklahoma 74133



Defendant: LEWIS STACY LACY II  
Case Number: 93-CR-163-004-E

### 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 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.
4. 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.
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 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: LEWIS STACY LACY II  
Case Number: 93-CR-163-004-E

**FINE**

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.

The defendant shall pay a fine of \$ 1,500 as to count 2 of the Indictment. 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: LEWIS STACY LACY II  
Case Number: 93-CR-163-004-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:	II
Imprisonment Range:	51 months to 63 months
Supervised Release Range:	4 to 5 years
Fine Range:	\$ 10,000 to \$ 2,000,000
Restitution:	\$ N/A

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

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

18

ENTERED ON DOCKET *aw*

DATE 5/19/94

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-163-002-E

**FILED**

MAY 18 1994

JUAN ANTONIO MATA  
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, JUAN ANTONIO MATA, was represented by Curtis Biram.

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

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 846, 841(a)(1), 841(b)(1)(B)(vii)	Conspiracy To Possess And Distribute 100 Kilograms Or More Of Marijuana	11/03/93	2

As pronounced on May 13, 1994, 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 2 of the Indictment, which shall be due immediately.

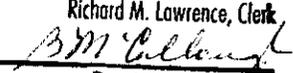
It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 18<sup>th</sup> day of May, 1994.

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

Defendant's SSN: 448-68-8080  
Defendant's Date of Birth: 02/12/62  
Defendant's residence and mailing address: 514 South 17th Street, Donna, Texas 78537

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: JUAN ANTONIO MATA  
Case Number: 93-CR-163-002-E

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 89 months.

The Court makes the following recommendations to the Bureau of Prisons: Mata be placed in an institution as close to his home in Donna, Texas, as possible to facilitate visitation with family.

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: JUAN ANTONIO MATA  
Case Number: 93-CR-163-002-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.
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.

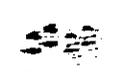
Defendant: JUAN ANTONIO MATA  
Case Number: 93-CR-163-002-E

**FINE**

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.

The defendant shall pay a fine of \$ 2,000 as to count 2 of the Indictment. 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: JUAN ANTONIO MATA  
Case Number: 93-CR-163-002-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:	28
Criminal History Category:	II
Imprisonment Range:	87 months to 108 months
Supervised Release Range:	4 to 5 years
Fine Range:	\$ 12,500 to \$ 2,000,000
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.

DATE 5/17/94

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

**FILED**  
MAY 16 1994

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

UNITED STATES OF AMERICA

v.

Case Number 93-CR-139-B

BONNITA PEARL JORDAN  
Defendant.

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

The defendant, BONNITA PEARL JORDAN, was represented by Robert Nigh, Jr..

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

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

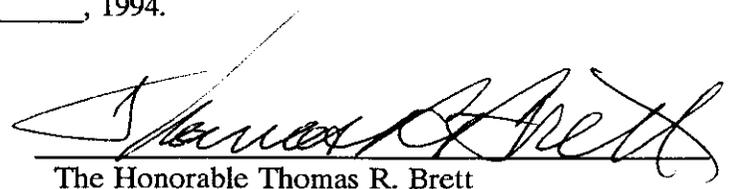
<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 513(a) and 2	Uttering A Forged Instrument And Causing A Criminal Act	09/24/91	2

As pronounced on May 12, 1994, 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.

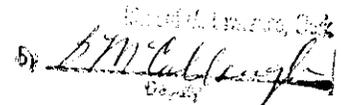
It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count 2 of the Superseding Indictment, which shall be due immediately.

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 16 day of May, 1994.

  
The Honorable Thomas R. Brett  
United States District Judge

Defendant's SSN: 448-64-3872  
Defendant's Date of Birth: 02/11/60  
Defendant's residence and mailing address: 653 N. Vancouver, Tulsa, Oklahoma 74127

United States District Court )  
Northern District of Oklahoma ) SS  
Richard M. Lawrence, Clerk  
U. S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA  
By   
Clerk

Defendant: BONNITA PEARL JORDAN  
Case Number: 93-CR-139-B

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 10 months to run concurrently with the sentences imposed in 93-CR-100-B.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 11:00 a.m. on May 31, 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: BONNITA PEARL JORDAN  
Case Number: 93-CR-139-B

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years. Said sentence to run concurrently with terms imposed in Northern District of Oklahoma case 93-CR-100-B.

