

ENTERED ON DOCKET

DATE 6-27-94

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 94-CR-040-003-C

JASON EDWARD DOLEY
(TRUE NAME: JASON EDWARD DOOLEY)
Defendant.

FILED

JUN 24 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, JASON EDWARD DOLEY (TRUE NAME: JASON EDWARD DOOLEY), was represented by Jim Fransein.

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

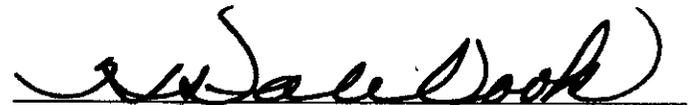
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 846 and 841(a)(1)	Conspiracy To Distribute Controlled Substances, Cocaine	02/23/94	1

As pronounced on June 21, 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 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 day of June, 1994.



The Honorable H. Dale Cook
United States District Judge

United States District Court) SS
Northern District of Oklahoma)

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

Richard M. Lawrence, Clerk
Tulsa, Oklahoma 74133
Deputy

Defendant's SSN: 445-92-5899

Defendant's Date of Birth: 01/30/76

Defendant's residence and mailing address: 6220 South 86th East Avenue, Apartment P, Tulsa, Oklahoma 74133

Defendant: JASON EDWARD DOLEY
(TRUE NAME: JASON EDWARD DOOLEY)
Case Number: 94-CR-040-003-C

IMPRISONMENT

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

The Court makes the following recommendations to the Bureau of Prisons: That the Bureau of Prisons place the defendant in the Intensive Confinement Program at Lewisburg Federal Correctional Institution. If the defendant is placed in this facility, the defendant shall self-surrender on October 3, 1994. If the Bureau of Prisons determines that the defendant will not be placed in the Intensive Confinement Program, he shall self-surrender to another designated facility on a date determined by the Bureau of Prisons.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons as notified by 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: JASON EDWARD DOLEY
(TRUE NAME: JASON EDWARD DOOLEY)
Case Number: 94-CR-040-003-C

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.

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: JASON EDWARD DOLEY
(TRUE NAME: JASON EDWARD DOOLEY)
Case Number: 94-CR-040-003-C

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.

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: JASON EDWARD DOLEY
(TRUE NAME: JASON EDWARD DOOLEY)
Case Number: 94-CR-040-003-C

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. 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: JASON EDWARD DOLEY
(TRUE NAME: JASON EDWARD DOOLEY)
Case Number: 94-CR-040-003-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:	17
Criminal History Category:	I
Imprisonment Range:	24 months to 30 months
Supervised Release Range:	3 to 5 years
Fine Range:	\$ 5,000 to \$ 1,000,000
Restitution:	\$ N/A

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

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

ENTERED ON DOCKET
ENTERED ON DOCKET

DATE 6-27-94
DATE

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 94-CR-040-002-C

CELSO SPENSER
Defendant.

FILED

JUN 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, CELSO SPENSER, was represented by Stephen J. Greubel.

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

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 846 and 841(b)(1)(C)	Conspiracy To Distribute Controlled Substances	02/23/94	1

As pronounced on June 21, 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 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 27th day of June, 1994.



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 R Miller
Tulsa, Oklahoma 74135

Defendant's SSN: 078-66-4718

Defendant's Date of Birth: 08/08/74

Defendant's residence and mailing address: 5072 S. Toledo, Apartment 23-D, Tulsa, Oklahoma 74135

4

Defendant: CELSO SPENSER
Case Number: 94-CR-040-002-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 37 months.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 9:00 a.m. on July 25, 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: CELSO SPENSER
Case Number: 94-CR-040-002-C

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.

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: CELSO SPENSER
Case Number: 94-CR-040-002-C

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. 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: CELSO SPENSER
Case Number: 94-CR-040-002-C

STATEMENT OF REASONS

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

Guideline Range Determined by the Court:

Total Offense Level:	21
Criminal History Category:	I
Imprisonment Range:	37 months to 46 months
Supervised Release Range:	3 years
Fine Range:	\$ 7,500 to \$ 1,000,000
Restitution:	\$ N/A

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

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

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 94-CR-040-001-C

CELIO ORDORICA
Defendant.

FILED

JUN 24 1994 *rm*

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, CELIO ORDORICA, was represented by Larry Gullekson.

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

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 846	Conspiracy To Distribute Controlled Substances	02/23/94	1

As pronounced on June 22, 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 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 24th day of June, 1994.



