

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

FILED

SEP 28 1995 *jun*

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.)
)
 THOMAS GILBREATH,)
)
 Defendant.)

Case No. 91-CR-24-01-B

ENTERED ON DOCKET
DATE 9-29-95

O R D E R

Before the Court for consideration is Defendant's Motion for Reappointment of Counsel and Motion to Arrest Judgment (Docket #175). The Tenth Circuit Court of Appeals has withdrawn attorney Sondra Fogley Houston as attorney of record and allowed Defendant Gilbreath to proceed with his appeal *pro se*. To the extent this Court retains jurisdiction over Defendant's Motion for Reappointment of Counsel, such motion is DENIED as moot. Further, Defendant has provided no appropriate grounds recognized by Fed.R.Crim.P. 34 for his Motion to Arrest Judgment. Therefore, the Motion also is DENIED.

IT IS SO ORDERED this 28 ^{*th*} day of September, 1995.


THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

SEP 27 1995

UNITED STATES OF AMERICA

v.

Richard M. Lawrence, Clerk
U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA
Case Number 95-CR-019-002-C

SUSAN JEANNE BOWMAN
Defendant.

ENTERED ON DOCKET
DATE 9-27-95

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

The defendant, SUSAN JEANNE BOWMAN, was represented by Craig Bryant.

The defendant was found guilty on count(s) 1-9 of the Indictment on June 14, 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 1343 & 2	Wire Fraud and Aiding & Abetting	11/19/90	1-9

As pronounced on September 20, 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.

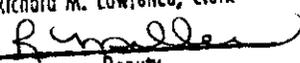
It is ordered that the defendant shall pay to the United States a special assessment of \$ 450.00, for count(s) 1-9 of the Indictment, which shall be due immediately.

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

Signed this the 27th day of September, 1995.


The Honorable H. Dale Cook
United States District Judge

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

Richard M. Lawrence, Clerk
By 
Deputy

Defendant's SSN: 483-60-6710

Defendant's Date of Birth: 07/20/46

Defendant's residence and mailing address: 1715 Hodges Blvd., #2604, Jacksonville, Florida 32224

Defendant: SUSAN JEANNE BOWMAN
Case Number: 95-CR-019-002-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 27 months as to each of counts 1 through 9, all counts to run concurrently, each to the other.

The Court makes the following recommendations to the Bureau of Prisons: That the Bureau of Prisons designate an institution in or near the state of Florida.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 9:00 a.m. on October 30, 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: SUSAN JEANNE BOWMAN
Case Number: 95-CR-019-002-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years in each of Counts 1-9, all counts to run concurrently, each to the other.

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

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: SUSAN JEANNE BOWMAN
 Case Number: 95-CR-019-002-C

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$7,200.00 jointly and severally with codefendant, Robert Bowman.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Ernest Mader 534 Wickman Manhattan, KS	\$664.57
Myrtle Ann Moody 2210 Western Drive Duncan, OK	\$1,289.28
Harry Linden 6901 Palomino Wonder Valley, CA	\$132.91
Georgia Butler 702 S. Timberridge Dr. Cushing, OK	\$2,255.58
Merle Brant 5776 E. 25th Pl. Tulsa, OK	\$265.83
Mary Friels 1009 Palm Street Duncan, OK	\$239.25
Tilford Rhoton Route 2, Box 180 Cheyenne, OK	\$664.57
Agnes Warren 3212 Blue Sage Drive Woodward, OK	\$664.57
Dorothy Deverges 1310 N. Olympia Tulsa, OK	\$132.91
Sanford Isham 1404 E. Chestnut Duncan, OK	\$890.53

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: SUSAN JEANNE BOWMAN
Case Number: 95-CR-019-002-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:	18
Criminal History Category:	I
Imprisonment Range:	27 months to 33 months - Cts. 1-9
Supervised Release Range:	2 to 3 years - Cts. 1-9
Fine Range:	\$ 6,000 to \$ 60,000 - Cts. 1-9
Restitution:	\$ 541,700

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): 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.

ea

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILE
SEP 27 1995

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

UNITED STATES OF AMERICA

v.

Case Number 95-CR-019-001-C

ROBERT LEE BOWMAN
Defendant.

ENTERED ON DOCKET
DATE 9-27-95

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

The defendant, ROBERT LEE BOWMAN, was represented by Ernie Bedford.

The defendant was found guilty on count(s) 1-9 of the Indictment on June 14, 1995 after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

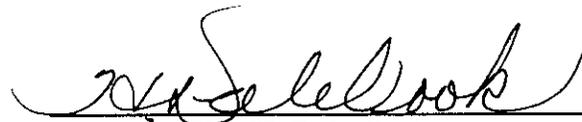
Title & Section	Nature of Offense	Date Offense Concluded	Count Number(s)
18 USC 1343 & 2	Wire Fraud and Aiding & Abetting	11/19/90	1-9

As pronounced on September 20, 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 \$ 450.00, for count(s) 1-9 of the Indictment, which shall be due immediately.

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

Signed this the 27 day of Sept, 1995.


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. M. Lawrence
Deputy

Defendant's SSN: 485-56-0790
Defendant's Date of Birth: 06/07/45
Defendant's residence and mailing address: Route 1, Box 142, Red Oak, IA 51566

23.

Defendant: ROBERT LEE BOWMAN
Case Number: 95-CR-019-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 50 months in each of Counts 1-9, all counts to run concurrently, each to the other.

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

RETURN

I have executed this Judgment as follows:

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

United States Marshal
By _____
Deputy Marshal

Defendant: ROBERT LEE BOWMAN
Case Number: 95-CR-019-001-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years in each of Counts 1-9, all counts to run concurrently, each to the other.

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

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall 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. You are prohibited from engaging in any form of employment which would give you access to bank accounts, cash, securities, or other negotiable assets of any individual, business, or other entity. In addition, you are prohibited from soliciting others to invest money or other assets for any purpose, or from assisting or advising others in the solicitation of investors.
7. You shall abide by the Internal Revenue laws of the United States, and provide any requested documentation of such compliance.

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: ROBERT LEE BOWMAN
Case Number: 95-CR-019-001-C

RESTITUTION AND FORFEITURE
RESTITUTION

The defendant shall make restitution in the total amount of \$37,919.