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 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.
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: BONNITA PEARL JORDAN  
Case Number: 93-CR-139-B

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

The defendant shall make restitution in the total amount of \$537 as to count 2 of the Superseding Indictment.

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

<b><u>Name of Payee</u></b>	<b><u>Amount of Restitution</u></b>
CUMIS Insurance Society, Inc. Attn.: Dale Ruhland P.O. Box 1221 Madison, WI 53701-1221 Claim #B-397334A	\$537.00

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

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. 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.

Defendant: BONNITA PEARL JORDAN  
Case Number: 93-CR-139-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 and criminal livelihood does not apply, resulting in a total offense level of 10 as opposed to 13 as calculated in the presentence report.

**Guideline Range Determined by the Court:**

Total Offense Level:	10
Criminal History Category:	III
Imprisonment Range:	10 months to 16 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 2,000 to \$ 20,000
Restitution:	\$ 537

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

Full restitution is not ordered for the following reasons: 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 5/17/94

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

**FILED**  
MAY 16 1994

UNITED STATES OF AMERICA

v.

Case Number 94-CR-021-001-B

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

TANYA TERRE TATE  
Defendant.

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

The defendant, TANYA TERRE TATE, was represented by Kurt Glassco.

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

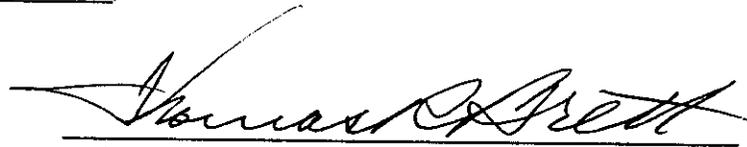
<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 656	Misapplication Of Funds From A Federally Insured Financial Institution	08/23/93	1

As pronounced on May 12, 1994, 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 16<sup>th</sup> day of May, 1994.



The Honorable Thomas R. Brett  
United States District Judge

Defendant's SSN: 509-70-9107  
Defendant's Date of Birth: 12/17/60  
Defendant's residence and mailing address: 116 Gardenia Place, Mannford, 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. Callaway  
Deputy

Defendant: TANYA TERRE TATE  
Case Number: 94-CR-021-001-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: TANYA TERRE TATE  
Case Number: 94-CR-021-001-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: TANYA TERRE TATE  
Case Number: 94-CR-021-001-B

**FINE**

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.

The defendant shall pay a fine of \$ 500 as to count 1 of the Information. 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: TANYA TERRE TATE  
Case Number: 94-CR-021-001-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:	8
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	3 to 5 years
Fine Range:	\$ 250 to \$ 1,000,000
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 5/17/94

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

**FILED**  
MAY 16 1994  
Richard M. Lawrence, Clerk  
U. S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Case Number 93-CR-100-B

BONNITA PEARL JORDAN  
Defendant.

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

The defendant, BONNITA PEARL JORDAN, was represented by Robert Nigh, Jr..

On motion of the United States the court has dismissed counts 1 through 5, 9, 10, 12, and 13 of the Information.

The defendant pleaded guilty to counts 6, 7, 8, and 11 of the Information. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

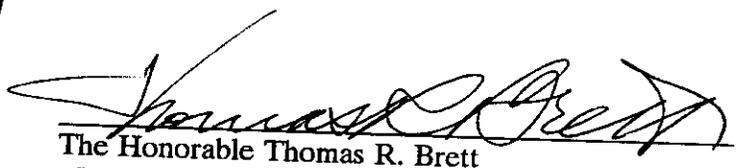
<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 287 and 2(b)	False Claims Against The United States And Causing A Criminal Act	02/26/92	6
18 USC 1014 and 2(b)	False Statement To Financial Institution And Causing A Criminal Act	02/26/92	7
42 USC 408(a)(7)(b) and 2(b)	Use Of False Social Security Number And Causing A Criminal Act	02/26/92	8
18 USC 1001 and 2(b)	False Statement And Causing A Criminal Act	02/26/92	11

As pronounced on May 12, 1994, 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 \$ 200, for counts 6, 7, 8, and 11 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 16th day of May, 1994.