The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 463-25-1619

Defendant's Date of Birth: 10/21/57

Defendant's residence and mailing address: 524 N. Quaker, Tulsa, Oklahoma 74120

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

Richard M. Lawrence, Clerk

By R. Miller
Deputy

Defendant: CELIO ORDORICA
Case Number: 94-CR-040-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 70 months.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 9:00 a.m. on July 25, 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: CELIO ORDORICA
Case Number: 94-CR-040-001-C

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: CELIO ORDORICA
Case Number: 94-CR-040-001-C

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: CELIO ORDORICA
Case Number: 94-CR-040-001-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:	23
Criminal History Category:	IV
Imprisonment Range:	70 months to 87 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 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.

PP

DATE 6-27-94
FILED

JUN 24 1994 *rm*

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

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

United States of America,)
)
 Plaintiff)
)
 v.)
)
 James Michael Jones,)
)
 Defendant)

Case Number: 94-CR-63-C ✓

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

Now on this 21st day of June, 1994, this cause comes on for sentencing after a previous finding that the defendant violated conditions of supervised release as set out in the Petition on Supervised Release filed on May 13, 1994. The defendant is present in person and with his attorney, Craig Bryant of the Federal Public Defender's Office. The Government is represented by Assistant United States Attorney Jim Swartz, and the United States Probation Office is represented by Larry Hicks.

The defendant was heretofore convicted on his plea of guilty to a one-count Information charging violation of 18 U.S.C § 371, Conspiracy to Commit Bank Robbery. On August 29, 1990, he was sentenced to forty-one months imprisonment to be followed by a three year term of supervised release. Special conditions of supervised release were that Jones make restitution in the amount of \$100, and that he participate in a drug aftercare program approved by probation officer for treatment of narcotic addiction.

Richard M. Lawrence, Clerk
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

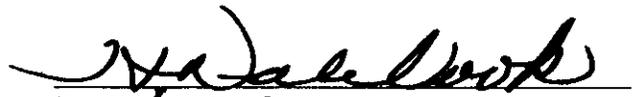
or drug dependency which may include testing to determine reversion to use of drugs. The standard conditions of supervised release recommended by the Sentencing Commission were also imposed.

On June 14, 1994, a revocation hearing was held regarding the allegations that the defendant failed to submit monthly reports for March and April 1994; that he failed to notify the probation officer within seventy-two hours of any change in residence or employment; that he submitted three urine specimens which tested positive for marijuana and one which tested positive for amphetamine and methamphetamine; that he admitted to additional illicit drug use; that he was dismissed from in-patient treatment at Freedom House on March 8, 1994, due to continued drug use; and he failed to appear for drug testing or counseling as instructed. Jones stipulated to all violations at the hearing. Sentencing was scheduled for June 21, 1994.

As a result of the sentencing hearing, the Court finds that the instant offense occurred after November 1, 1987, and that Chapter Seven of the U. S. Sentencing Commission Guidelines is applicable. In accordance with U.S.S.G. § 7B1.1(a)(3), the Court finds that the violations of supervised release constitute a Grade C violation. Further, in accordance with U.S.S.G. § 7B1.4(a), the defendant's original Criminal History Category of I is now applicable for determining the imprisonment range of three to nine months. Pursuant to U.S. v. Lee, 957 F.2d 770 (10th Cir., 1992), the policy statements in Chapter Seven are not mandatory, but must

It is adjudged by the Court that pursuant to 18 U.S.C. 3583(g) the defendant is found to be in possession of a controlled substance, and shall be sentenced to serve one year and one day in the custody of the Bureau of Prisons. Restitution in the amount of \$100 is to be paid during the term of confinement. Further, the Court recommends that the Bureau of Prisons designate a facility where the defendant can receive drug treatment.

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


H. Dale Cook
United States District Judge

aw

ENTERED ON DOCKET

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

DATE 6-27-94

UNITED STATES OF AMERICA

v.

Case Number 94-CR-044-C

DANIEL EUGENE HOPPER
Defendant.

FILED

mm JUN 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, DANIEL EUGENE HOPPER, was represented by Stephen J. Greubel.

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

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 922(g)(1) and 924(a)(2)	Possession Of A Firearm After Former Conviction Of A Felony	02/03/94	1

As pronounced on June 21, 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 of the Indictment, which shall be due immediately.

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

Signed this the 23rd day of June, 1994.

[Signature]
The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 446-56-5132
Defendant's Date of Birth: 08/06/53
Defendant's residence and mailing address: 1509 S. Fallin, Hominy, Oklahoma

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

Defendant: DANIEL EUGENE HOPPER
Case Number: 94-CR-044-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 15 months as to count 1 of the Indictment.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 9:00 a.m. on July 25, 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: DANIEL EUGENE HOPPER
Case Number: 94-CR-044-C

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.