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.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Ernest Mader 534 Wickman Manhattan, KS	\$3,500
Myrtle Ann Moody 2210 Western Drive Duncan, OK	\$6,790
Harry Linden 6901 Palomino Wonder Valley, CA	\$ 700
Georgia Butler 702 S. Timberidge Dr. Cushing, OK	\$11,879
Merle Brant 5776 E. 25th Pl. Tulsa, OK	\$ 1,400
Mary Fields 1009 Palm Street Duncan, OK	\$ 1,260
Tilford Rhoton Route 2, Box 180 Cheyenne, OK	\$ 3,500
Agnes Warren 3212 Blue Sage Drive Woodward, OK	\$ 3,500
Dorothy Deverges 1310 N. Olympia Tulsa, OK	\$ 700
Sanford Isham 1404 E. Chestnut Duncan, OK	\$ 4,690

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.
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Defendant: ROBERT LEE BOWMAN
Case Number: 95-CR-019-001-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:	20
Criminal History Category:	III
Imprisonment Range:	41 months to 51 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 7,500 to \$ 75,000
Restitution:	\$ 514,700

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

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

SEP 27 1995

UNITED STATES OF AMERICA

v.

Case Number 95-CR-020-001-BU

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

JOHNNY DALE CHINN
Defendant.

ENTERED ON DOCKET

DATE 9-27-95

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

The defendant, JOHNNY DALE CHINN, was represented by Steve Greubel.

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 17, 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)	Possession of a Firearm After Prior Felony Conviction	11/03/94	2

As pronounced on September 22, 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) 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 26th day of Sept, 1995.


The Honorable Michael Burrage
United States District Judge

Defendant's SSN: 444-72-7476
Defendant's Date of Birth: 09/04/61
Defendant's residence and mailing address: 103 W. 9th St., Dewey, OK 74029

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: JOHNNY DALE CHINN
Case Number: 95-CR-020-001-BU

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

RETURN

I have executed this Judgment as follows:

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

United States Marshal

By _____
Deputy Marshal

Defendant: JOHNNY DALE CHINN
Case Number: 95-CR-020-001-BU

SUPERVISED RELEASE

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

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

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: JOHNNY DALE CHINN
Case Number: 95-CR-020-001-BU

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report except USSG § 2K2.1(b)(4) does not apply for a total offense level of 21, not 23, as presented in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	21
Criminal History Category:	IV
Imprisonment Range:	57 months to 71 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 7,500 to \$ 75,000
Restitution:	\$ N/A

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

The sentence 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.

SEP 26 1995

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

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

UNITED STATES OF AMERICA)
Plaintiff)

VS)

WAYNE EDWARD CARNES)
Defendant)

Case Number: 93-CR-066-001-B

ENTERED ON DOCKET
DATE SEP 27 1995

AMENDED
JUDGMENT AND COMMITMENT ORDER
ON REVOCATION OF PROBATION

Now on this 14th day of June, 1995, this matter 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 11, 1995. The defendant is present in person and with his attorney, William Lunn. The Government is represented by Assistant U. S. Attorney Scott Woodward, and the U. S. Probation Office is represented by Randall Drew.

The defendant was heretofore, on August 26, 1993, convicted by a jury of a one count Superseding Indictment which charged Simple Assault on Indian Land, in violation of Title 18, U.S.C. § 113(e). The defendant was subsequently sentenced on September 27, 1993, to a three year period of probation with a condition that he participate in urinalysis testing and drug treatment as directed by the Probation Office. Carnes was also ordered to pay a \$50 Special Monetary Assessment, and \$2,416.70 in restitution. The standard conditions of probation recommended by the Sentencing Commission were also imposed.

On May 26, 1995, a Revocation Hearing was held regarding the allegations noted in the

Petition on Probation, said allegations being that the defendant submitted a urine specimen on March 18, 1994, which tested positive for Opiates, that he failed to submit restitution as ordered by the Probation Office according to his ability to pay, and that he committed further state law violations. After hearing testimony, the Court found the defendant to be in violation of his probation conditions.

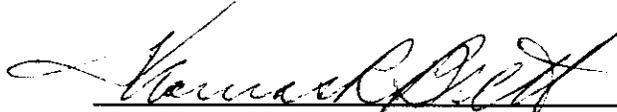
As a result of the sentencing hearing, the Court finds that the violations occurred after November 1, 1987; however, the U.S. Sentencing Guidelines do not apply to Class B misdemeanor offenses according to U.S.S.G. 1B1.9. It is adjudged by the Court that the defendant shall be sentenced to serve sixty (60) days (less time served during the revocation proceeding) in the custody of the Bureau of Prisons. The Court recommends that the Bureau of Prisons designate the Tulsa County Jail as the place of confinement. The custody term shall be followed by a one (1) year term of supervised release. As conditions of supervised release, the defendant shall not violate any local, state, or federal law, and shall abide by the standard conditions of supervised release as set out by the U.S. Sentencing Commission. Upon release from confinement and at the discretion of the Probation Office, the defendant shall enter the Freedom House inpatient drug and alcohol rehabilitation program for a period of up to sixty (60) days. Thereafter, the defendant shall participate in an outpatient treatment program for substance abuse as directed by the Probation Office. If inpatient treatment is required, the defendant shall be placed on home detention to include electronic monitoring at the discretion of the Probation Office for a period of up to thirty (30) days, to commence within 72 hours of release from the treatment facility. The cost of electronic monitoring shall be at the discretion of the Probation Office.

As a special condition of supervised release, the Court orders the defendant to pay restitution in the amount of \$2,196.70 to the Texas Department of Health and Human Services as directed by the Probation Office.

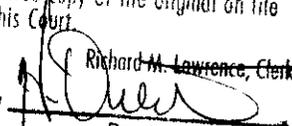
The Court further orders all previous probation conditions to be re-imposed.

After further discussion with the Probation Office, it appears that the offender was originally convicted of a Class B misdemeanor that was classified as a petty offense pursuant to 18 U.S.C. §§ 19 and 3571(6). Accordingly, the term of supervised release previously imposed is not authorized under 18 U.S.C. § 3583(b)(3). Pursuant to Rule 35(c) of the Federal Rules of Criminal Procedure, the Court corrects the sentence by striking the one year term of supervised release, thereby leaving the 60 day custody sentence and the order of restitution intact.

The defendant is hereby ordered to surrender to the U. S. Marshal on Monday, June 19, 1995, at 11:00 A.M.



The Honorable Thomas R. Brett
Chief United States District Judge 9-26-95

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.
By  Richard M. Lawrence, Clerk
Deputy

FILED

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

SEP 25 1995

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

UNITED STATES OF AMERICA

v.

Case Number 95-CR-023-001-B

ROBERT PEREZ
Defendant.

ENTERED ON DOCKET
DATE 9-27-95

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

The defendant, ROBERT PEREZ, was represented by William Musseman.

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 June 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 2321	Trafficking in Stolen Motor Vehicles	12/93	2

As pronounced on September 21, 1995, the defendant is sentenced as provided in pages 2 through 6 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, 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 25th day of Sept., 1995.