  
The Honorable Thomas R. Brett  
United States District Judge

Defendant's SSN: 448-64-3872  
Defendant's Date of Birth: 02/11/60  
Defendant's residence and mailing address: 653 N. Vancouver, Tulsa, Oklahoma 74127

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 DM Callough  
Deputy

Defendant: BONNITA PEARL JORDAN  
Case Number: 93-CR-100-B

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 10 months as to counts 6, 7, 8, and 11, all counts to run concurrently. All counts to run concurrently with sentence imposed in Northern District of Oklahoma case 93-CR-139-B.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 11:00 a.m. on May 31, 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: BONNITA PEARL JORDAN  
Case Number: 93-CR-100-B

### SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years in counts 6, 7, 8, and 11 as to said counts to run concurrently and concurrently to term imposed in Northern District of Oklahoma case 93-CR-139-B.

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 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.
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: BONNITA PEARL JORDAN  
 Case Number: 93-CR-100-B

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

The defendant shall make restitution in the total amount of \$3,570.

This amount is the total of the restitution imposed on individual counts, as follows: \$1,846 on Count 6, \$13 on Count 7, and \$1,711 on Count 8.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
United States Department of Treasury Internal Revenue Service Criminal Investigation Division Attn.: Questionable Refund Detection Team P.O. Box 1465, Mail Stop 9001AUCC Austin, Texas 87867	\$1,846.00
Space Age Tulsa Federal Credit Union Attn.: Gladys 8829-B East Pine Tulsa, Oklahoma 74115	\$ 13.00
Fidelity Financial Services P.O. Box 690208 Tulsa, Oklahoma 74169	\$1,711.00
Total:	\$3,570.00

Payments of restitution are to be made to the United States Attorney for transfer to the payees.

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: BONNITA PEARL JORDAN  
Case Number: 93-CR-100-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 and criminal livelihood does not apply, resulting in a total offense level of 10 as opposed to 13 as calculated in the presentence report.

**Guideline Range Determined by the Court:**

Total Offense Level:	10	
Criminal History Category:	III	
Imprisonment Range:	10 months to 16 months	counts 6, 7, 8, & 11
Supervised Release Range:	2 to 3 years	counts 6, 8, & 11
	3 to 5 years	count 7
Fine Range:	\$ 2,000 to \$ 20,000	counts 6, 8, & 11
	\$ 2,000 to \$100,000	count 7
Restitution:	\$ 3,570	

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

DATE 5/17/94

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 FRANCES MARIE MEYERS, )  
 )  
 Defendant. )

No. 94-CR-12-E

**FILED**

MAY 16 1994

ORDER

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

Now on this 16 day of May, 1994, this cause comes on to  
be heard in the matter of the plaintiff's motion to dismiss the  
Indictment in the above styled cause. The Court finds that said  
motion ought to be granted and the Indictment is hereby dismissed,  
without prejudice.

IT IS SO ORDERED.

S/ JAMES O. ELLISON

CHIEF JUDGE JAMES O. ELLISON

Prothonotary  
Clerk of Court  
U.S. District Court  
Northern District of Oklahoma  
In this Court

By B.M. Callough  
Deputy

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

ENTERED ON DOCKET  
DATE 5-16-94

UNITED STATES OF AMERICA

v.

Case Number 94-CR-016-001-B

ANNETTE M. GOUGH  
Defendant.

**F I L E D**

MAY 16 1994

**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, ANNETTE M. GOUGH, was represented by Stephen J. Greubel.

On motion of the United States the court has dismissed counts 1, 2, and 4 through 7 of the Indictment.