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: DANIEL EUGENE HOPPER
Case Number: 94-CR-044-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:	14
Criminal History Category:	I
Imprisonment Range:	15 months to 21 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 4,000 to \$ 40,000
Restitution:	\$ N/A

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

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

6/23/94

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

FILED
IN OPEN COURT

JUN 22 1994

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 JACK COX,)
)
 Defendant.)

No. 94-CR-51-E

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

ORDER

Now on this 22^d 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, Count Nine of the Indictment against defendant Jack Cox, in the above styled cause. The Court finds that said request ought to be granted and Count Nine of the Indictment against defendant Jack Cox, is dismissed, with~~out~~ prejudice.

IT IS SO ORDERED.



JAMES O. ELLISON, Chief
United States District Judge

FILED
JUN 22 1994

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 ANITA L. KEITH,)
)
 Defendant.)

No. 94-CR-50-C

FILED

JUN 20 1994

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

ORDER

Now on this 20 day of June, 1994 this cause comes on to be heard in the matter of the plaintiff's Motion for Leave to Dismiss, without prejudice, the Information against defendant Anita L. Keith in the above styled cause. The Court finds that said request ought to be granted and the Information against defendant Anita L. Keith is dismissed, without prejudice.

IT IS SO ORDERED.

(Signed) H. Dale Cook

H. DALE COOK
United States District Judge

DATE 6-22-94

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 94-CR-011-C

JOANIE RENEE WATKINS
Defendant.

FILED

JUN 21 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, JOANIE RENEE WATKINS, was represented by Lynn Lane Williams.

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

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 495	Uttering a Forged Treasury Check	9-28-93	1

As pronounced on June 14, 1994, the defendant is sentenced as provided in pages 2 through 3 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

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

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

Signed this the 20 day of June, 1994.


H. Dale Cook
United States District Judge

Defendant's SSN: 442-72-6610
Defendant's Date of Birth: 08-08-61
Defendant's residence and mailing address: 901 S. 131st East Avenue; Tulsa, OK

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



Defendant: JOANIE RENEE WATKINS
Case Number: 94-CR-011-C

PROBATION

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

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

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
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: JOANIE RENEE WATKINS
Case Number: 94-CR-011-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:	4
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 250 to \$ 5,000
Restitution:	\$ N/A

The 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

FILED
JUN 15 1994

UNITED STATES OF AMERICA

v.

Case Number 94-CR-041-001-B

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

TYLER DAVE STEWART a/k/a MARQWAN D. FOSTER
Defendant.

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

The defendant, TYLER DAVE STEWART a/k/a MARQWAN D. FOSTER, was represented by Charles Whitman.

On motion of the United States the court has dismissed counts 6, 11 and 12 of the Superseding Indictment.

The defendant pleaded guilty to counts 1 and 5 of the Superseding Indictment. Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

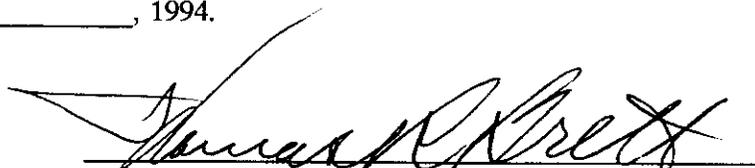
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371	Conspiracy	02-06-93	1
18 USC 513(a)	Making, Uttering And Possessing Of A Counterfeit Security	02/03/93	5

As pronounced on June 10, 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 \$ 100, for counts 1 and 5 of the Superseding Indictment, which shall be due immediately.

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

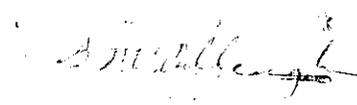
Signed this the 15th day of June, 1994.


The Honorable Thomas R. Brett
United States District Judge

Defendant's SSN: 423-04-5010

Defendant's Date of Birth: 12/14/68

Defendant's residence and mailing address: 706 Tarrant Court, Gadsden, Alabama 35901



Defendant: TYLER DAVE STEWART a/k/a MARQWAN D. FOSTER
Case Number: 94-CR-041-002-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 15 months on each of counts 1 and 5 of the Superseding Indictment, said sentences to run concurrently, each to the other.