The Honorable Thomas R. Brett
United States District Judge

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

By 
Richard M. Lawrence, Clerk
Deputy

Defendant's SSN: 511-72-4664
Defendant's Date of Birth: 02/09/69
Defendant's residence and mailing address: Route 2, Box 13670, Porum, Oklahoma 74455

Defendant: ROBERT PEREZ
Case Number: 95-CR-023-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 18 months as to Count 2.

The Court makes the following recommendations to the Bureau of Prisons: That the Bureau of Prisons designate an institution offering the shock incarceration program, provided the defendant meets all classification requirements. The Court notes the defendant consented in open court for such placement.

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

RETURN

I have executed this Judgment as follows:

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

United States Marshal
By _____
Deputy Marshal

Defendant: ROBERT PEREZ
Case Number: 95-CR-023-001-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 submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: ROBERT PEREZ
Case Number: 95-CR-023-001-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 \$ 1,000.00. 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: ROBERT PEREZ
Case Number: 95-CR-023-001-B

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$2,500.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Aurelia Perez 1037 Delaware Place Tulsa, OK 74110	\$2,500.00

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

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. 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: ROBERT PEREZ
Case Number: 95-CR-023-001-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:	12
Criminal History Category:	III
Imprisonment Range:	15 months to 21 months - Ct. 2
Supervised Release Range:	2 to 3 years - Ct. 2
Fine Range:	\$ 3,000 to \$ 30,000 - Ct. 2
Restitution:	\$ 2,500

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**

SEP 25 1995

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

UNITED STATES OF AMERICA

v.

Case Number 95-CR-052-001-B

ENTERED ON DOCKET

RICHARD DALE STEVENS
Defendant.

DATE 9-27-95

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

The defendant, RICHARD DALE STEVENS, was represented by Richard D. Amatucci.

The defendant was found guilty on count(s) 1 of the Indictment on June 21, 1995 after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

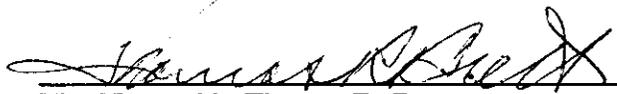
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 841(a)(1)	Possession With Intent to Distribute a Controlled Substance, Methamphetamine	04/12/95	1

As pronounced on September 22, 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.

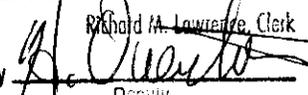
It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, for count(s) 1 of the Indictment, which shall be due immediately.

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 25 day of Sept., 1995.


The Honorable Thomas R. Brett
United States District Judge

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

By 
Richard M. Lawrence, Clerk
Deputy

Defendant's SSN: 464-47-2611
Defendant's Date of Birth: 03/26/65
Defendant's residence and mailing address: 7 Hillcrest Drive, Stroud, OK 74079

Defendant: RICHARD DALE STEVENS
Case Number: 95-CR-052-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 63 months.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant receive drug treatment while incarcerated.

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 DALE STEVENS
Case Number: 95-CR-052-001-B

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: RICHARD DALE STEVENS
Case Number: 95-CR-052-001-B

FINE

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: RICHARD DALE STEVENS
Case Number: 95-CR-052-001-B

STATEMENT OF REASONS

The court adopts the factual findings and guideline application in the presentence report except: The Court finds the defendant to be a minor participant pursuant to 3B1.2(b).

Guideline Range Determined by the Court:

Total Offense Level:	26
Criminal History Category:	I
Imprisonment Range:	63 months to 78 months - Ct. 1
Supervised Release Range:	4 to 5 years - Ct. 1
Fine Range:	\$ 12,500 to \$ 2,000,000 - Ct. 1
Restitution:	\$ N/A

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

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

FILED

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

SEP 25 1995

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

UNITED STATES OF AMERICA

v.

Case Number 95-CR-062-002-B

ADRIAN TORRES
Defendant.

ENTERED ON DOCKET
DATE 9-27-95

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

The defendant, ADRIAN TORRES, was represented by Ernie Bedford.

The defendant pleaded guilty to count(s) 1 of the Indictment on June 19, 1995. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

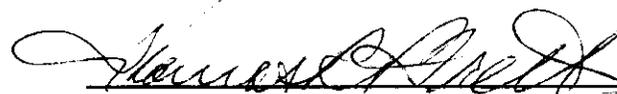
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 841(a)(1)	Possession With Intent to Distribute a Controlled Substance, Cocaine	04/13/95	1

As pronounced on September 22, 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 25 day of Sept., 1995.


The Honorable Thomas R. Brett
United States District Judge

Defendant's SSN: 457-45-6890
Defendant's Date of Birth: 03/15/75
Defendant's residence and mailing address: 842 W. Levee, Brownsville, TX 78520

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.
By  Richard M. Lawrence, Clerk
Deputy

Defendant: ADRIAN TORRES
Case Number: 95-CR-062-002-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 60 months.

The Court makes the following recommendations to the Bureau of Prisons: Placement near defendant's residence city of Brownsville, Texas.

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: ADRIAN TORRES
Case Number: 95-CR-062-002-B

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: ADRIAN TORRES
Case Number: 95-CR-062-002-B

FINE

The defendant shall pay a fine of \$ 1,500.00. 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.

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: ADRIAN TORRES
Case Number: 95-CR-062-002-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:	23
Criminal History Category:	II
Imprisonment Range:	60 months to 63 months - Ct. 1
Supervised Release Range:	4 to 5 years - Ct. 1
Fine Range:	\$ 10,000 to \$ 2,000,000 - Ct. 1
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.

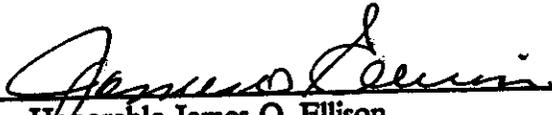
RPB

by a five year term of supervised release. As a special condition of supervised release, the defendant was ordered to participate in substance abuse treatment as directed by the probation officer. The defendant began his term of supervised release on December 12, 1992, and on July 7, 1995, a Petition on Probation and Supervised Release was filed alleging that the defendant violated the general condition number 7, which prohibits the possession and use of controlled drugs. The petition also alleged that the defendant violated the special condition of supervised release which provided for mandatory drug treatment. A Revocation Hearing was held on August 31, 1995, at which time the defendant stipulated to the allegations, and the Court found Rentie to be in possession of controlled drugs. A sentencing hearing was held on September 22, 1995.