The defendant pleaded guilty to count 3 of the Indictment. Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

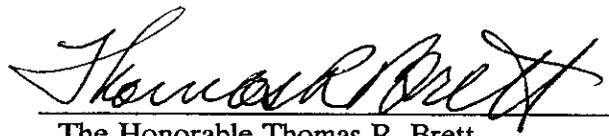
<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1001	False Statements To Government Agency	11/12/92	3

As pronounced on May 12, 1994, 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 3 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 May, 1994.



The Honorable Thomas R. Brett  
United States District Judge

Defendant's SSN: 348-34-4995  
Defendant's Date of Birth: 11-08-42  
Defendant's residence and mailing address: 79 Frankie, Dyersburg, Tennessee

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: ANNETTE M. GOUGH  
Case Number: 94-CR-016-001-B

### PROBATION

The defendant is hereby placed on probation for a term of 4 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 4 months, to commence within 5 days 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.

### 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: ANNETTE M. GOUGH  
Case Number: 94-CR-016-001-B

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

The defendant shall make restitution in the total amount of \$3,067.69.

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

<b><u>Name of Payee</u></b>	<b><u>Amount of Restitution</u></b>
Tulsa Housing Authority 415 East Independence Tulsa, Oklahoma 74106	\$3,067.69

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

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: ANNETTE M. GOUGH  
Case Number: 94-CR-016-001-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:	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:	\$ 3,067.69

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.

5/16/94

FILE I

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

MAY 16 1994

UNITED STATES OF AMERICA

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

v.

Case Number 93-CR-097-011-E

ANDY RUMPH  
Defendant.

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

The defendant, ANDY RUMPH, was represented by C. Rabon Martin.

On motion of the United States the court has dismissed counts 1 and 2 of the Second Superseding 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 &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371 and 1952(a)(3)	Conspiracy To Travel Interstate To Facilitate A Narcotics Enterprise	06/03/93	1

As pronounced on May 13, 1994, 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 16<sup>th</sup> day of May, 1994.

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

Defendant's SSN: 515-52-7473  
Defendant's Date of Birth: 03/10/65  
Defendant's residence and mailing address: 5442 Stonebrook Drive, Iron Station, North Carolina 28037

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: ANDY RUMPH  
Case Number: 93-CR-097-011-E

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 46 months.

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: ANDY RUMPH  
Case Number: 93-CR-097-011-E

### **SUPERVISED RELEASE**

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

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

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.

### **STANDARD CONDITIONS OF SUPERVISION**

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

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

Defendant: ANDY RUMPH  
Case Number: 93-CR-097-011-E

**FINE**

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.

The defendant shall pay a fine of \$ 1,200 as to count 1 of the Information. 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: ANDY RUMPH  
Case Number: 93-CR-097-011-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:	I
Imprisonment Range:	46 months to 57 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

**FILED**

MAY 11 1994 m

UNITED STATES OF AMERICA

v.

Case Number 94-CR-023-B

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

BENJAMIN M. LUCKEY  
Defendant.

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

The defendant, BENJAMIN M. LUCKEY, was represented by Stephen J. Greubel.

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

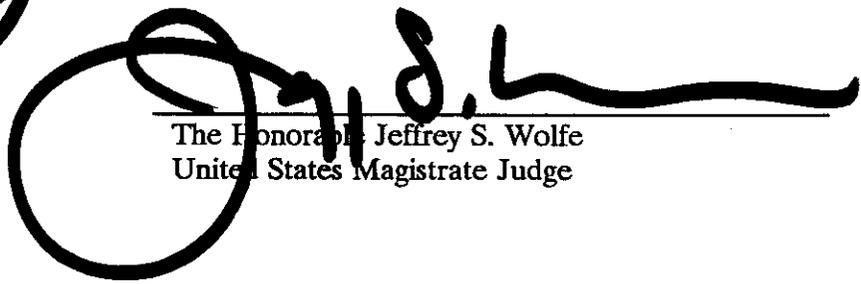
<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 844	Possession Of A Controlled Substance	08/11/93	1

As pronounced on May 9, 1994, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

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

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

Signed this the 11<sup>th</sup> day of May, 1994.