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

RETURN

I have executed this Judgment as follows:

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

United States Marshal
By _____
Deputy Marshal

Defendant: TYLER DAVE STEWART a/k/a MARQWAN D. FOSTER
Case Number: 94-CR-041-002-B

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years on each of counts 1 and 5 of the Superseding Indictment, said sentences 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.
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: TYLER DAVE STEWART a/k/a MARQWAN D. FOSTER
Case Number: 94-CR-041-002-B

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$5,655.00 as to count 1 of the Superseding Indictment.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
A-1 Check Cashers Attn.: Mickey Oberste 2505 South Memorial Drive Tulsa, Oklahoma 74129	\$2,842.00
K-Bar-B Pawn Shop Attn.: Ronna Pauley 6414 North Peoria Tulsa, Oklahoma 74126	\$2,813.00

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: TYLER DAVE STEWART a/k/a MARQWAN D. FOSTER
Case Number: 94-CR-041-002-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:	11	
Criminal History Category:	III	
Imprisonment Range:	12 months to 18 months	counts 1 & 5
Supervised Release Range:	2 to 3 years	counts 1 & 5
Fine Range:	\$ 2,000 to \$ 20,000	counts 1 & 5
Restitution:	\$ 5,655	

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 6/15/94

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
ROMUALDO M. CORDOBA,)
AUGUSTIN JARAMILLO,)
JULIO PERALTA,)
JUAN ANTONIO GOMEZ, a/k/a)
"Tony", and)
JOSE A. GARCIA,)
)
Defendants.)

No. 94-CR-27-B

FILED

JUN 14 1994

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

ORDER

Upon notice of the June 9, 1994 return of the Third Superseding Indictment in this matter and motion of the government to strike the trial setting currently scheduled for June 20, 1994, the court finds that the Third Superseding Indictment expands the charges against which defendants Cordoba, Jaramillo, Peralta and Gomez are required to defend and charges an additional defendant, who at the time of this Order has not been arrested on the warrant issued in this matter, therefore IT IS ORDERED that the June 20, 1994 jury trial previously scheduled is hereby stricken, to be reset, along with dates for defendant's motions, government responses, pretrial conference, *voir dire*, trial brief and jury instructions, at the time of the defendants' appearances for arraignment on the Third Superseding Indictment, and that pursuant to 18 U.S.C. §§ 3161(c)(2) and 3161(h)(6) and (7) and the interests of justice under subsection 3161(h)(8), a new speedy trial clock begins to run from the date of arraignment of the defendants.

IT IS FURTHER ORDERED that the original, the First and the Second Superseding Indictments are hereby dismissed and that all further proceedings be had on the Third Superseding Indictment.

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

DEO:mjl

B.M. Callahan

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET
DATE 6-14-94

UNITED STATES OF AMERICA

v.

Case Number 93-CR-137-001-C

J.D. CHARLES HERRINGTON
Defendant.

FILED

JUN 14 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, J.D. CHARLES HERRINGTON, was represented by Jo Stanley Glenn.

On motion of the United States the court has dismissed counts 1 and 2 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:

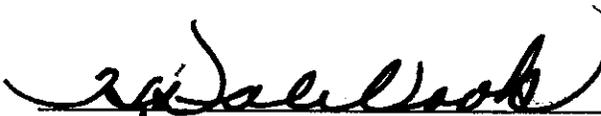
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 152 and 2	Bankruptcy Fraud And Aiding And Abetting	08/02/89	3

As pronounced on June 1, 1994, the defendant is sentenced as provided in pages 2 through 3 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

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 13th day of June, 1994.


The Honorable H. Dale Cook
United States District Judge

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 Rembler)
Deputy)

Defendant's SSN: 490-40-4370
Defendant's Date of Birth: 10/02/39
Defendant's residence and mailing address: 523 S. 193rd E. Avenue, Tulsa, Oklahoma 74108

Defendant: J.D. CHARLES HERRINGTON
Case Number: 93-CR-137-001-C

PROBATION

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

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

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of 4 months, to commence within 48 hours of sentencing date. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the defendant.
4. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF 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: J.D. CHARLES HERRINGTON
Case Number: 93-CR-137-001-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:	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:	\$ 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 6-9-94

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

JUN 8 1994

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

UNITED STATES OF AMERICA

v.

Case Number 94-CR-048-001-E

CINDI A. GELBHAR
Defendant.

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

The defendant, CINDI A. GELBHAR, was represented by Stephen J. Knorr.

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

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 656	Misapplication Of Financial Institution Funds	02/12/93	1

As pronounced on June 3, 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 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 8th day of June, 1994.