The Court finds that the violation occurred after November 1, 1987, and that Chapter 7 of the U.S. Sentencing Guidelines is applicable. Further, the Court finds that the violation of supervised release constituted a Grade C violation in accordance with USSG § 7B1.1(a)(3) and that the defendant's criminal history category of III is applicable for determining the range of imprisonment upon revocation. In addition, the Court finds 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. v Lee, 957 F 2d 770(10 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 sentence is ordered:

The defendant is committed to the custody of the Bureau of Prisons to be imprisoned for a term of ten months. The Court further recommends that the defendant undergo drug treatment while serving the term of incarceration.

The defendant is ordered to surrender to the U.S. Marshal on October 13, 1995, by 12:00 p.m.


The Honorable James O. Ellison
United States District Judge

w

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

SEP 25 1995

UNITED STATES OF AMERICA

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

v.

Case Number 91-CR-168-001-E

ENTERED ON DOCKET

WILLIAM HUGH FLEMING
 Defendant.

DATE 9/26/95

AMENDED AS TO PREVIOUS RESTITUTION ORDER
JUDGMENT IN A CRIMINAL CASE
 (For Offenses Committed On or After November 1, 1987)

The defendant, WILLIAM HUGH FLEMING, was represented by Keith Ward.

On motion of the United States the court has dismissed count(s) 5 and 7 of the Superseding Indictment.

The defendant is discharged as to counts 1, 4, and 6 of the Superseding Indictment due to mistrial. The defendant was found guilty as to counts 2, 3, and 8 of the Superseding Indictment, involving the following offense(s):

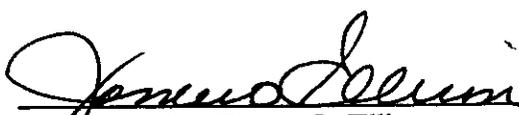
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371	Conspiracy	9/90	2
18 USC 371	Conspiracy	1/91	3
26 USC 5861(d)	Receiving, Possessing a Firearm Illegally	2/90	8

As pronounced on August 13, 1992, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 150.00, for count(s) 2, 3, and 8 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 25th day of September, 1995.


 The Honorable James O. Ellison
 United States District Judge
 United States District Court)
 Northern District of Oklahoma) SS

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

Defendant's SSN: 446-52-6038
 Defendant's Date of Birth: 10/07/49
 Defendant's residence and mailing address: 7720 E. 126th St. North, Collinsville, OK 74021

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

Defendant: WILLIAM HUGH FLEMING
Case Number: 91-CR-168-001-E

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 46 months as to each of Counts 2, 3, and 8 of the Superseding Indictment, to run concurrently. Execution of sentence stayed pending appeal. Defendant shall remain free pending execution of \$100,000 bond secured by real property.

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: WILLIAM HUGH FLEMING
Case Number: 91-CR-168-001-E

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 2 years as to each of Counts 2, 3, and 8, to run concurrently.

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

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

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: WILLIAM HUGH FLEMING
Case Number: 91-CR-168-001-E

FINE

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

The defendant shall pay a fine of \$ 25,000.00. This fine shall be paid as directed by the U.S. Probation Office. Payment of fine stayed pending appeal.

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: WILLIAM HUGH FLEMING
Case Number: 91-CR-168-001-E

STATEMENT OF REASONS

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

Guideline Range Determined by the Court:

Total Offense Level:	23
Criminal History Category:	I
Imprisonment Range:	46 months to 57 months - Cts. 2, 3, and 8
Supervised Release Range:	2 to 3 years - Cts. 2, 3, and 8
Fine Range:	\$ 10,000 to \$ 100,000 - Cts. 2, 3, and 8
Restitution:	\$ 3,624.58

Full restitution is not ordered due to the defendant's inability to pay.

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

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

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

No. 95-CR-060-03-H

MICHELLE FARMER,)

Defendant.)

FILED

ENTERED ON DOCKET

DATE SEP 25 1995

SEP 22 1995

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

ORDER

Now on this 19th day of September, 1995, this cause comes on to be heard in the matter of the oral motion of the United States to dismiss Count Two of the Superseding Indictment herein. From that motion, and other matters and things, the Court finds that said motion ought to be, and is hereby, GRANTED.

IT IS SO ORDERED.

S/ SVEN ERIK HOLMES

SVEN ERIK HOLMES

United States District Judge

CK

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

SEP 22 1995

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM LAMAR INGRAM,

Defendant.

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

No. 94-CR-160-B

ENTERED ON DOCKET

DATE SEP 25 1995

MOTION AND ORDER OF DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, and by leave of court endorsed hereon, the United States Attorney for the Northern District of Oklahoma hereby moves to dismiss without prejudice the Indictment for Use of False Social Security Number filed against WILLIAM LAMAR INGRAM, defendant, for the reason that the government is continuing its investigation into additional charges against Mr. Ingram, and in order to promote judicial economy, the government wishes to prosecute all charges in the same indictment. Further, authorities from DeKalb County, Georgia, are in the process of transporting Ingram from Pawnee County, Oklahoma, where Ingram is currently incarcerated, to DeKalb County, Georgia, in order to answer charges which are pending there.

STEPHEN C. LEWIS
United States Attorney



SUSAN K. MORGAN
Assistant United States Attorney

ORDER

Leave of Court is granted for the filing of the foregoing Motion to Dismiss Complaint, and the Court hereby orders dismissal of the pending Indictment against William Lamar Ingram without prejudice.

Done this 22 day of September, 1995.

S/ THOMAS R. BRETT

THOMAS R. BRETT
PRESIDING UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

ENTERED ON DOCKET

DATE 9-25-95

United States of America,)
)
 Plaintiff)
)
 v.)
)
 Harrell, Michael)
)
 Defendant)

Case No.: 94-CR-113-001-K

F I L E D

SEP 21 1995

JUDGMENT AND COMMITMENT ORDER
ON REVOCATION OF PROBATION

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

Now on this 14th day of September, 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 July 17, 1995. The defendant is present in person and with his attorney, Steven Greubel. The Government is represented by Assistant United States Attorney Lucy Creekmore, and the United States Probation Office is represented by Brad Cheffey.

On September 14, 1995, a revocation hearing was held regarding the facts noted in the Petition on Probation, said information being that the defendant failed to provide restitution payments as directed, failed to submit to urinalysis testing and treatment as directed, failed to provide requested financial information as instructed, and failed to report as directed. The defendant

stipulated to the violations as memorialized in the Petition on Probation.