The Honorable Jeffrey S. Wolfe  
United States Magistrate Judge

Defendant's SSN: 466-67-1181

Defendant's Date of Birth: 08/27/69

Defendant's residence and mailing address: 2440 S. 132nd Street E. Avenue, Tulsa, Oklahoma 74134

f

Defendant: BENJAMIN M. LUCKEY  
Case Number: 94-CR-023-B

### PROBATION

The defendant is hereby placed on probation for a term of 6 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.
3. 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 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: BENJAMIN M. LUCKEY  
Case Number: 94-CR-023-B

**FINE**

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.

The defendant shall pay a fine of \$ 1,000 as to count 1 of the Information. 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: BENJAMIN M. LUCKEY  
Case Number: 94-CR-023-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:	\$ 1,000 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.

5/10/94

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 RUEBEN LACY LANE, )  
 )  
 Defendant. )

No. 93-CR-11-E

**FILED**

MAY 10 1994

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

Now on this 10 day of May, 1994 this cause comes on to be heard in the matter of the plaintiff's Motion for Leave to Dismiss, without prejudice, the Indictment against defendant Rueben Lacy Lane, in the above styled cause. The Court finds that said request ought to be granted and the Indictment against defendant Rueben Lacy Lane, is dismissed, without prejudice.

IT IS SO ORDERED.

JAMES O. ELLISON  
JAMES O. ELLISON, Chief  
United States District Judge

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

Richard M. Lawrence, Clerk  
by D.M. Cullough  
Deputy

**FILED**  
MAY 09 1994

ENTERED ON DOCKET  
DATE MAY 10 1994

UNITED STATES DISTRICT COURT  
Northern District of Oklahoma

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

UNITED STATES OF AMERICA

ON REMAND  
Case Number 89-CR-067-001-B

v.

JAMES DAVID THORNBRUGH  
Defendant.

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

The defendant, JAMES DAVID THORNBRUGH, was represented by William D. Lunn.

The defendant was found guilty on counts 1, 2, 3, 4, 5, and 6 of the Indictment after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 2113(d)	Armed Bank Robbery	01/06/89	1
18 USC 2113(d)	Armed Bank Robbery	01/24/89	2
18 USC 2113(d)	Armed Bank Robbery	03/11/89	3
18 USC 924(c)	Possession Of Firearm During Crime Of Violence	01/06/89	4
18 USC 924(c)	Possession Of Firearm During Crime Of Violence	01/24/89	5
18 USC 924(c)	Possession Of Firearm During Crime Of Violence	03/11/89	6

As pronounced on May 5, 1994, 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.

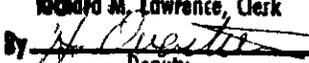
It is ordered that the defendant shall pay to the United States a special assessment of \$ 300, for counts 1, 2, 3, 4, 5, and 6 of the Indictment, which shall be due immediately.

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 9<sup>th</sup> day of May, 1994.

  
The Honorable Thomas R. Brett  
United States District Judge

Defendant's SSN: 559-76-5438  
Defendant's Date of Birth: 03/01/49  
Defendant's residence and mailing address: c/o United States Bureau of Prisons

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

Defendant: JAMES DAVID THORNBRUGH  
Case Number: 89-CR-067-001-B

**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 610 months.

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

- Count 1        70 months
- Count 2        70 months
- Count 3        70 months-Counts 2 & 3 to run concurrently with Count 1
- Count 4        60 months consecutive to Counts 1, 2, & 3
- Count 5        240 months consecutive to Count 4
- Count 6        240 months consecutive to Count 5

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: JAMES DAVID THORNBRUGH  
Case Number: 89-CR-067-001-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 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: JAMES DAVID THORNBRUGH  
Case Number: 89-CR-067-001-B

**RESTITUTION AND FORFEITURE**

**RESTITUTION**

The defendant shall make restitution in the total amount of \$18,399.