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

United States District Court)
Northern District of Oklahoma) SS

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

Richard M. Lawrence, Clerk

By R. Miller
Deputy

Defendant's SSN: 440-62-7098

Defendant's Date of Birth: 01/10/56

Defendant's residence and mailing address: 297 S. 118 E. Avenue, Tulsa, Oklahoma 74128-2224

Defendant: CINDI A. GELBHAR

Case Number: 94-CR-048-001-E

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 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: CINDI A. GELBHAR
Case Number: 94-CR-048-001-E

SUPERVISED RELEASE

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

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

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall 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: CINDI A. GELBHAR
Case Number: 94-CR-048-001-E

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$10,500.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Mercantile Bank of Joplin P.O. Box 8, Joplin, Missouri 64802	\$10,500.00

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 during the period 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: CINDI A. GELBHAR
Case Number: 94-CR-048-001-E

STATEMENT OF REASONS

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

Guideline Range Determined by the Court:

Total Offense Level:	10
Criminal History Category:	I
Imprisonment Range:	6 months to 12 months
Supervised Release Range:	3 to 5 years
Fine Range:	\$ 2,000 to \$ 1,000,000
Restitution:	\$ 10,500

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

Full restitution is not ordered for the following reason: because of the defendant's inability to pay.

The sentence departs from the guideline range for the following reasons: The Court makes the finding that although this case differs from U.S. v. Pena, 930 F.2d 1486 (10th Cir. 1991) in that Gelbhar's aberrant act occurred on a continuing basis from one victim, her employer, her conduct was indeed aberrant based on her history. The Court further finds that this, combined with her unique family responsibility for the care of three minor children, is a case outside of the heartland of typical cases for which the applicable guideline describes. Accordingly, the Court elects to depart downward, pursuant to U.S.S.G. § 5K2.0, two offense levels to offense level 8, Criminal History Category I, for a guideline custody range of from 0 to 6 months. These factors combined lead the Court to determine that a custody term is not necessary to meet the sentencing objectives of just punishment and deterrence.

ENTERED ON BOOKET

DATE 6-6-94

FILED

MAY 13 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,)
)
 v.)
)
 LEWIS STACY LACY, II,)
)
 Defendant.)

No. 93-CR-163-2

ORDER OF FORFEITURE

WHEREAS, in Count Two of the Indictment in the above case, the United States sought forfeiture of specific property of the above-captioned Defendant pursuant to 21 U.S.C. § 853 as either proceeds of the unlawful drug activities charged in Count One or property used or intended to be used to facilitate said violations;

AND WHEREAS, on January 7, 1994, the court found the above Defendant Lewis Stacy Lacy, II guilty on Count Two and thereafter found that said Defendant's interest in each of the specifically identified properties alleged in Count Two is subject to forfeiture;

AND WHEREAS, by virtue of said Guilty Plea, the United States is now entitled to possession of said properties, pursuant to 21 U.S.C. §§ 848, 846, 841(a)(1), 1952 and 853 and Rule 32(b)(2) of the Federal Rules Criminal Procedure;

Accordingly, it is hereby ORDERED, ADJUDGED AND DECREED:

1. That based upon the jury verdict of guilty against the above Defendant on Count Two, the United States is hereby authorized to seize the following property and it is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1):

The following property belonging to Defendant Lewis Stacy Lacy, II:

One 1990 Chevrolet pickup,
VIN 1GCDC14N8LZ222550

One 1982 Thunderbird 21 foot powerboat,
Serial No. TNRD3827M82F

One 1992 Bombadier 8 foot waterbike,
Serial No. ZZN20224K192,
Okla. Reg. No. OK7819CF

2. That all of the aforementioned forfeited property is to be held by the United States Marshals Service, in their custody and control.

3. That pursuant to 21 U.S.C. § 853(n)(1), the United States Marshal forthwith shall publish at least once for three successive weeks in a newspaper of general circulation, notice of this Order, notice of the Marshals intent to dispose of the property in such manner as the Attorney General may direct and notice that any person, other than the Defendant Lewis Stacy Lacy, II, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with the court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier.

This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each of the forfeited

properties and any additional facts supporting the petitioner's claim and the relief sought.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Order of Forfeiture, as a substitute for published notice as to those persons so notified.

4. That upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

ORDERED this 13 day of May, 1994.

S/ JAMES O. ELLISON

UNITED STATES DISTRICT JUDGE

Presented by:

STEPHEN C. LEWIS
United States Attorney

CATHERINE DEPEW HART
Assistant United States Attorney

CDH:mjl

ENTERED ON DOCKET

DATE 6-6-94

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JOHN D. HEWITT,)
)
Defendant.)

FILED

JUN 2 1994

No. 94-CR-26-E

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

MOTION TO DISMISS

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of court endorsed hereon, the United States Attorney for the Northern District of Oklahoma hereby dismisses without prejudice the Information against John D. Hewitt, defendant.

