

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

FILED

JUL 28 1995

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BOBBY RAY RICE,

Defendant.

No. 93-~~CR~~145-C ✓

ENTERED ON DOCKET
DATE JUL 31 1995

ORDER

Before the Court is the motion, filed January 20, 1995¹, of the defendant Bobby Ray Rice for the Court to vacate, set aside or correct his sentence pursuant to 28 U.S.C. §2255.

On January 18, 1994 Rice filed in open court his petition to enter a plea of guilty to the indictment charging him with a violation of 18 U.S.C. §§371 & 1341, conspiracy to commit mail fraud. Subsequently he was sentenced to a term of imprisonment for a period of forty-six months followed by a three year term of supervised release. In addition the court ordered restitution to County Mutual Insurance in the amount of \$12,365.65 and a \$50 special monetary assessment. No fine was imposed because of the defendant's inability to pay.

Rice petitions the Court to set aside his sentence, asserting the following four grounds for relief, all based on ineffective assistance of counsel:

¹ A "supplemental" motion under § 2255 filed July 12, 1995 and containing nine grounds for relief from the sentence imposed by this court is not addressed in this order.

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- (1) That his attorney assisted in making a false and inaccurate presentence report;
- (2) that his attorney failed to admit the defendant's rebuttal and proposed corrections in the presentence report under Rule 32(c)(3)(a);
- (3) that his attorney did not raise the issue of a 5k1.1 departure (or Rule 35 motion); and
- (4) that after promising him the FBI and AUSA would speak for him and discovering that the government would not do so, his attorney was silent on this issue at the sentencing. According to the defendant his petition to enter a plea of guilty reflects his expectation that his assistance to the government would be disclosed at the hearing.

Rice maintains in his petition that the reason he did not raise these issues previously is that the issues were not fully explained to him and understood by him until after his incarceration.

The Court has carefully reviewed the record in this case and finds that the sentence imposed was just and reasonable under the circumstances. The Court finds untenable Rice's assertion of ineffective assistance of counsel.

At the end of the sentencing hearing March 22, 1994 the Court asked whether there was anything more anyone wanted to add. Both Rice and his counsel responded in the negative and neither objected to the sentence. Rice personally thanked the court for its "leniency". The Court explained that it had imposed the lowest sentence in the guideline range because of the defendant's cooperation.

If defendant's counsel "did fail to admit the defendant['s] rebuttal and proposed corrections in the P.S.I. under rule 32(c)(3)(a)," then the Court finds it hard to understand why Rice did not make mention of any erroneous items in the report. If defendant had proposed corrections that were not presented he must have been aware of these matters at the time. The determination at the sentencing hearing, where defendant had an opportunity to speak, is a final determination as to any rebuttal or corrections or objections Rice was aware of and could have raised at that time. In any event the allegations do not make clear what the corrections were or how they could affect the sentence.

Another of Rice's claims is that "the defense counsel did promise that the FBI and the AUSA would speak for the defendant at sentencing," and his counsel said nothing when the government failed to speak on his behalf. Rice's petition for change of plea confirms his understanding of a plea agreement "that the FBI + USA attorney will speak for me at my sentencing if I am helpful and tell the truth." However, the record clearly shows that Rice's counsel was anything but silent on this issue. Both the government and defense counsel pointed out to the court that Rice had cooperated. The government refused to request a downward departure because Rice had refused a polygraph; but Rice's defense counsel pointed out that Rice had refused the polygraph on advice of (the same) counsel. The attorney went on to point out that what Rice had communicated to the government previously had been corroborated and that Rice had been prepared to cooperate further when the

government refused his help (because of the refusal to take the polygraph).

Rice's counsel did admit that under §5K1.1 of the Sentencing Guidelines only the government could request a downward departure, but this was a true statement. It is also true that only the government can make a motion under FED. R. CRIM. P. 35(b). Accordingly, there is no merit to the claim that defendant was not advised of these sections. Advice to the defendant about these rules would have been pointless as it could not have affected the sentence. To show ineffective assistance of counsel the defendant must at least show that "there is a reasonable probability that, but for counsel's unprofessional errors the result . . . would have been different." *Strickland v. Washington*, 466 U.S. 668, 694 (1983).²

Finally, with regard to the allegations of counsel participating in an inaccurate presentence report the court notes that the defendant's criminal history category was the lowest possible, which means any errors, such as the alleged inclusion of an offense more than 15 years old, did not affect the guideline range. The Court also finds that the error, even if it did occur, could not have adversely affected the Court's discretionary imposition of the lowest possible 46 month sentence within the

² The Court is aware that *Strickland*, by its terms, did not apply to noncapital sentencings; however, a hearing would be pointless where it is clear that correcting the alleged errors of counsel, even if they occurred, would not affect the sentence.

46 - 57 month range and did not affect the decision to impose 3 years of supervised release or restitution.

The petition fails to even state the nature of whatever other inaccurate information is alleged to have been provided to the probation department. The court notes that counsel for the defendant made a number of objections to the presentence report at the hearing on March 22, 1994. The allegation is not sufficiently specific for the court to evaluate; and although styled a supporting fact it is essentially a bald legal conclusion which the Court has the power to deny. *Sanders v. United States*, 373 U.S. 1, 19 (1962). In light of the surrounding facts showing vigorous representation by counsel, the Court sees no grounds for a hearing on the allegations of ineffective assistance.

Accordingly, the defendant's motion of January 20, 1995 pursuant to 28 U.S.C. §2255 is hereby DENIED. The accompanying motion, also filed January 20, 1995 to proceed *in forma pauperis* is also DENIED without prejudice.³

IT IS SO ORDERED this 28th day of July, 1995.


H. DALE COOK
UNITED STATES DISTRICT JUDGE

³ The court will reconsider the motion to proceed *in forma pauperis* on its own initiative when considering the "supplemental" claims filed by Rice with the court July 12, 1995.

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

FILED

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 -vs-)
)
 D.R. DAVIS, INC., d/b/a)
 Davis Manufacturing Company,)
 and DANNY RAY DAVIS,)
)
 Defendants.)

JUL 28 1995

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

No. 94-CR-147-C

ENTERED ON DOCKET

DATE JUL 31 1995

ORDER

Now on this 28 day of July, 1995 this cause comes on to be heard in the matter of the plaintiff's Motion for Leave to Dismiss, without prejudice, the Indictment against defendant Danny Ray Davis individually in the above styled cause. The Court finds that said request ought to be granted and the Indictment against defendant Danny Ray Davis is dismissed, without prejudice.

IT IS SO ORDERED.

(Signed) H. Dale Cook

H. DALE COOK
United States District Judge

CW

UNITED STATES DISTRICT COURT **F I L E D**
Northern District of Oklahoma

JUL 31 1995

UNITED STATES OF AMERICA

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

v.

Case Number 94-CR-111-C

TAWNY BRYCE SAVAGE
Defendant.