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

<b><u>Name of Payee</u></b>	<b><u>Amount of Restitution</u></b>
Local American Savings & Loan 3332 East 51st Street Tulsa, Oklahoma 74106	\$ 4,046.00
Continental Federal Savings & Loan 8015 East 71st Street Tulsa, Oklahoma 74133	\$12,339.00
Village South National Bank 6514 East 101st Street, South Tulsa, Oklahoma 74129	\$ 2,014.00

Payments of restitution are to be made to the United States Attorney for transfer to the payees.

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 while incarcerated in an amount that equals 50% of his earnings. The defendant is jointly and severally responsible for payment of restitution with companion defendant, Gary Lynn Sewell, 89-CR-045. 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: JAMES DAVID THORNBRUGH  
Case Number: 89-CR-067-001-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:	25
Criminal History Category:	III
Imprisonment Range:	70 months to 87 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 10,000 to \$ 100,000
Restitution:	\$ 18,399

Counts 4, 5, and 6 require mandatory terms of imprisonment.

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 5/9/94  
FILED

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

MAY 6 - 1994

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

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
ALBERT GROSSICH, )  
 )  
Defendant. )

Case No. 88-CR-149-C

ORDER

Before the Court is the motion of defendant, Albert Grossich, to vacate, set aside and correct the sentence imposed by this Court on April 19, 1989. Grossich was indicted on December 7, 1988 and charged with Conspiracy to Use Unauthorized Wire Tap (18 U.S.C. §371), Unauthorized Wire Tap (18 U.S.C. §2511 (1)(a) & (d)), and Aiding and Abetting (18 U.S.C. §2). The crimes charged in the indictment covered a period from August 1986 to January 1987. Grossich's trial commenced on February 28, and continued on March 1, 2 and 3, 1989. Grossich was convicted of one count of Conspiracy to Use Unauthorized Wire Tap and one count of Aiding and Abetting the Unauthorized Use of Wire Tap<sup>1</sup>.

In support of his motion, Grossich alleges that the primary government witness who testified against Grossich at trial, Harold Staples, was at the time of testifying a government informant. Grossich alleges that during 1988, Staples was an informant with the Federal Bureau of Investigation, the Tulsa Police Department and possibly the Secret Service. Grossich asserts that prior to trial and during trial, government denied that it had

<sup>1</sup> Grossich was sentenced to serve a term of 90 days confinement followed by a probationary term of five years.

Richard M. Lawrence, Clerk  
U. S. DISTRICT COURT  
NORTHERN DISTRICT OF OKLAHOMA  
is a deputy of the clerk of this Court.

By Richard M. Lawrence  
Deputy

any agreements for leniency with Staples. Grossich asserts that government further denied that it granted Staples immunity from prosecution on wiretapping charges. Grossich contends that facts now known, suggest that government did have agreements with Staples that were not disclosed rendering Grossich's trial fundamentally unfair.

At Grossich's trial the following bench conference occurred:

Government: Your Honor we have reason to believe that the defense attorney may try to elicit from this witness that Hal Staples has in the past been a confidential informant for the government. It has nothing to do with this case, and we object to this type of question being asked to either Mr. Palumbo or Staples.

Defense Counsel: I intend to ask that question.

Court: For what purpose?

Defense Counsel: To establish that he's involved in crime and motive for testifying and cooperating.

Court: All right. What is the evidence that you are going to bring out that establishing that?

Defense Counsel: Well, the agent, himself, has knowledge of it.

Court: I am asking you what it is he's going to testify to.

Defense Counsel: He will testify that he is a confidential informant for the FBI in the past, but he wasn't on this case, that he just came forward in this case.

Court: What is the evidence that is going to establish that he is engaged in criminal conduct?

Defense Counsel: Well, that is the only thing that I am going to establish.

Court: Objection sustained.

\* \* \* \*

Defense Counsel: Co-counsel reminded me of something. He has constantly engaged in criminal activity right to this point . . .