Respectfully submitted,

STEPHEN C. LEWIS
United States Attorney



KEVIN C. LEITCH, OBA #5366
Assistant United States Attorney
3460 U.S. Courthouse
333 W. 4th Street
Tulsa, Oklahoma 74103

CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of June, 1994, a true and correct copy of the foregoing was mailed, postage prepaid to: Skip Holtmann, 200 Center Plaza, Tulsa, OK 74119-1055.



Assistant United States Attorney

ORDER OF DISMISSAL

Leave of court is granted for the filing of the foregoing dismissal.

S/ JAMES O. ELLISON

United States District Judge

Date:

FILED
JUN 3 1994
Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

ENTERED ON DOCKET

DATE 6/2/94

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 JAMES HOBART VAN OVER,)
)
 Defendant.)

No. 93-CR-172-01-E

FILED

JUN 1 1994

O R D E R Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

Pursuant to Rule 35(c) the Court amends the sentence for the Defendant to three (3) years supervised release to run concurrent with the five (5) year supervised release ordered in case #93-CR-97-01-E.

ORDERED this 31st day of May, 1994.



JAMES O. ELLISON, Chief Judge
UNITED STATES DISTRICT COURT

B.M. Cullough

DATE 6/2/94

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 93-CR-172-001-E

JAMES HOBART VAN OVER
Defendant.

FILED

JUN 1 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, JAMES HOBART VAN OVER, was represented by Bertram Polis .

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

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1956(a)(1)(A)(i) and 1956(a)(1)(B)(i)	Laundering of Monetary Instruments	5/15/92	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 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.

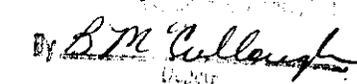
Signed this the 1st day of June, 1994.


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

By 
Deputy

Defendant: JAMES HOBART VAN OVER
Case Number: 93-CR-172-001-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 concurrently with the sentence imposed in 93-CR-097-001-E.

The Court makes the following recommendations to the Bureau of Prisons: The Court recommends that the Bureau of Prisons designate a facility in or near Boron, California, as the defendant's place of incarceration.

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-172-001-E

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years concurrent with the term imposed in 93-CR-097-001-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-172-001-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-172-001-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:	2 to 3 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.

ENTERED ON DOCKET

DATE 6-2-94

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
KERRY CHAPLIN,)
)
Defendant.)

Case No. 93-CR-185-C

FILED

JUN 1 1994

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

ORDER

Defendant Kerry Chaplin motions the Court for judgment of acquittal following his conviction by a jury for violations of Title 21, United States Code, Sections 846, 843 and 841. Defendant's sole basis for requesting acquittal is the Court's purported failure to submit defendant's proposed jury instructions. Specifically, defendant asserts that the Court erred in failing to instruct on "separate conspiracies," buyer-seller relationship", "multiple conspiracies" and "entrapment."

A request for judgment of acquittal is governed by Rule 29, Federal Rules of Criminal Procedure which provides, in pertinent part:

The court on motion of a defendant or of its own motion shall order the entry of judgment of acquittal on one or more offenses charged in the indictment or information after the evidence on either side is closed *if the evidence is insufficient to sustain a conviction* of such offense or offenses.

Rule 29(a) F.R.Cr.P.(emphasis added).

Defendant Chaplin does not raise insufficiency of the evidence as a basis for his request for acquittal. However, under the governing standard for judgment of acquittal, the Court finds and concludes that the evidence offered at trial was sufficient to sustain the

jury's verdict of guilty against defendant Chaplin as to each of Counts 1 through 7.

Defendant's stated grounds for acquittal should have been brought under Rule 33 as a motion for new trial. Such a motion can only be brought within seven days after a verdict of guilty or thereafter following a timely request for an extension of that time limit. Otherwise a motion for new trial will only be considered by the Court if it is "required in the interest of justice." See, Rule 33 F.R.Cr.P.

Chaplin has not raised any grounds which would warrant a new trial "in the interest of justice." In this case, Chaplin contends that the government's proof failed to show the existence of the overall conspiracy as charged in Count 1. Rather, defendant contends that there was "some evidence" to support a factual dispute as to whether there were actually several separate and independent conspiracies with various groups of members. Chaplin claims error in the Court's failure to provide this option for the jury's consideration. The Court denied these requested conspiracy instructions as unsupported by the evidence. There was no credible evidence offered at trial to support defendant's theory of more than one conspiracy. The evidence as established through witness Donald Grist was that each of the defendants was engaged in drug transactions with Jerry Grist. The mere fact that the defendants engaged in drug transactions with different individuals, does not support a finding that there was more than one conspiracy, even if at times the various individuals were unknown to the other defendants. When two or more defendants join together to further a common unlawful purpose a single overall conspiracy exists. In contrast, multiple conspiracies exist when there are separate unlawful agreements to achieve distinct purposes. The evidence clearly established an overall conspiracy in which each defendant charged played a role in furtherance of the unlawful events as set forth in the overt acts

charged in Court 1. The fact that the various transactions did not always involve the same individuals does not necessarily support an instruction on multiple conspiracies. The evidence clearly indicated that Chaplin was a member of the conspiracy charged in Court 1, as found by the jury.