ENTERED ON DOCKET

DATE 7-31-95

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

The defendant, TAWNY BRYCE SAVAGE, was represented by Stephen Greubel.

On motion of the United States the court has dismissed counts 1,2,3 & 4 of the Superseding Indictment.

The defendant pleaded guilty on January 18, 1995, to count 5 of the Superseding Indictment. Accordingly, the defendant is adjudged guilty of such count, involving the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 841(a)(1) & 841(b)(1)(C)	Possession of Cocaine with Intent to Distribute	04-13-94	5

As pronounced on July 26, 1995, 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 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 31st day of July, 1995.

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

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

Defendant's SSN: 443-72-3515
Defendant's Date of Birth: 11-18-63
Defendant's residence and mailing address: 1323 South Florence, Tulsa, Oklahoma 74104

Defendant: TAWNY BRYCE SAVAGE
Case Number: 94-CR-111-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 42 months.

The Court makes the following recommendations to the Bureau of Prisons: The Court requests that the Bureau of Prisons consider placement of the defendant in the female intensive confinement center at Bryan, Texas Federal Correctional Institution if and when she is deemed eligible for the program.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 9:00 a.m. on August 28, 1995.

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: TAWNY BRYCE SAVAGE
Case Number: 94-CR-111-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 requirements.
- 14) The defendant shall submit to urinalysis testing as directed by the U. S. Probation Office.

Defendant: TAWNY BRYCE SAVAGE
Case Number: 94-CR-111-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 \$ 1,000. 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.

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: TAWNY BRYCE SAVAGE
Case Number: 94-CR-111-C

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report except the court sustained the defendant's objection to the inclusion of 370 grams of cocaine discovered in a safe on November 18, 1993, in the amount of drugs used to determine the offense level. The court found that there was sufficient concern about the reliability of the information provided by a confidential informant as to who placed the cocaine in the safe, to whom it belonged, and if it was reasonable that this defendant knew it was there when discovered by the police, that the amount was excluded from the guideline calculation. Therefore, the court only used 307 grams of cocaine to determine the applicable guidelines.

Guideline Range Determined by the Court:

Total Offense Level:	19
Criminal History Category:	III
Imprisonment Range:	37 months to 46 months
Supervised Release Range:	3 to 5 years
Fine Range:	\$ 6,000 to \$ 60,000
Restitution:	\$ N/A

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

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

aw

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

JUL 28 1995

UNITED STATES OF AMERICA

v.

Case Number 94-CR-147-002-C

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

D.R. DAVIS, INC.
Defendant.

ENTERED ON DOCKET

DATE 7-28-95

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

The defendant, D.R. DAVIS, INC., was represented by W. Creekmore Wallace.

The defendant pleaded guilty to count(s) 1, 2, and 3 of the Indictment on April 11, 1995.. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

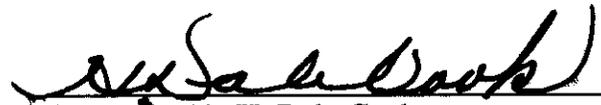
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1341 and 2	Mail Fraud and Aiding & Abetting	03/25/94	1 and 2
18 USC 287 and 2	Fraudulent Claims Against the United States and Aiding & Abetting	03/04/94	3

As pronounced on July 25, 1995, 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 \$ 600.00, for count(s) 1, 2, and 3 , 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 July, 1995.


The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: N/A
Defendant's Date of Birth: N/A
Defendant's residence and mailing address: 1610 S. Main, Sapulpa, Oklahoma 74068

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

Richard M. Lawrence, Clerk
By R. Miller
Clerk

Defendant: D.R. DAVIS, INC.
Case Number: 94-CR-147-002-C

PROBATION

The defendant is hereby placed on probation for a term of 3 year(s) as to each count, to run concurrently.

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. You shall not commit another federal, state, or local crime during the term of probation.
4. You shall make a written report to the U.S. Probation Office, at 6 month intervals, regarding the organization's progress in implementing the program to prevent and detect violations of the law. In those reports, you shall disclose any criminal prosecution, civil litigation, or administrative proceeding commenced against the organization, or any investigation or formal inquiry by governmental authorities of which the organization learned since its last report.
5. You shall submit to (A) a reasonable number of regular or unannounced examinations of your books and records at appropriate business premises by the probation officer or experts engaged by the Court; and (B) interrogation of knowledgeable individuals within the organization. Compensation to and costs of any experts engaged by the Court shall be paid by the organization.

The following additional conditions are imposed until such time as the fine and Special Monetary Assessment are paid in full:

6. You shall submit, at 6 months intervals, a written report to the U.S. Probation Officer regarding the organizations's financial condition and results of business operations, and accounting for the disposition of all funds received.
7. You shall notify the U.S. Probation Officer immediately upon learning of (A) any material adverse change in your business or financial condition or prospects, or (B) the commencement of any bankruptcy proceeding, major civil litigation, criminal prosecution, or administrative proceeding against the organization, or any investigation or formal inquiry by governmental authorities regarding the organization.

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: D.R. DAVIS, INC.
Case Number: 94-CR-147-002-C

FINE

The defendant shall pay a fine of \$ 2,000.00 as to Count One. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation.

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

Defendant: D.R. DAVIS, INC.
Case Number: 94-CR-147-002-C

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$4,630.00 on Count 3.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Defense Finance and Accounting Service P.O. Box 182231 Columbus, Ohio 43218	\$4,630.00

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

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation.

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

Defendant: D.R. DAVIS, INC.
Case Number: 94-CR-147-002-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:	7
Criminal History Category:	N/A
Imprisonment Range:	N/A
Supervised Release Range:	N/A
Fine Range:	\$ 4,500 to \$ 9,000 as to Cts. 1, 2, and 3
Restitution:	\$ 4,630

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

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

aw

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED
JUL 28 1995

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

Case Number 95-CR-007-001-C

EOD: 7-28-95

UNITED STATES OF AMERICA

v.

RICHARD LEWIS WHITE
Defendant.

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

The defendant, RICHARD LEWIS WHITE, was represented by Craig Bryant.

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

The defendant pleaded guilty on April 11, 1995, to count(s) 1 of the Superseding 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>
18:1951	Robbery Affecting Interstate Commerce	05/24/91	1
18:2	Aiding and Abetting		

As pronounced on July 25, 1995, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

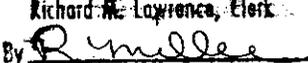
It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count(s) 1 of the Superseding Indictment, which shall be due immediately.

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 27th day of July, 1995.


The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 548-45-1564
Defendant's Date of Birth: 03/12/71
Defendant's residence and mailing address: Oklahoma Department of Correction

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

Defendant: RICHARD LEWIS WHITE
Case Number: 95-CR-007-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 57 months to run consecutively to the undischarged term of imprisonment imposed in Osage County, Oklahoma, District Court Case CRF 91-142.