Court: What has that got to do with this witness?

Defense Counsel: If I establish that he is a past informant for the FBI and engaged . . .

Court: I heard what you told me you were going to bring out, and my order stands.

Defense Counsel: Thank you.

(United States v. Albert Grossich,  
Partial Transcript, March 1, 1989, p.1-2)

Two years after Grossich's trial, Staples was charged with various federal criminal violations<sup>2</sup>. Staples' defense at his trial was that he, Staples, lacked criminal intent because

---

<sup>2</sup> United States v. Harold E. Staples, III, 91-CR-119-C. The indictment returned on October 3, 1991 charges the following violations, (18 U.S.C. §9229j), Receiving a Stolen Firearm, (18 U.S.C. §922 (g)), Possession of a Firearm After Prior Felony Conviction, (18 U.S.C. §371), Conspiracy, (18 U.S.C. §1029 (a)(2)), Use of an Unauthorized Access Device, (18 U.S.C. §1028 (a)(1)), Production of a False Identification Document, (42 U.S.C. § 408(a)(7)(B)), Fraudulent Use of a Social Security Number, (18 U.S.C. §922 (a)(6)), False Statement to a Licensed Firearm Dealer. Two counts of the indictment were dismissed by the Government following a hung jury as to those counts, and the jury acquitted Staples on all remaining counts. In a prior and unrelated case, United

he was working as an undercover federal agent and informant for the government. At his trial, Staples testified that in 1989 he was involved in confidential investigations for various law enforcement agencies.(Trail Transcript, August 3, 1992, p. 625). Staples testified that in 1988 he worked for the FBI on two or three assignments. (Trial Transcript, August 2, 1992, p. 625). In 1989 Staples testified that he worked a short while for the Secret Service, the FBI and the Tulsa Police Department. (Trial Transcript, August 2, 1992, p. 625). Staples testified that a couple of times the FBI provided him with a letter of immunity during an investigation because of the nature of the investigation. Staples testified that on other occasions he relied on an agent's verbal agreement of immunity. (Trial Transcript, August 2, 1992, p. 627).

During Staples' trial, Government stipulated that Staples provided information to the FBI as a cooperative confidential source from May 2, 1988 to February 1, 1989, based on an immunity agreement. Staples provided information during this period which led to the arrest of an individual on August 16, 1988 and a seizure of marijuana on August 9. Staples was paid \$250 for his assistance from August 1 through 17, 1988. Government further stipulated that Staples again provided information to the FBI as a cooperating confidential source during July 1989. This information led to the arrest of two individuals who were convicted and were responsible for six bank robbery violations. Staples was paid \$2,000 on July 20, 1989 involving the bank robbery investigation.

Based on the above data, Grossich asserts as grounds for vacating his sentence and

---

States v. Harold E. Staples, III, 90-CR-75-C, Staples was indicted by the federal government and found guilty by a jury of one count of Possession of an Unregistered Firearm, 26 U.S.C. §5861(d).

conviction that during the time that Grossich's indictment was returned, Staples was working as a governmental confidential informant, and had received immunity from criminal prosecution and that 1) government failed to disclose this exculpatory evidence and 2) that the Court erred in preventing his counsel from questioning government's case agent about Staples' relationship with the government and his grant of immunity.

The Court permitted Grossich to conduct discovery and to serve government with interrogatories, relating to the claims that he is asserting herein. The Court has reviewed government's answers to interrogatories, the transcripts of the Grossich and Staples' trials, and based on that review concludes that Grossich's claims are without merit.

Initially government denies that it offered Staples or any other government witnesses promises, benefits or other favorable inducements in exchange for their testimony, and specifically denies that Staples was granted immunity from prosecution in this case. Government also confirms the validity of the stipulation entered at Staples' trial, specifically that Staples has on two occasions received remuneration from the FBI in exchange for voluntarily providing evidence in non-related investigations.