As a result of the hearing, the Court finds that the defendant violated the terms of probation, and determines that the violations occurred after November 1, 1987, and that Chapter 7 of the U. S. Sentencing Commission Guidelines is applicable. Further, the Court finds that the violations of probation constitute Grade C violations in accordance with USSG § 7B1.1(a)(3)(B), and that the defendants original criminal history category of I is now applicable for determining the imprisonment range. In addition, the Court finds that a Grade C violation and a criminal history category of I establish a revocation imprisonment range of four to nine months, in accordance with USSG §§ 7B1.4(a) and (b)(3), and Title 18, U.S.C. § 3565 (a)(2). In consideration of these findings and pursuant to U.S. vs. Lee, 957 F.2.d 770 (Tenth Circuit, 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 sentence is ordered:

It is adjudged by the Court that the defendant shall be sentenced to serve four (4) months of home detention to include electronic monitoring, to be followed by a two (2) year term of supervised release. The defendant shall incur the total cost of electronic monitoring.

While on supervised release, the defendant shall not commit another Federal, state or local crime, and shall comply with the standard conditions that have been adopted by this Court, and shall comply with the following additional conditions:

1. The defendant is to complete 200 hours of community service with preference given to the Salvation Army, in accordance with a schedule set by the U. S. Probation Officer.
2. The Court reimposes restitution as to Count Three of the Original Indictment, in the amount up to \$14,000 to the Atlantic Casualty Insurance Company of Atlanta, Georgia, as directed by the Probation Officer. The Court recognizes a possible offset in this restitution total, upon salvage of the victims insurance company, and that partial payment has been made toward this amount.
3. The Court reimposes a fine of \$1,000 as to Count Three of the Original Indictment.
4. The defendant shall successfully participate in a program of testing and treatment for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer. Testing will be restricted to two urinalysis tests per month.

5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of Court on March 28, 1992.


Terry C. Kern
United States District Judge

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

SEP 21 1995 *rw*

UNITED STATES OF AMERICA

v.

ON REMAND
Case Number 93-CR-001-001-C

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

Laroan F. VERNERS
Defendant.

ENTERED ON DOCKET
DATE 9-22-95

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

The defendant, Laroan F. VERNERS, was represented by Martin S. Pinales.

The defendant was found guilty on count(s) 1, 2, and 3 of the Superseding Indictment on October 21, 1993 after a plea of not guilty. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

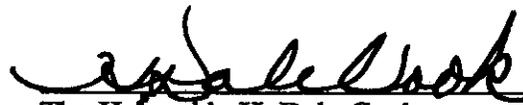
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 841(a)(1), (b)(1)(A), and 860(a)	Possession of Cocaine Base With Intent Intent to Distribute	01/05/93	1
18 USC 924(c)	Possession of Firearm During Commission of a Drug Offense	01/05/93	2
21 USC 856(a)(1)	Establishment of Manufacturing Operations	01/05/93	3

As pronounced on September 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 \$ 150.00, for counts 1, 2, and 3 of the Superseding Indictment, which shall be due immediately.

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

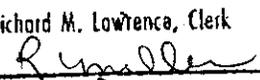
Signed this the 20th day of September, 1995.


The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 546-13-8250
Defendant's Date of Birth: 05/01/70
Defendant's mailing address: 720 E. 39th St. North, Tulsa, Oklahoma
Defendant's residence address: C/O Bureau of Prison, Dallas, Texas

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: Laroan F. VERNERS
Case Number: 93-CR-001-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 375 months, 315 months on Count 1, and 240 months on Count 3, each count to run concurrently, each to the other. 60 months on Count 2, to run consecutively with the sentence imposed on Counts 1 and 3.

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

RETURN

I have executed this Judgment as follows:

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

United States Marshal

By _____
Deputy Marshal

Defendant: Laroan F. VERNERS
Case Number: 93-CR-001-001-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 10 years as to Count 1 and 3 years on each of counts 2 and 3, all such terms to run concurrently.

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

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

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: Laroan F. VERNERS
Case Number: 93-CR-001-001-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 \$ 5,000.00 as to Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

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: Laroan F. VERNERS
Case Number: 93-CR-001-001-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:	40	
Criminal History Category:	I	
Imprisonment Range:	292 to 365 months	(Cts. 1&3)
	60 months	(Ct. 2)
Supervised Release Range:	at least 10 years	(Ct. 1)
	2 to 3 years	(Cts. 2&3)
Fine Range:	\$ 25,000 to \$ 8,500,000	
Restitution:	\$ N/A	

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

The sentence is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reasons: The mid-range was selected as the defendant has no previous convictions.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

F I L E D

SEP 21 1995 *mm*

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

United States of America,)
)
 Plaintiff)
)
 v.)
)
 Charles M. Ingram)
)
 Defendant)

Case No.: 94-CR-130-001-C ✓

ENTERED ON DOCKET
DATE 9-21-95

ORDER REVOKING SUPERVISED RELEASE

Now on this 20th day of September, 1995, this cause comes on for sentencing after a previous finding that the defendant violated conditions of supervised release as set out violation #1 in the Petition on Supervised Release filed August 25, 1995. The defendant is present in person and represented by counsel, Ronald L. Daniels. The Government is represented by Assistant United States Attorney Susan K. Morgan, 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 August 25, 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 C violations in accordance with USSG § 7B1.1(a)(3), and that the defendant's

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

original criminal history category of I is applicable for determining the imprisonment range. In addition, the Court finds that Grade C violations and a criminal history category of I establish a revocation imprisonment range of 3 to 9 months, in accordance with USSG § 7B1.4(a) and 18 U.S.C. § 3583(e)(3). In consideration of these findings and pursuant to U.S. v. Lee, 957 F 2d 778 (10th Cir., 1992) cert. denied, 113 S. Ct. 475 (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, Charles Ingram, is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of six (6) months. It is recommended that the U.S. Bureau of Prisons place the defendant at a facility where his substance abuse 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

FILED

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

SEP 21 1995

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 ANDY RUMPH,)
)
 Defendant.)

Case No. 93-CR-97-01-E

ENTERED ON DOCKET

DATE 9/21/95

O R D E R

Now before the Court is the \$2255 Motion to Vacate (Docket #187) of the Defendant Andy Rumph (Rumph).

Rumph was charged with conspiracy to possess with intent to distribute and possession with intent to distribute marijuana, in violation of 21 U.S.C. §§841 and 846. He pled guilty to one count of conspiracy to travel interstate to facilitate a narcotics enterprise in violation of 18 U.S.C. §1952, and all other charges were dismissed. He claims that his sentence should be vacated because the Indictment was fatally flawed due to failure to evidence implementing enforcement regulations; because "due to the Clearfield Doctrine" the government does not have the sovereign power necessary to enforce criminal statutes; and because he received ineffective assistance of counsel in being advised to change his plea.