The Court makes the following recommendations to the Bureau of Prisons: To facilitate family visitations, the Court recommends that the Bureau of Prisons designate a facility in California as the place of confinement during this sentence.

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

RETURN

I have executed this Judgment as follows:

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

United States Marshal

By _____
Deputy Marshal

Defendant: RICHARD LEWIS WHITE
Case Number: 95-CR-007-001-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 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: RICHARD LEWIS WHITE
Case Number: 95-CR-007-001-C

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$20,382 as to Count 1.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Moody's Jewelry Attn: Ernest Moody 3350 East 51st Street Tulsa, OK 74112	\$ 5,000
Jeweler's Mutual c/o Moody's Jewelry Attn: Ernest Moody 3350 E. 51st Street Tulsa, OK 74112	\$15,382

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. It is further ordered that the defendant make restitution to be paid jointly and severally with any other person in related cases who has been or may be ordered in the future to pay restitution to these victims for these offenses. In no event shall the victims receive more than \$20,382 from the sum total of all restitution payments. 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.

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

Defendant: RICHARD LEWIS WHITE
Case Number: 95-CR-007-001-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:	II
Imprisonment Range:	51 months to 63 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 10,000 to \$ 100,000
Restitution:	\$ 20,382

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

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

FILED

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

JUL 28 1995 *rm*

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

UNITED STATES OF AMERICA

v.

Case Number 95-CR-014-001-C ✓

MICHAEL LEE TAYLOR
Defendant.

ENTERED ON DOCKET
DATE 7-28-95

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

The defendant, MICHAEL LEE TAYLOR, was represented by John Harker.

The defendant pleaded guilty to count(s) 1 of the Information on April 12, 1995. 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 1343	Wire Fraud	08/13/94	1

As pronounced on July 25, 1995, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 1 of the 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 27th day of July, 1995.

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

Defendant's SSN: 448-66-4357

Defendant's Date of Birth: 12/24/59

Defendant's residence and mailing address: Rt. 2, Box 246, Sapulpa, Oklahoma 74066

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

Richard M. Lawrence, Clerk
By R. Miller
Deputy

Defendant: MICHAEL LEE TAYLOR
Case Number: 95-CR-014-001-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: MICHAEL LEE TAYLOR
Case Number: 95-CR-014-001-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 \$ 500.00. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation.

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

Defendant: MICHAEL LEE TAYLOR
Case Number: 95-CR-014-001-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:	6
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 500 to \$ 5,000
Restitution:	\$ N/A

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

cu

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

JUL 28 1995 *rm*

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

UNITED STATES OF AMERICA

v.

Case Number 95-CR-017-001-C ✓

ROLAND CLAUDE PRUITT
Defendant.

ENTERED ON DOCKET

DATE 7-28-95

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

The defendant, ROLAND CLAUDE PRUITT, was represented by Regina Stephenson.

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

The defendant pleaded guilty to count(s) 1 and 2 of the Indictment on April 11, 1995. 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 513(a) and 2	Possessing and Uttering of Counterfeit Securities and Aiding & Abetting	01/12/95	1
18 USC 513(a) and 2	Possessing and Uttering of Counterfeit Securities and Aiding & Abetting	01/13/95	2

As pronounced on July 25, 1995, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100.00, for count(s) 1 and 2 of the Indictment, which shall be due immediately.

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

Signed this the 27 day of July, 1995.

H. Dale Cook
The Honorable H. Dale Cook

United States District Judge District Court) SS
Northern District of Oklahoma)

Defendant's SSN: 458-06-1356
Defendant's Date of Birth: 02/11/54
Defendant's residence and mailing address: Rt. 99, Rio Vesta, Texas 76093

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: ROLAND CLAUDE PRUITT
Case Number: 95-CR-017-001-C

PROBATION

The defendant is hereby placed on probation for a term of 3 year(s) as to each count to run concurrently.

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

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
4. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
5. Defendant will serve 120 days at Freedom House to commence as arranged by the probation office.

STANDARD CONDITIONS OF PROBATION

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

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

Defendant: ROLAND CLAUDE PRUITT
Case Number: 95-CR-017-001-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 \$250.00 on Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation.

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

Defendant: ROLAND CLAUDE PRUITT
Case Number: 95-CR-017-001-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, Cts. 1 & 2
Supervised Release Range:	2 to 3 years, Cts. 1 & 2
Fine Range:	\$ 1,000 to \$ 10,000, Cts. 1 & 2
Restitution:	\$ N/A

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

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

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

FILED
IN OPEN COURT

JUL 27 1995

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DARRELL W. CLIFTON,

Defendant.

No. 95-CR-36-K

EOD 7/27/95

VERDICT FORM

WE, THE JURY, DULY EMPANELED IN THE ABOVE CAUSE FIND AS
FOLLOWS:

	NOT GUILTY	GUILTY
COUNT 1: 1988 TAX RETURN	_____	_____X_____
COUNT 2: 1989 TAX RETURN	_____	_____X_____
COUNT 3: 1990 TAX RETURN	_____	_____X_____

July 27, 1995
DATE

Michael K. Wille
FOREPERSON
Michael K. Wille

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

ENTERED ON DOCKET 7-26-95

v.

Case Number 94-CR-124-001-K

EBIKEKEME F. ERE
Defendant.

FILED

JUL 27 1995

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, EBIKEKEME F. ERE, was represented by Regina Stephenson.

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

The defendant pleaded guilty to count(s) 1 of the Indictment on April 14, 1995. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

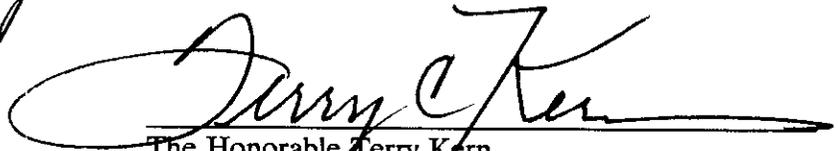
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 287	False Claims Against the United States	07/31/92	1

As pronounced on July 11, 1995, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 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 26 day of July, 1995.


The Honorable Jerry Kern
United States District Judge

Defendant's SSN: 442-76-4916

Defendant's Date of Birth: 08/28/60

Defendant's residence and mailing address: 6526 Alder, Apt. Unit #16, Houston, Texas 77081

Defendant: EBIKEKEME F. ERE
Case Number: 94-CR-124-001-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 8 months.

The Court makes the following recommendations to the Bureau of Prisons: That the Bureau of Prisons designate the El Reno facility as the place of detention for this sentence of imprisonment .

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before noon on August 11, 1995.

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: EBIKEKEME F. ERE
Case Number: 94-CR-124-001-K

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 submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.
6. Pursuant to the provisions of 18 U.S.C. 3563(b)(6) the defendant shall refrain from obtaining any form of employment that involves supplying tax advice, or preparation and/or submission of income tax report and records to either the Internal Revenue Service or any state or local government.