At the bench conference held on March 1, 1988 during Grossich's trial, Grossich's counsel indicates that he was aware that Staples had previously been a governmental informant and that Staples' involvement with the government was unrelated to Grossich or the offenses charged in the indictment. (Partial Trial Transcript, March 1, 1988, pp.1-2). Since Staples prior involvement with government was unrelated to Grossich, the Court denied any inquiry into the matter as irrelevant to the trial issues. It is now known from the stipulation entered, that Staples' prior involvement consisted of an isolated payment

of merely \$250 for services performed from August 1 through August 17, 1988. These dates are four months prior to the return of Grossich's indictment, and six months prior to Grossich's trial. The information supplied by Staples to government was not related in any manner to the investigation or any part of government's case against Grossich. Defense counsel's aware of this irrelevant information, defeats any claim that Grossich was not provided with relevant exculpatory or impeaching evidence.

There is no indication of any understanding or agreement for any future relationship between government and Staples or that Staples had any type of expectation of a further relationship with governmental agents. The only other benefit Staples received from government was some four months after Grossich's trial in another unrelated investigation. Further, the contact was initiated by Staples, not by the government. In this instance Staples received \$2,000 from the FBI after he voluntarily provided information regarding unrelated criminal activities. During the Grossich trial there is no indication that government was aware of any service that Staples could prospectively and voluntarily offer. Such a claim would only have been speculative and without reasonable foundation.

Further, Government denies that Staples testified at the Grossich trial under a grant of immunity. Government admits that at some unknown date prior to 1990, Staples was given a letter from the United States Attorney's Office which stated that in return for certain information supplied by Staples relating to drug smuggling activities from Mexico into the United States, Staples would not be prosecuted because of any prospective criminal liability he may have concerning his involvement in that specific narcotic's investigation.

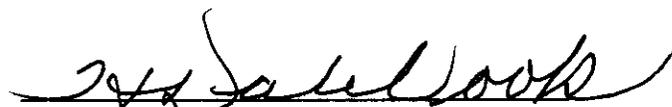
The Court finds and concludes that the information furnished by Grossich, relating

to Staples' subsequent trial testimony is irrelevant and inconsequential to Grossich's trial and conviction. This information was substantially within the knowledge of Grossich's trial counsel, was irrelevant to the testimony offered by Staples, and involved only a prior isolated and unrelated event as to the offenses involved in Grossich's trial.

Nevertheless, even if this evidence had been permitted at Grossich's trial, such evidence would have had no effect on the weight of Staples' testimony. All the remaining evidence offered against Grossich in support of the charges contained in the indictment overwhelming supports the jury's finding of guilty and the Court's acceptance of those verdicts. Even if the omission of this evidence was error, such error was harmless.

Accordingly the motion of the defendant Albert Grossich for relief pursuant to 28 U.S.C. §2255, is denied. This order renders moot, defendant's request for hearing.

IT IS SO ORDERED this 6<sup>th</sup> day of May, 1994.



H. DALE COOK  
United States District Judge

DATE 5-5-94

**FILED**

MAY 5 1994

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

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

UNITED STATES OF AMERICA,	)
	)
Plaintiff,	)
	)
vs.	)
	)
	)
MOSE STEPHENS, JR. a/k/a	)
STEVE M. STEPHENS,	)
	)
Defendant.	)

Case No. 86-CR-112-C

ORDER

The Court has before it two pleadings filed by the defendant, Mose Stephens, on April 25, 1994 styled as "Emergency Motion" "Show Cause" and "Notice of Hearing on Show Cause". In said pleadings defendant asserts two grounds in support of his claim that he is being illegally confined, bias of this tribunal and failure to admit certain evidence during his criminal trial. Both of these claims have previously been considered and denied by the Court. The Court's prior orders have been affirmed on direct appeal. See, e.g. United States v. Stephens, 951 F.2d 1261 (10th Cir. 1991).

The prior orders denying relief are final orders and represent the law of the case. Defendant's recent pleadings are frivolous and repetitious. Thus, Defendant's requested relief is denied.

IT IS SO ORDERED this 5<sup>th</sup> day of May, 1994.



H. DALE COOK  
United States District Judge