Defendant's first argument is that his conviction is based upon violations of 21 U.S.C. §§841 and 846, and that these charges in and of themselves are illegal due to the violation of both the Administrative Procedures Act, 5 U.S.C. §551 et seq., and the

Federal Registration Act. Defendant, however, waived any such error. He pled guilty to a charge of conspiracy to travel interstate to facilitate a narcotics enterprise. In doing so, he admitted all material facts alleged in the charge and waived all nonjurisdictional defenses. United States v. Kelsey, 15 F.3d 152, 153 (10th Cir. 1994). Defendant's claimed error, regarding charges to which defendant did not plead guilty, is not a jurisdictional defense. There is absolutely no basis for Defendant's bald assertion that the Court has neither personam nor subject matter jurisdiction over Defendant.

Defendant then argues that "under the Clearfield Doctrine," the government is no longer sovereign. Apparently the Defendant is arguing that the government does not have the authority to make or enforce laws, but only to enter into contracts. Defendant's assertion is without merit. In Clearfield Trust Co. v. United States, 63 S.Ct. 573 (1943), the Supreme Court held that "The United State as drawee of commercial paper stands in no different light than any other drawee," but did not address the sovereignty or authority of the government in criminal proceedings. The "Clearfield Doctrine" refers to the application of federal law to cases wherein the United States is litigating commercial transactions, and is completely unrelated to criminal law. See, e.g., Ashland Oil, Inc. v. Phillips Petroleum Company, 554 F.2d 381 (10th Cir. 1975). Similarly, authority upon which plaintiff relies in his brief has no application to criminal law:

Governments descend to the level of a mere private corporation, and take on characteristics of a mere

private citizen. . . where private commercial paper (Federal Reserve Notes) and securities (checks) is concerned. . . For purposes of suit, such corporations and individuals are regarded as entities entirely separate from government." Bank of U.S. v. Planters Bank, 9 Wheaton (22) 6 L.Ed. 24.

None of these authorities support Plaintiff's proposition that the government does not have the authority to promulgate or enforce criminal laws. Defendant's motion to vacate on this grounds is denied.

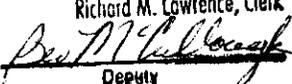
Lastly Defendant argues that he had ineffective assistance of counsel in that his counsel failed to raise the arguments that he is making here. However, since those arguments have been rejected by this Court, defendant is not able to demonstrate ineffective assistance of counsel. Conclusory statements without supporting factual allegations are insufficient to demonstrate ineffective assistance of counsel. Lorraine v. United States, 444 F.2d 1 (10th Cir. 1971).

Defendants Motion to Vacate (Docket #186) is denied.

IT IS SO ORDERED THIS 21st DAY OF SEPTEMBER, 1995.


JAMES O. ELLISON, SENIOR JUDGE
UNITED STATES DISTRICT COURT

United States District Court) 56
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

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

FILED

SEP 20 1995 *Le*

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

DAVID L. BAILEY,)
)
 Petitioner.)
)
 vs.)
)
 UNITED STATES OF AMERICA,)
)
 Respondent.)

Case No. 95-C-915-B

(Criminal Case #
92-CR-97-B) ✓

ENTERED ON DOCKET
SEP 21 1995

DATE _____

O R D E R

This matter comes on for consideration of Defendant David L. Bailey's Motion To Reduce Sentence Pursuant To 28 U.S.C. 2255 (Docket #47). Bailey seeks reduction of his sentence, claiming the trial court abused its discretion in the imposition of sentence in two areas: (1) enhancement of the sentencing guidelines because of Bailey's alleged "minimal planning", and (2) enhancement of the money allegedly lost by the Government in the equity skimming scheme of which Bailey was found guilty by the jury.

Bailey was charged with a single count of engaging in a scheme of purchasing single family residential dwellings, securing mortgage loans insured by the United States Department of Housing and Urban Development, collecting rental income from the dwellings, converting the rental income to his own use and defaulting on payments upon the mortgage loans, in violation of the Federal Equity Skimming Statute, 12 U.S.C. § 1709-2. After a three day jury trial Bailey was found guilty on February 24, 1993, and ultimately sentenced to eighteen months of imprisonment, followed by three

48

years of supervised release, and ordered to pay \$5,000 as restitution.

Bailey appealed the judgment and sentence on the grounds that the trial court abused its discretion by denial of a pretrial motion for a Bill of Particulars and that the evidence admitted at trial was insufficient to support his conviction. Bailey raised no issue on appeal which challenged the trial court's application of the United States Sentencing Guidelines.

Title 28 U.S.C. § 2255 provides for post-conviction relief only under certain circumstances, differing from direct appeal of a criminal judgment where all error except harmless error may be challenged. Section 2255, not a substitute for appeal, exists to correct appropriate jurisdictional and constitutional errors which constitute "a fundamental defect which inherently results in a complete miscarriage of justice". United States v. Addonizio, 442 U.S. 178 (1979), quoting Hill v. United States, 368 U.S. 424 (1962). Section 2255 is not available to test the legality of matters which could have been raised on appeal. United States v. Kahn, 835 F.2d 749 (10th Cir.1987). This "procedural default" bars a defendant from raising issues which could have been appealed, absent a showing of good cause. Kahn, at 753-754. The test used to determine procedural default, when a defendant has not directly appealed a conviction on a given issue, is the "cause" and "actual prejudice" analysis set forth in United States v. Frady, 456 U.S. 152 (1982).

The "cause" standard requires a defendant to show some

external factor that impeded defendant's effort to raise the claim. Constitutionally ineffective assistance of counsel may be cause, as is failing to raise a claim if it had no reasonable basis in the then existing law. United States v. Shelton, 848 F.2d 1485 (10th Cir.1988) quoting Reed v. Ross, 468 U.S. 1 (1984). Only in extraordinary circumstances, when a constitutional violation in all probability caused the conviction of one innocent of the crime, may a court properly issue a writ of habeas corpus despite a defendant's failure to show cause for a procedural default. McCleskey v. Zant, 499 U.S. 467 (1991).

Once a defendant has established "cause", he must also show "actual prejudice" resulting from the errors of which he complains. Frady, at 168. However, in the present matter, the Court concludes Bailey has failed to show even the requisite "cause", thereby obviating the "actual prejudice" analysis unless extraordinary circumstances exist. Additionally, the Court concludes the present matter is not an extraordinary circumstance wherein a constitutional violation in all probability caused the conviction of one innocent of the crime.

The Court's conclusion that Bailey has failed to show "cause" is grounded upon his failure to attack, by direct appeal¹, the alleged erroneous enhancement of the sentence guidelines. In view of the Court's conclusion, no evidentiary hearing is deemed

¹ Bailey did file objections to the presentence report (docket # 31) wherein he directly challenged both the minimal planning enhancement and the ultimate loss to the Government enhancement.

necessary herein.