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: EBIKEKEME F. ERE
Case Number: 94-CR-124-001-K

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 \$ 2,500.00. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

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: EBIKEKEME F. ERE
Case Number: 94-CR-124-001-K

STATEMENT OF REASONS

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

Guideline Range Determined by the Court:

Total Offense Level:	8
Criminal History Category:	II
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 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

Entered on Docket 7-26-95

v.

Case Number 95-CR-034-001-K

ISREAL SALDIVAR
Defendant.

F I L E D

JUL 27 1995

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, ISREAL SALDIVAR, was represented by Larry Gullekson.

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

The defendant pleaded guilty to count(s) 1 of the Indictment on April 14, 1995. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

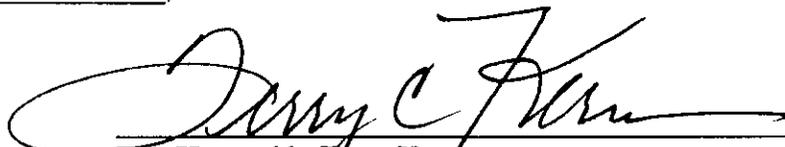
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 841(a)(1) & 841(b)(1)(B)(ii); 18 USC 2	Possession With Intent to Distribute Cocaine and Aiding & Abetting	02/13/95	1

As pronounced on July 14, 1995, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 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 26 day of July, 1995.


The Honorable Terry Kern
United States District Judge

Defendant's SSN: NONE
Defendant's Date of Birth: 05/01/71
Defendant's mailing address: 1581 E. 51st Pl. North, Tulsa, Oklahoma 74126
Defendant's residence address: C/O Tulsa County Jail, 500 So. Denver, Tulsa, OK 74103

Defendant: ISREAL SALDIVAR
Case Number: 95-CR-034-001-K

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.

The Court makes the following recommendations to the Bureau of Prisons: Recommend that the Bureau of Prisons contact the INS and that the defendant be deported from the United States upon completion of his custody period.

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: ISREAL SALDIVAR
Case Number: 95-CR-034-001-K

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 4 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.
6. The defendant shall comply with the rules and regulations of the Immigration and Naturalization Service (INS), and if deported from this country, either voluntarily or involuntarily, he shall not reenter the United States illegally. Upon any reentry into the United States during the period of Court-ordered supervision, the defendant shall report to the nearest U.S. Probation Office within 72 hours.

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: ISREAL SALDIVAR
Case Number: 95-CR-034-001-K

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 \$ 2,500.00. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

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: ISREAL SALDIVAR
Case Number: 95-CR-034-001-K

STATEMENT OF REASONS

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

Guideline Range Determined by the Court:

Total Offense Level:	25
Criminal History Category:	I
Imprisonment Range:	60 months to 71 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.

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

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



UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

ENTERED ON DOCKET 7-26-95

v.

Case Number 95-CR-034-002-K

JESUS SALDIVAR
Defendant.

FILED
JUL 27 1995
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, JESUS SALDIVAR, was represented by Lynn A. Mundell.

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

The defendant pleaded guilty to count(s) 1 of the Indictment on April 14, 1995. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

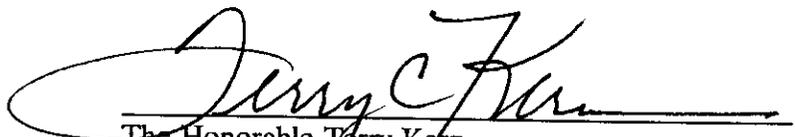
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 841(a)(1) and 841(b)(1)(B)(ii); 18 USC 2	Possession With Intent to Distribute Cocaine and	02/13/95	1

As pronounced on July 14, 1995, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 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 26 day of July, 1995.


The Honorable Terry Kern
United States District Judge

Defendant's SSN: NONE
Defendant's Date of Birth: 05/07/74
Defendant's residence and mailing address: C/O Tulsa County Jail, 500 So. Denver, Tulsa, OK 74103

Defendant: JESUS SALDIVAR
Case Number: 95-CR-034-002-K

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.

The Court makes the following recommendations to the Bureau of Prisons: That the Bureau of Prisons contact the INS and that the defendant be deported from the United States upon completion of his custody period.

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: JESUS SALDIVAR
Case Number: 95-CR-034-002-K

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 4 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 submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
5. The defendant shall comply with the rules and regulations of the Immigration and Naturalization Service (INS), and if deported from this country, either voluntarily or involuntarily, he shall not reenter the United States illegally. Upon any reentry into the United States during the period of Court-ordered supervision, the defendant shall report to the nearest U.S. Probation Office within 72 hours.

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: JESUS SALDIVAR
Case Number: 95-CR-034-002-K

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 \$ 2,500.00. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

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.

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

ENTERED ON DOCKET 7-26-95

Case Number 94-CR-179-001-K

FILED

JUL 27 1995

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

ALBERT OTIS DAVIS
Defendant.

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

The defendant, ALBERT OTIS DAVIS, was represented by Steve Greubel.

The defendant was found guilty on count(s) 1 of the Indictment on April 18, 1995 after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

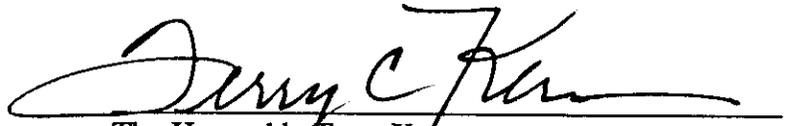
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 922(g)(1)	Possession of a Firearm After Former Conviction of a Felony	12/20/93	1

As pronounced on July 10, 1995, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 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 26 day of July, 1995.


The Honorable Terry Kern
United States District Judge

Defendant's SSN: 443-70-2992

Defendant's Date of Birth: 10/23/60

Defendant's residence and mailing address: C/O Tulsa County Jail, 500 So. Denver, Tulsa, Oklahoma 74103

Defendant: ALBERT OTIS DAVIS
Case Number: 94-CR-179-001-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 38 months.

The Court makes the following recommendations to the Bureau of Prisons: That the Bureau of Prisons designate the El Reno FCI as the place of incarceration for the defendant during this sentence of imprisonment.

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: ALBERT OTIS DAVIS
Case Number: 94-CR-179-001-K

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: ALBERT OTIS DAVIS
Case Number: 94-CR-179-001-K

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 \$ 500.00. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

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

Defendant: ALBERT OTIS DAVIS
Case Number: 94-CR-179-001-K

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:	V
Imprisonment Range:	33 months to 41 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.

a

aw

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

JUL 25 1995

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

UNITED STATES OF AMERICA

v.

Case Number 95-CR-045-001-C

ANTHONY MARQUEZ
Defendant.

ENTERED ON DOCKET
DATE 7-26-95

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

The defendant, ANTHONY MARQUEZ, was represented by Regina Stephenson.