Secondly, defendant Chaplin asserts error in the Court's failure to instruct the jury on his purported defense of entrapment. Defendant asserts that the evidence presented a factual issue as to whether he was a victim of entrapment by government agents. While the law permits government agents to trap an unwary criminally-minded person, the law does not permit government agents to entrap an unwary innocent person. Thus, under the law a defendant may not be convicted of a crime if it was the government who gave the defendant the idea to commit the crime, and if the defendant was not ready and willing to commit the crime before the government agents' interaction.

There was no evidence offered at trial to support a finding that it was government agents who placed the requisite criminal wrongdoing in Chaplin's mind. The evidence was that Chaplin was voluntarily calling customers and supplies and engaging in drug transactions. The wire intercepts demonstrate Chaplin's continuous involvement in drug trafficking and that such drug trafficking had been occurring prior to the government's investigation and prior to the wire interceptions by government agents.

The Court finds that defendant Chaplin has raised no legally cognizable grounds in support of his request for judgment of acquittal and that the trial evidence is sufficient to support the jury's finding of guilty. Moreover, the Court finds no error in failing to submit to the jury defendant Chaplin's proposed instructions. Defendant's motion of acquittal is

accordingly denied.

IT IS SO ORDERED this 1st day of June, 1994.

A handwritten signature in cursive script, appearing to read "H. Dale Cook", written over a horizontal line.

H. DALE COOK
United States District Judge

FILED

JUN 1 1994

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

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 94-CR-004-001-B

JOHNNY EUGENE GLOVER
Defendant.

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

The defendant, JOHNNY EUGENE GLOVER, was represented by Stanley D. Monroe.

On motion of the United States the court has dismissed counts 2 through 5 of the Indictment.

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

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1623	False Declarations Before The Court	03/12/93	1

As pronounced on May 27, 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 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 31st day of May, 1994.



The Honorable Thomas R. Brett
United States District Judge

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

Richard M. Lawrence, Clerk

By B.M. Lawrence
Deputy

Defendant's SSN: 445-44-6476

Defendant's Date of Birth: 09/11/45

Defendant's residence and mailing address: United States Penitentiary-Leavenworth, LVC, P.O. Box 1000,
Leavenworth, Kansas 66048

Defendant: JOHNNY EUGENE GLOVER
Case Number: 94-CR-004-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 60 months, said term to be served consecutively to Northern District of Oklahoma case number 91-CR-050-001-C.

The Court makes the following recommendations to the Bureau of Prisons: Defendant be returned to United States Penitentiary-Leavenworth, LVC, Leavenworth, Kansas.

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: JOHNNY EUGENE GLOVER
Case Number: 94-CR-004-001-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: JOHNNY EUGENE GLOVER
Case Number: 94-CR-004-001-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 \$ 2,000. 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: JOHNNY EUGENE GLOVER
Case Number: 94-CR-004-001-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:	27
Criminal History Category:	III
Imprisonment Range:	60 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 12,500 to \$ 125,000
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.

ENTERED ON DOCKET

DATE 6-1-94

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
)
 ARNULFO C. OLIVO,)
)
 Defendant.)

Case No. 93-CR-182-C ✓

F I L E D

JUN 1 1994 *rm*

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

ORDER

The Court has before it defendant's motion to dismiss the indictment for alleged violation of his right to a speedy trial. Defendant was originally indicted on December 9, 1993 on four counts charging violations of 21 U.S.C. §846, 841(a)(1) and 841(b)(1), Conspiracy to Possess With Intent to Distribute 1000 Kilograms or More of Marihuana; 18 U.S.C. §1956(a)(1)(B), Money Laundering; 18 U.S.C. §1957, Engaging in Monetary Transaction From Unlawful Activities; and 26 U.S.C. §6050I(f)(1)(A), §7203, Failure to File Form 8300. Defendant was ordered detained by the magistrate based on a finding that the defendant is a flight risk and a danger to the community. As of May 6, 1994 the defendant had been detained waiting trial for 81 days.