Accordingly, Bailey's Motion for relief pursuant to 28 U.S.C. § 2255 should be and the same is hereby DISMISSED.

IT IS SO ORDERED this 20th day of September, 1995.



THOMAS R. BRETT
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT

Northern District of Oklahoma ENTERED ON DOCKET

UNITED STATES OF AMERICA

DATE 9-20-95

v.

Case Number 95-CR-025-002-K

ROY DOUGLAS WINKLEMAN
Defendant.

FILED

SEP 19 1995

JUDGMENT IN A CRIMINAL CASE Richard M. Lawrence, Clerk
(For Offenses Committed On or After November 1, 1987) U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

The defendant, ROY DOUGLAS WINKLEMAN, was represented by Roy Byars.

On motion of the United States the court has dismissed count(s) 1 and 3 through 6 of the Superseding Indictment.

The defendant pleaded guilty to count(s) 7 of the Superseding Indictment on June 6, 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 924(c)	Possession and Use of a Firearm During and in Relation to a Drug Trafficking Crime	01/17/95	7

As pronounced on September 13, 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) 7 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 19 day of September, 1995.


The Honorable Terry C. Kern
United States District Judge

Defendant's SSN: 515-62-9944

Defendant's Date of Birth: 12-19-56

Defendant's residence and mailing address: 601 North Beaumont, Owasso, Oklahoma 74055

Defendant: ROY DOUGLAS WINKLEMAN
Case Number: 95-CR-025-002-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: The defendant be incarcerated at a facility specializing in enhanced drug treatment.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 p.m. on October 13, 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: ROY DOUGLAS WINKLEMAN
Case Number: 95-CR-025-002-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: ROY DOUGLAS WINKLEMAN
Case Number: 95-CR-025-002-K

FINE

The defendant shall pay a fine of \$ 5,000.00. 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: ROY DOUGLAS WINKLEMAN
Case Number: 95-CR-025-002-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:	N/A
Criminal History Category:	N/A
Imprisonment Range:	60 months, Ct. 7
Supervised Release Range:	2 to 3 years, Ct. 7
Fine Range:	Up to \$ 250,000
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

ENTERED ON DOCKET

UNITED STATES OF AMERICA

DATE 9-20-95

v.

Case Number 95-CR-059-001-K

F I L E D

JAMES MERDITH LARSON
Defendant.

SEP 19 1995

JUDGMENT IN A CRIMINAL CASE Richard M. Lawrence, Clerk
(For Offenses Committed On or After November 1, 1987) U. S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

The defendant, JAMES MERDITH LARSON, was represented by Regina Stephenson.

The defendant pleaded guilty to count(s) 1 and 2 of the Indictment on June 6, 1995. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

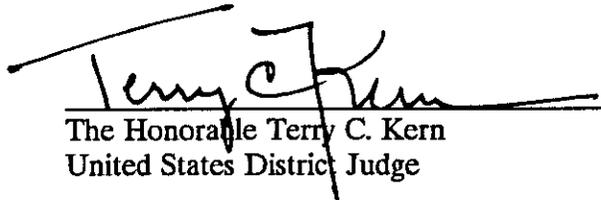
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 841(a)(1)	Possession of Amphetamine/Methamphetamine With Intent to Distribute	04/11/95	1
21 USC 844	Simple Possession of Heroin (Misdemeanor)	04/11/95	2

As pronounced on September 13, 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 1 and \$25 for Count 2, which shall be due immediately.

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

Signed this the 19 day of September, 1995.


The Honorable Terry C. Kern
United States District Judge

Defendant's SSN: 527-88-4686

Defendant's Date of Birth: 05/22/51

Defendant's residence and mailing address: 2921 W. Madras, Phoenix, Arizona 85023

Defendant: JAMES MERDITH LARSON
Case Number: 95-CR-059-001-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 45 months on Count 1; and 12 months on Count 2, to run concurrently with the sentence imposed in Count 1.

The Court makes the following recommendations to the Bureau of Prisons: The Court recommends that the defendant be placed in a correctional facility within the State of Arizona for the duration of his term 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: JAMES MERDITH LARSON
Case Number: 95-CR-059-001-K

SUPERVISED RELEASE

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

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

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: JAMES MERDITH LARSON
Case Number: 95-CR-059-001-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 \$ 1,800.00 as to Count 1. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

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

Defendant: JAMES MERDITH LARSON
Case Number: 95-CR-059-001-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:	21
Criminal History Category:	II
Imprisonment Range:	41 months to 51 months, Ct. 1 12 months, Ct.2
Supervised Release Range:	2 to 3 years, Ct. 1 1 year, Ct. 2
Fine Range:	\$ 7,500 to \$ 1,000,000
Restitution:	\$ N/A

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

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

170

FILED

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

SEP 18 1995

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

UNITED STATES OF AMERICA

v.

Case Number 95-CR-062-001-B

ESEQUIEL CASANOVA
Defendant.

ENTERED ON DOCKET

DATE 9-19-95

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

The defendant, ESEQUIEL CASANOVA, was represented by Jack Short.

The defendant pleaded guilty to count(s) 1 of the Indictment on June 19, 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)	Possession of Cocaine With Intent to Distribute	04/13/95	1

As pronounced on September 13, 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 19th day of Sept., 1995.


The Honorable Thomas R. Brett
United States District Judge

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

Defendant's SSN: 446-63-8394
Defendant's Date of Birth: 02/15/75
Defendant's residence and mailing address: 83 El Paso Road, Brownsville, Texas 78520

Defendant: ESEQUIEL CASANOVA
Case Number: 95-CR-062-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 60 months.

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: ESEQUIEL CASANOVA
Case Number: 95-CR-062-001-B

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 participate in an educational/vocational program, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer. Upon his release from imprisonment, if he attended a vocational/educational program during his term of imprisonment that enables him to obtain and maintain gainful employment which provided support for himself and his family, the probation office may suspend the enforcement of this condition.

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: ESEQUIEL CASANOVA
Case Number: 95-CR-062-001-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 \$ 1,000.00. 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. While in the custody of the Bureau of Prisons, one-half of the defendant's earnings should be paid toward the fine. Upon release from custody, any unpaid balance shall be paid during the term of supervised release, as directed by the U.S. Probation Office.

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

Defendant: ESEQUIEL CASANOVA
Case Number: 95-CR-062-001-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:	II
Imprisonment Range:	60 months to 63 months
Supervised Release Range:	4 to 5 years
Fine Range:	\$ 10,000 to \$ 2,000,000
Restitution:	\$ N/A

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

The sentence 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**

SEP 18 1995

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

UNITED STATES OF AMERICA

v.