The defendant pleaded guilty to count(s) 1 of the Indictment on June 6, 1995. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
21 USC 841(a)(1) and 21 USC 841(b)(1)(A)(viii)	Possession With Intent to Distribute Controlled Substance	03/18/95	1

As pronounced on July 24, 1995, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 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 25th day of July, 1995.

H. Dale Cook

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 Deputy

Defendant's SSN: 573-78-9246
Defendant's Date of Birth: 08/12/51
Defendant's mailing address: 17682 Cameron, Apt. C, Huntington Beach, CA 92647
Defendant's residence address: C/O Tulsa County Jail, 500 So. Denver, Tulsa, OK 74103

Defendant: ANTHONY MARQUEZ
Case Number: 95-CR-045-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 188 months.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant be designated by the Bureau of Prisons to a facility located in California.

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

RETURN

I have executed this Judgment as follows:

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

United States Marshal

By _____
Deputy Marshal

Defendant: ANTHONY MARQUEZ
Case Number: 95-CR-045-001-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 4 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: ANTHONY MARQUEZ
Case Number: 95-CR-045-001-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 \$ 3,000.00. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

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: ANTHONY MARQUEZ
Case Number: 95-CR-045-001-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:	33
Criminal History Category:	IV
Imprisonment Range:	188 months to 235 months
Supervised Release Range:	4 to 5 years
Fine Range:	\$ 17,500 to \$ 4,000,000
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 exceeds 24 months, and the sentence is imposed for the following reason(s): The defendant's timely plea, his acceptance of responsibility, and that the guidelines have considered the purity of the methamphetamine that was being distributed.

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

FILED

JUL 24 1995

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v)
)
ISRAEL CARTER,)
)
Defendant.)

No. 95-CR-82-C ✓

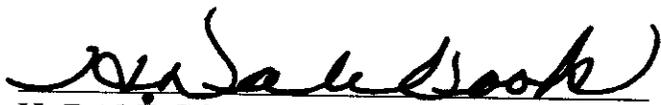
ENTERED ON DOCKET

DATE JUL 25 1995

ORDER OF DISMISSAL

Based upon the motion of the government, and for good cause shown, IT IS
HEREBY ORDERED that the Indictment against Israel Carter, returned June 7, 1995,
in the the Northern District of Oklahoma, be dismissed without prejudice.

IT IS SO ORDERED this 24th day of July, 1995.



H. DALE COOK
Senior U.S. District Judge

(7)

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

JUL 17 1995

UNITED STATES OF AMERICA

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

v.

Case Number 95-CR-026-~~W~~W

DONNA KAY DUFFY
Defendant.

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

The defendant, DONNA KAY DUFFY, was represented by Stanley D. Monroe.

The defendant pleaded guilty to count(s) 1 of the Information on March 27, 1995. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

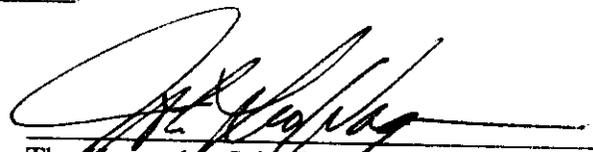
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 930(a)	Possession of a Firearm in a Federal Facility	02/21/95	1

As pronounced on July 11, 1995, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 25.00, for count(s) 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 14th day of July, 1994.


The Honorable John L. Wagner
United States Magistrate Judge

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

Richard M. Lawrence, Clerk
By  Deputy

ENTERED ON DOCKET
DATE 7-17-95

Defendant's SSN: 445-68-3654

Defendant's Date of Birth: 03/31/62

Defendant's residence and mailing address: 218A W. College, Broken Arrow, Oklahoma 74102

Defendant: DONNA KAY DUFFY
Case Number: 95-CR-026-B

PROBATION

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

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

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
4. The defendant shall participate in a program of mental health treatment (to include inpatient), as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Officer.

STANDARD CONDITIONS OF PROBATION

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

- 1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 2) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 4) The defendant shall support his or her dependents and meet other family responsibilities.
- 5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reason(s).
- 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: DONNA KAY DUFFY
Case Number: 95-CR-026-B

Judgment--Page 3 of 4

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 \$ 250.00. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of Probation.

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

Defendant: DONNA KAY DUFFY
Case Number: 95-CR-026-B

Judgment--Page 4 of 4

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:	II
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	1 year
Fine Range:	\$ 250 to \$ 5,000
Restitution:	\$ N/A

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

ENTERED IN DOCKET

7/14/95

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

UNITED STATES OF AMERICA

v.

Case Number 95-CR-21-K

JUL 14 1995

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

MICHAEL THOMAS WORKMAN
Defendant.

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

The defendant, MICHAEL THOMAS WORKMAN, was represented by Stephen Greubel.

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

The defendant pleaded guilty on April 10, 1995, to count(s) 1 of the Superseding Indictment. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18:1163, 2(a) & (b)	Theft From Indian Tribal Organization, Aiding and Abetting and Causing a Criminal Act	12/4/93	1

As pronounced on July 10, 1995, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count(s) 1 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 14 day of July, 1995.


The Honorable Terry C. Kern
United States District Judge

Defendant's SSN: 440-58-4467
Defendant's Date of Birth: 03/09/54
Defendant's residence and mailing address: 440 West 6th Street, Chelsea, Oklahoma 74016

Defendant: MICHAEL THOMAS WORKMAN
Case Number: 95-CR-21-K

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

STANDARD CONDITIONS OF PROBATION

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

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

Defendant: MICHAEL THOMAS WORKMAN
Case Number: 95-CR-21-K

FINE

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

The defendant shall pay a fine of \$ 1,000. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of Probation.

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

Defendant: MICHAEL THOMAS WORKMAN
Case Number: 95-CR-21-K

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$5,000.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Cherokee Nation Outpost, Incorporated 205 West Division Stilwell, OK 74960	\$5,000

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

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation.

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

Defendant: MICHAEL THOMAS WORKMAN
Case Number: 95-CR-21-K

STATEMENT OF REASONS

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

Guideline Range Determined by the Court:

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

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.

W

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED
DATE 7-13-95

UNITED STATES OF AMERICA

v.

Case Number 95-CR-16

F I L E D

JUL 13 1995

SUSIE DAVIS
Defendant.

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

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

The defendant, SUSIE DAVIS, was represented by Craig Bryant .

The defendant pleaded guilty on April 10, 1995, to count(s) 1 of the Information. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

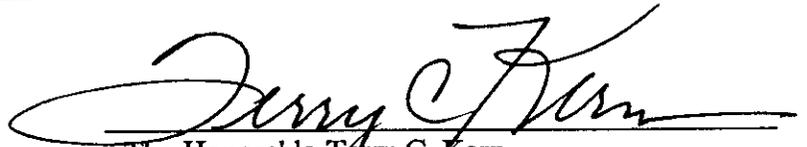
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18:2113(b)	Theft of Bank Monies	06/03/94	

As pronounced on July 10, 1995, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

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

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

Signed this the 11 day of July, 1995.