On April 6, 1994 a superseding indictment was filed. The superseding indictment joined three additional co-defendants and included an additional charge against the defendant for violation of 18 U.S.C. §371, Conspiracy to Engage in Monetary Transactions From Unlawful Activity. The government asserts that the sufficiency of the evidence to

support a charge for violation of §371 was unavailable to the government prior to a plea and cooperation agreement by an alleged co-conspirator Roy Wales on March 31, 1994.

Two of the added defendants, Armando Olivo and Eleazar Olivo, appeared before the magistrate on April 28, 1994 and were released on bond. No motions for severance have been filed by the respective co-defendants nor granted by the Court. The trial is set for June 20, 1994. Defendants Armando Olivo and Jesus Arrendondo filed pretrial motions which were set for hearing and determined by the Court on June 1, 1994.

The statute which governs defendant's request is 18 U.S.C. §3164, which provides that the trial of a detained person who is being held solely because he is waiting trial shall commence not later than ninety days following the beginning of such continuous detention or designation of high risk by the government.

On May 5, 1993 government conceded to release the defendant on bond with appropriate restrictions to assure his appearance at trial. Based on government's agreement, the Court reviewed defendant's conditions of release. On that same date, the Court entered an order setting conditions of release. The conditions of release were based upon an agreement between defense counsel and the government and approved by the Court as being in conformity with the severity of the crimes charged and as similar to the conditions imposed against his co-defendants herein, Jesus Arrendondo, Elisar Olivo and Armando Olivo. The Court was subsequently advised that the defendant was unable to meet the conditions for release. The Court has determined that the Defendant does not qualify for release without bail because he is a flight risk and a danger to society.

The Court finds that any delay occasioned by the filing of the superseding indictment and determination of the pre-trial motions filed by the co-defendant, constitutes

a reasonable and unavoidable delay. In United States v. Theron, 782 F.2d 1510 (10th Cir.1986), the circuit court recognized that "Congress obviously contemplated some extension of the ninety-day limit on incarceration before trial when it incorporated the §3161(h) exclusions into §3164". Id. at 1516. Defendant's failure to meet the conditions of release is beyond the control of the government or the Court. Further, the policy which promotes the efficient use of prosecutorial and judicial resources in trying multiple defendants in a single trial is best served by not granting defendant a severance.

The ninety days period set forth in §3165 expired on May 15, 1994. This case is set for trial on June 20, 1994. Defendant will have been detained pending trial a period of 126 days or for approximately four months, when the trial is set to commence on June 20. In Theron, the court held that a pre-trial detainee who had been detained for "more than four months" should be "released on bond with other appropriate restrictions or tried within the next thirty days." 782 F.2d 1516-1517. Clearly the detention of the defendant herein, is reasonable and not an infringement on his right to a speedy trial.

Defendant's motion to dismiss the indictment is accordingly denied.

IT IS SO ORDERED this 1st day of June, 1994.



H. DALE COOK
United States District Judge

FILED
JUN 1 1994
Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 94-CR-028-E

WILLIE ROBINSON, JR.
Defendant.

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

The defendant, WILLIE ROBINSON, JR., was represented by Allen Smallwood.

The defendant pleaded guilty to counts 1 through 10 of the Information. Accordingly, the defendant is adjudged guilty of such counts, involving the following offense:

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 1341 and 2	Mail Fraud And Aiding and Abetting	05/15/93	1 through 10

As pronounced on May 27, 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 \$ 500, for counts 1 through 10 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 1st day of June, 1994.

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

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

Defendant's SSN: 442-36-9485
Defendant's Date of Birth: 01/19/37
Defendant's residence and mailing address: 720 E. 34th Street North, Tulsa, Oklahoma

By *B.M.C. Laughey*
74106 Deputy
Richard M. Lawrence, Clerk

Defendant: WILLIE ROBINSON, JR.
Case Number: 94-CR-028-E

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 24 months as to each of counts 1 through 10 of the Information, all sentences to run concurrently, each to the other.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 noon on June 27, 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: WILLIE ROBINSON, JR.
Case Number: 94-CR-028-E

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years as to each of counts 1 through 10 of the Information, 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.

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: WILLIE ROBINSON, JR.
Case Number: 94-CR-028-E

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$114,893 as to counts 1 through 10 of the Information.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Arkwright Mutual Insurance P.O. Box 9198 Waltham, Maryland 02254-9198	\$114,893.00

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: WILLIE ROBINSON, JR.
Case Number: 94-CR-028-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:	17
Criminal History Category:	I
Imprisonment Range:	24 months to 30 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 5,000 to \$ 50,000
Restitution:	\$ 767,214.57

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

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