The Honorable Terry C. Kern
United States District Judge

Defendant's SSN: 453-88-7990
Defendant's Date of Birth: 12-30-51
Defendant's residence and mailing address: 7036 E. 33rd Street, Tulsa, Oklahoma 74145

Defendant: SUSIE DAVIS
Case Number: 95-CR-16-K

PROBATION

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

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

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

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: SUSIE DAVIS
Case Number: 95-CR-16-K

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 during the period of Probation.

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

Defendant: SUSIE DAVIS
Case Number: 95-CR-16-K

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$6,000.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Bank IV Post Office Box 2360 Tulsa, Oklahoma 74101	6,000

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

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation.

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

Defendant: SUSIE DAVIS
Case Number: 95-CR-16-K

STATEMENT OF REASONS

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

Guideline Range Determined by the Court:

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

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 FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

JUL 13 1995

United States of America,)
)
 Plaintiff)
)
 v.)
)
 Danny Lee Jones)
)
 Defendant)

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

Case No.: 93-CR-090-001-C

ENTERED ON DOCKET
DATE 7-13-95

ORDER REVOKING SUPERVISED RELEASE

Now on this 6th day of July, 1995, 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 March 22, 1995. The defendant is present in person and represented by counsel, Curtis Biram. The Government is represented by Assistant United States Attorney John Russell, and the United States Probation Office is represented by Frank M. Coffman.

Pursuant to the Sentencing Reform Act of 1984, the Court finds that the instant offense and the violations noted in the Petition on Supervised Release filed March 22, 1995, occurred after November 1, 1987, and that Chapter Seven of the U. S. Sentencing Commission Guidelines is applicable. Further, the Court finds that the violations of supervised release constitute Grade B violations in accordance with U.S.S.G. § 7B1.2 (b)(1) (A) and that the defendant's

United States District Court,
Northern District of Oklahoma)
) SS

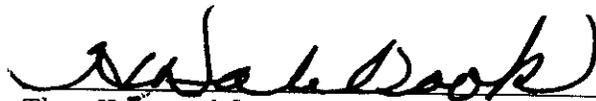
I hereby certify that the foregoing
is a true copy of the original on file
in this Court.

Richard M. Lawrence, Clerk
By R. Miller
Deputy

original criminal history category of IV is applicable for determining the imprisonment range. In addition, the Court finds that Grade B violations and a criminal history category of IV establish a revocation imprisonment range of 12 to 18 months, in accordance with U.S.S.G. § 7B1.4(a) and 18 U.S.C. § 3583(e). In consideration of these findings and pursuant to U.S. v. Lee, 957 F 2d 770 (10th Cir., 1992), in which the Circuit determined that the policy statements in Chapter Seven were not mandatory, but must be considered by the Court, the following sentence is ordered:

It is the judgment of the Court that the defendant, Danny Lee Jones, is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of 18 months. It is recommended that the U.S. Bureau of Prisons place the defendant at a facility where the defendant's alcohol problems may be addressed. The previous order of restitution remains in effect and a part of this judgment.

The defendant is remanded to the custody of the U.S. Marshal's Service.



The Honorable H. Dale Cook
United States District Judge

UNITED STATES DISTRICT COURT **F I L E D**
 NORTHERN DISTRICT OF OKLAHOMA
 JUL 13 1995

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

UNITED STATES OF AMERICA)
 Plaintiff)
 VS)
)
 ROCHELLE D. THOMPSON)
 Defendant)
)

Case Number: 91-CR-113-001-C

ENTERED ON DOCKET
 DATE 7-13-95

ORDER REVOKING SUPERVISED RELEASE

Now on this 6th day of July 1995, this cause comes on for sentencing concerning allegations that the defendant violated conditions of supervised release as set out in the Petition on Supervised Release filed on May 1, 1995. The defendant is present in person and represented by counsel, Richard Couch. The Government is represented by Assistant U.S. Attorney Alan Litchfield, and the United States Probation Office is represented by Larry Morris.

The defendant was heretofore convicted on her plea of guilty to Count One of a three-count Indictment which charged her with Concealment Of A Material Event, in violation of 42 U.S.C. § 408(d)(2). On February 25, 1992, Thompson was committed to the custody of the U. S. Bureau Of Prisons for a term of eight months. In addition, she was ordered to pay a \$50 Special Monetary Assessment, restitution in the amount of \$11,763.70 and

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

complete a three year term of supervised release.

On December 13, 1994, the conditions of release were modified to include the following: The defendant shall participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse as directed by the U.S. Probation Office.

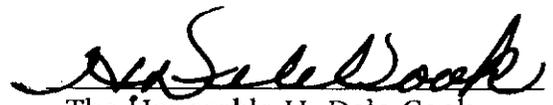
On June 6, 1995, a revocation hearing was held regarding the allegation noted in the Petition on Supervised Release, filed on May 1, 1995, said allegation being that on March 1, 1994, October 10, 1994, and April 10, 1995, the defendant submitted urine specimens which tested positive for Cocaine Metabolite Benzoylcegonine. Thompson also failed to submit urine samples as directed on the following dates: September 10, 22, 1994; October 8, 20, 25, 30, 1994; November 5, 6, 15, 21, 26, 29, 1994; December 6, 9, 13, 1994 and March 26, 1995. The Court found that there was sufficient evidence to substantiate the allegation as alleged in the Petition and sentencing was set for July 06, 1995.

On July 6, 1995, as a result of the sentencing hearing, the Court found that the violation occurred after November 1, 1987, and that Chapter 7 of the U. S. Sentencing Guidelines is applicable. Further, the Court found that the violation of supervised release constituted a Grade C violation in accordance with U.S.S.G. § 7B1.1(a)(3), and that the defendant's original criminal history category of III was applicable for determining the imprisonment range. In addition, the Court found that a Grade C violation and a criminal history category of III establish a revocation imprisonment range of five to eleven months. In consideration

of these findings and pursuant to U.S. vs. Lee, 957 F2d 770 (10th Cir. 1992), in which the Circuit determined that the policy statements in Chapter 7 were not mandatory, but must be considered by the Court, the following was ordered:

The defendant is committed to the custody of the U. S. Bureau of Prisons to be imprisoned for a term of five months. The Court recommends that the defendant receive treatment for drug addiction while incarcerated. It is further ordered that the original restitution order of \$11,763.70, with a current balance of \$11,638.70, will remain in effect.

The defendant is ordered to report to the designated U. S. Bureau of Prisons institution no later than 9:00 a.m. on August 07, 1995.


The Honorable H. Dale Cook
United States District Judge

FILED

JUL 12 1995

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

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

UNITED STATES OF AMERICA

VS.

DONNA ALLETA COWLES

Docket No. 89-CR-060-002-E

ENTERED ON DOCKET

DATE 7/12/95

JUDGMENT AND COMMITMENT ORDER
ON REVOCATION OF PROBATION

Now on this 7th day of July, 1995, this cause comes on for sentencing after a previous finding that the defendant violated conditions of probation as set out in the Petition on Probation filed on May 25, 1995. The defendant is present in person and with her attorney, Gerald Hilsher. The Government is represented by Assistant United States Attorney Neal Kirkpatrick and the United States Probation Office is represented by Tony Budzinsky.

The defendant was heretofore, on July 7, 1989, convicted on her plea of guilty to Count Four of a four-count Indictment which charged Unauthorized Use of Access Device to Obtain Items Worth More Than \$1,000, in violation of Title 18, United States Code § 1029(a)(2). She was initially sentenced on September 11, 1989, to thirty months imprisonment but, according to an Amended Judgment dated August 13, 1993, she was subsequently resentedenced to three years probation. She was ordered to make restitution of \$2,306.04, and agreed to abide by the standard conditions of supervision plus special conditions of drug treatment, mental health treatment,

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 Bar M. Cullough
Deputy

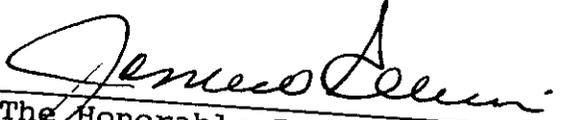
disclosure of personal relationships and associations, allowing the Probation Office to conduct searches of her person, residence, vehicle, office, and/or business at a reasonable time and in a reasonable manner upon reasonable suspicion or contraband or evidence of a violation of a condition of release, and adherence to the "Special Financial Conditions" as adopted by the Court.

On June 19, 1995, a revocation hearing was held regarding the allegations noted in the Petition on Probation, said allegations being that the defendant submitted urinalysis samples which tested positive for cocaine on February 14, March 3, 10, 11, 12, 15, 18, April 28, and May 1, 1995; that she failed to submit urinalysis samples as directed on March 6, 9, 14, 26, 27, and May 10, 1995.

As a result of the sentencing hearing, the Court finds that since the original offense for which the defendant was convicted and placed on probation occurred prior to November 1, 1987, the sentencing guidelines do not apply. In consideration of this finding, the following sentence is ordered:

It is adjudged by the Court that the defendant shall be sentenced to serve one year and one day in the custody of the Bureau of Prisons.

The Court strongly requests that the defendant be assigned to either Bryan, Texas, or Danbury, Connecticut, in order to have access to full and comprehensive drug treatment programs and facilities.


The Honorable James O. Ellison
United States District Judge

FILED

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

JUL 10 1995

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

UNITED STATES OF AMERICA

v.

Case Number 95-CR-032-002-B

JERRY TIPTON
Defendant.

ENTERED ON DOCKET
JUL 10 1995
DATE

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

The defendant, JERRY TIPTON, was represented by Michael A. Abel.

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

The defendant pleaded guilty to count(s) 2 of the Indictment on April 7, 1995. 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 510(b)	Possession of Stolen U.S. Bonds	03/03/93	2

As pronounced on July 7, 1995, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00 for Count 2 of the Indictment, for count(s) 2 of the Indictment, which shall be due immediately.

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

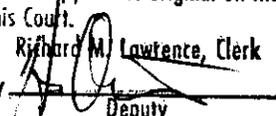
Signed this the 10th day of July, 1995.


The Honorable Thomas R. Brett
Chief United States District Judge

Defendant's SSN: 570-66-9067

Defendant's Date of Birth: 08/19/46

Defendant's residence and mailing address: 2307 Woodland Shores, Afton, Oklahoma 74331

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

Defendant: JERRY TIPTON
Case Number: 95-CR-032-002-B

PROBATION

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

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

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
4. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of 2 months, to commence within one week of sentencing date. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The cost of this program shall be paid by the defendant in the amount of \$1.00 per day.

STANDARD CONDITIONS OF PROBATION

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

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

Defendant: JERRY TIPTON
Case Number: 95-CR-032-002-B

FINE

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

The defendant shall pay a fine of \$ 1,000.00. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation.

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

Defendant: JERRY TIPTON
Case Number: 95-CR-032-002-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:	6
Criminal History Category:	III
Imprisonment Range:	2 months to 8 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 500 to \$ 5,000
Restitution:	\$ N/A.

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

er

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

JUL 10 1995

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

UNITED STATES OF AMERICA

v.

Case Number 94-CR-157-001-B

REGGIE L. TUTHILL
Defendant.

ENTERED ON DOCKET
JUL 11 1995
DATE _____

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

The defendant, REGGIE L. TUTHILL, was represented by Craig Bryant.

On motion of the United States the court has dismissed count(s) 2 and 3 of the Indictment.

The defendant pleaded guilty to count(s) 1 of the Indictment on April 18, 1995. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

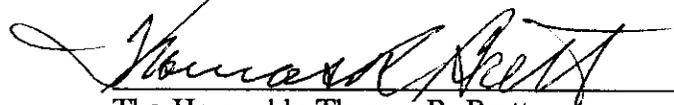
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 922(g)(1) and 924(a)(2)	Possession of a Firearm After Former Conviction of a Felony	05/07/94	1

As pronounced on June 29, 1995, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

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

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

Signed this the 10th day of July, 1995.


The Honorable Thomas R. Brett
Chief United States District Judge

Defendant's SSN: 502-92-8046
Defendant's Date of Birth: 01/21/63
Defendant's mailing address: 28606 N. Highway 51, Coweta, OK 74429
Defendant's residence address: C/O Tulsa County Jail, 500 S. Denver, Tulsa, OK 74103

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

Defendant: REGGIE L. TUTHILL
Case Number: 94-CR-157-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 66 months.

The Court makes the following recommendations to the Bureau of Prisons: Defendant be placed at a facility that can adequately address his substance abuse and provide treatment for such during service of this sentence. The Court also recommends that the defendant be housed at FCI, El Reno, Oklahoma, for service of this sentence.

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

RETURN

I have executed this Judgment as follows:

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

United States Marshal
By _____
Deputy Marshal

Defendant: REGGIE L. TUTHILL
Case Number: 94-CR-157-001-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 participate in a program of mental health treatment (to include inpatient), as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Officer.
6. 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.
7. 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: REGGIE L. TUTHILL
Case Number: 94-CR-157-001-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 \$ 1,000. 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.

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: REGGIE L. TUTHILL
Case Number: 94-CR-157-001-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:	23
Criminal History Category:	III
Imprisonment Range:	57 months to 71 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 10,000 to \$ 100,000
Restitution:	\$ N/A

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

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

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

FILED

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 JEROD HARRISON JONES,)
)
 Defendant.)

JUN - 7 1995

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

No. 94-CR-180-BU

ENTERED ON DOCKET

DATE JUL 10 1995

O R D E R

Now on this 6th day of June/July, 1995, this cause comes on to be heard in the matter of the plaintiff's motion to dismiss the ~~Indictment~~ ^{Information} in the above styled cause. The Court finds that said motion ought to be granted and the Information is dismissed without prejudice.

IT IS SO ORDERED.

/s/ JOHN LEO WAGNER
UNITED STATES MAGISTRATE JUDGE

~~JUDGE MICHAEL BURRAGE~~
~~U.S. DISTRICT COURT~~

mag

FILED

JUL 6 1995

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

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA)
Plaintiff)
VS)
TODD ELLIOTT HAWKINS)
Defendant)

Case Number: 91-CR-057-001-E

ENTERED ON DOCKET

DATE 7/6/95

AMENDED
ORDER REVOKING PROBATION

Now on this 19th day of June, 1995, this cause comes on for sentencing after finding that the defendant violated his terms and conditions of probation as set forth in the Petition on Probation and Supervised Release filed on April 26, 1995. The defendant is present in person and with his attorney, Richard Couch. The Government is represented by Assistant United States Attorney Neal Kirkpatrick and the United States Probation Office by Robert Boston.

The defendant was heretofore convicted after his plea of guilty to Count One of a one-count Indictment which charged him with False Statements and Causing False Statements in violation of 18 U.S.C. §§ 1001 and 2. He was sentenced on October 11, 1991, to a three year term of probation. In addition to the standard conditions of supervision, the defendant was ordered to pay restitution in the amount of \$5,406 to the

Tulsa Housing Authority as directed by the U.S. Probation Office. On September 15, 1994

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 Ben McCallister
Darity

the Court modified the conditions of probation by ordering the defendant to participate in substance abuse treatment, and the term of probation was extended by two years.

A revocation hearing was conducted on June 1, 1995, before this Court regarding the allegations cited in the Petition on Probation and Supervised Release filed on April 26, 1995. These allegations included illegal use of cocaine, failure to submit to testing for the detection of drug abuse, and failure to successfully participate in drug abuse treatment. At the hearing, the defendant stipulated that there was sufficient evidence to prove that the violations as alleged in the Petition were correct. Sentencing was set for June 19, 1995.

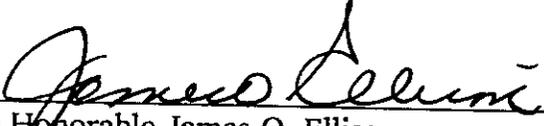
On June 19, 1995, as a result of the sentencing hearing, the Court found that the violations of probation occurred after November 1, 1987, and that Chapter 7 of the U.S. Sentencing Guidelines was applicable. Further, the Court found that the violations of probation constitute Grade C violations in accordance with U.S.S.G. § 7B1.1(a)(3)(B), and that the defendant's original criminal history category of I was applicable for determining the imprisonment range. In addition, the Court found that a Grade C violation and a Criminal History Category of I establish an imprisonment range of three to nine months pursuant to U.S.S.G. § 7B1.4(a). However, pursuant to U.S.S.G. § 7B1.4(b)(3), the sentence upon revocation may be imposed at any point within the applicable range, provided that the sentence is not greater than the maximum term of imprisonment authorized by statute; and is not less than any minimum term of imprisonment required by statute. Pursuant to *U.S. v. Maltais*, 961 F.2d 1485, 1486-87 (10th Cir., 1992), the Court of Appeals held that 18 U.S.C. § 3565(a)(2) mandates a sentencing court impose a sentence that was available at the time of the initial sentencing. Accordingly, the statutory minimum possible in revocation of this case is limited to four months as the original sentencing guideline range was four to ten months. In consideration of these findings and pursuant to *U.S. v. Lee*, 957 F.2d 770 (10th Cir., 1992), in which the Circuit determined

that the policy statements in Chapter 7 are not mandatory but must be considered by the Court, the following is ordered:

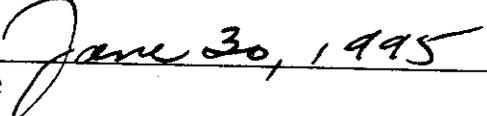
The defendant is committed to the custody of the Bureau of Prisons to be imprisoned for a term of four (4) months. The defendant is ordered to pay the outstanding restitution balance of \$4,880.50 to the Tulsa Housing Authority. Upon release from imprisonment the defendant shall serve a three (3) year term of supervised release. In addition to the standard conditions of supervised release heretofore adopted by the Court, the following special conditions are imposed:

1. If the restitution balance is not paid during incarceration, the defendant shall pay the balance in monthly installments as determined by the probation officer.
2. The defendant shall participate in an outpatient and/or residential program approved by the United States Probation Office for treatment of narcotic addiction or drug or alcohol dependency which will include testing for the detection of substance use or abuse.

The defendant is remanded to the custody of the United States Marshal for transportation to the designated Bureau of Prisons institution.


The Honorable James O. Ellison
United States District Judge

Date



FILED

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

JUL 6 1995

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

UNITED STATES OF AMERICA

v.

Case Number 94-CR-126-002-E

ENTERED ON DOCKET

JOHNNY TYNES
Defendant.

DATE 7/6/95

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

The defendant, JOHNNY TYNES, was represented by Joe E. White.

The defendant pleaded guilty to count(s) 1 of the Indictment on March 16, 1995. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

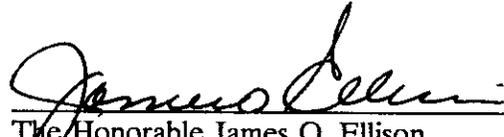
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371	Conspiracy to Commit Theft from Interstate Pipeline	10/30/92	1

As pronounced on June 30, 1995, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

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

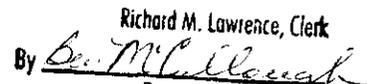
It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 6th day of July, 1995.


The Honorable James O. Ellison
United States District Judge

Defendant's SSN: 446-54-9653
Defendant's Date of Birth: 01/03/51
Defendant's residence and mailing address: Rt. 2, Box 138, Madill, OK 73446

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

Richard M. Lawrence, Clerk
By 
Deputy

Defendant: JOHNNY TYNES
Case Number: 94-CR-126-002-E

IMPRISONMENT

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

The Court makes the following recommendations to the Bureau of Prisons: That El Reno FCI be designated as the facility where the defendant will serve this sentence.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 p.m. on August 1, 1995.

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 TYNES
Case Number: 94-CR-126-002-E

SUPERVISED RELEASE

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

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

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

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 TYNES
Case Number: 94-CR-126-002-E

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$10,800.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Koch Industries, Inc. P.O. Box 2256 Wichita, Kansas 67201-2256 Attn: Gary D. Baker	\$10,800

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.

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

Defendant: JOHNNY TYNES
Case Number: 94-CR-126-002-E

STATEMENT OF REASONS

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

Guideline Range Determined by the Court:

Total Offense Level:	18
Criminal History Category:	II
Imprisonment Range:	30 months to 37 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 6,000 to \$ 60,000
Restitution:	\$ 271,710

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

Full restitution is not ordered for the following reason(s): The defendant'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.