Case Number 94-CR-149-001-B

MARLO MORADIAN
Defendant.

ENTERED ON DOCKET

DATE 9-19-95

**AMENDED
JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)
(PURSUANT TO RULE 35(b) MOTION)**

The defendant, MARLO MORADIAN, was represented by Roy W. Byars.

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

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 2113(a) and 2	Bank Robbery and Aiding and Abetting	05/10/94	1

As pronounced on January 6, 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.

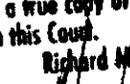
It is ordered that the defendant shall pay to the United States a special assessment of \$ 50, for count 1 of the Indictment, which shall be due immediately.

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 19 day of Sept., 1995.


The Honorable Thomas R. Brett
Chief United States District Judge

Defendant's SSN: 562-13-2864
Defendant's Date of Birth: 01/18/67
Defendant's mailing address: 1024 East Haskell Place, Tulsa, Oklahoma 74106
Defendant's residence address: C/O U.S. Bureau of Prison, Dallas, Texas

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: MARLO MORADIAN
Case Number: 94-CR-149-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 26 months.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant be confined in 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: MARLO MORADIAN
Case Number: 94-CR-149-001-B

SUPERVISED RELEASE

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

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

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall 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: MARLO MORADIAN
Case Number: 94-CR-149-001-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 \$ 3,000. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release, as directed by the U.S. Probation Office.

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

Defendant: MARLO MORADIAN
Case Number: 94-CR-149-001-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:	19
Criminal History Category:	I
Imprisonment Range:	30 months to 37 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 7,500 to \$ 75,000
Restitution:	\$ N/A

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

The sentence 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.

ra

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

SEP 18 1995

UNITED STATES OF AMERICA

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

v.

Case Number 94-CR-176-002-BU

KANDY KAY THOMAS
Defendant.

ENTERED ON DOCKET

DATE 9-18-95

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

The defendant, KANDY KAY THOMAS, was represented by Stanley Monroe.

On motion of the United States the court has dismissed counts ~~1, 2, and 5~~ of the Superseding Indictment. ✓

on 3-22-95

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

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 924(c)(1) and 2	Possession of a Firearm During a Drug Trafficking Crime and Aiding and Abetting	09/09/94	3
18 USC 922(g)(1) and 924(e)(1)	Possession of a Firearm After Former Conviction of a Felony	09/09/94	4

As pronounced on September 13, 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, for counts 3 and 4 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 18th day of September, 1995.

Michael Burrage
The Honorable Michael Burrage
United States District Judge

Defendant's SSN: 522-74-5606
Defendant's Date of Birth: 02/07/51
Defendant's residence and mailing address: C/O U.S. Bureau of Prisons, Dallas, Texas

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: KANDY KAY THOMAS
Case Number: 94-CR-176-002-BU

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 120 months. 60 months as to count 4, and 60 months as to count 3, said term to run consecutively to the term imposed in count 4.

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: KANDY KAY THOMAS
Case Number: 94-CR-176-00-BU

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years as to each of counts 3 and 4 to run concurrently.

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

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall 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: KANDY KAY THOMAS
Case Number: 94-CR-176-002-BU

STATEMENT OF REASONS

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

Guideline Range Determined by the Court:

Total Offense Level:	31	
Criminal History Category:	VI	
Imprisonment Range:	188 months to 235 months	(Ct. 4)
	60 months	(Ct. 3)
Supervised Release Range:	2 to 3 years	(Cts. 3&4)
Fine Range:	\$ 15,000 to \$ 175,000	(Cts. 3&4)
Restitution:	\$ N/A.	

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

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

TH

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

FILED

SEP 8 1995

UNITED STATES OF AMERICA)
)
 Plaintiff,)
)
 vs.)
)
 RAY JONES, JR.)
)
 Defendant.)

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

Case No.: 93-CR-102-001-E
ENTERED ON DOCKET

DATE 9/8/95

ORDER ON MODIFICATION OF
CONDITIONS OF SUPERVISED RELEASE

Now on this 29th day of August, 1995, this cause comes on for hearing on revocation of supervised release as set out in the Petition On Supervised Release filed on August 8, 1995. The defendant is present in person and with his attorney, Regina Stephenson. The Government is represented by Assistant United States Attorney Neal Kirkpatrick, and the United States Probation Office is represented by Randall Drew.

The defendant was heretofore convicted on his plea of guilty to a one count Indictment charging Possession of a Firearm after Former Conviction of a Felony, in violation of 18 U.S.C. §§ 922(g) and 924(a)(2). On October 22, 1993, he was sentenced to thirty months imprisonment, to be followed by a two year term of supervised release with a Special Condition requiring the defendant to successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by

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 BM Cullough
Deputy

the Probation Officer, until such time as released from the program by the Probation Officer. The Court also ordered the defendant to pay a fine in the amount of \$2,000, as directed by the Probation Officer.

On August 29, 1995, a hearing was held regarding the facts noted in the Petition on Supervised Release which was filed on August 8, 1995. At the hearing, the defendant stipulated to all allegations contained in the petition.

Based on the evidence presented in the petition, as well as the defendant's stipulation to the allegations, the Court finds that the defendant has violated the terms of supervised release, and accordingly the conditions of supervised release should be modified. Pursuant to 18 USC §§ 3583(e)(2) and (e)(4), the following is ordered:

It is ordered by the Court that the following special condition of supervised release shall supplement the standard and special conditions of supervised release previously ordered, to wit:

The defendant shall be placed on home detention to include electronic monitoring for a period of 90 days, to commence upon the defendant's release from inpatient drug treatment. During this time, the defendant shall remain at his place of residence, except for employment and other activities approved in advance by the Probation Officer. 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. Costs of the electronic monitoring program shall be paid by the defendant.



James O. Ellison
United States District Judge

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

FILED

SEP 7 1995

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 IVAN J. BEBERMEYER,)
)
 Defendant.)

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

Case No. 94-CR-009-001-E

ENTERED ON DOCKET

DATE 9/7/95

ORDER

NOW on this 6th day of Sept, 1995, this matter comes on for hearing pursuant to the Application to Amend Surrender and Commitment Date.

WHEREUPON, the Court, having considered the Application finds that the same should be granted.

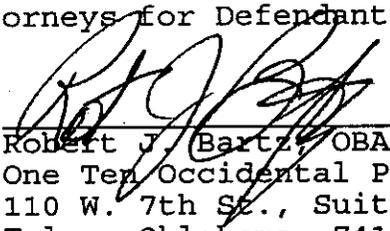
IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Court that the Judgment and Sentence entered herein shall be amended to reflect a commitment and surrender date to the Freedom House in Tulsa, Oklahoma of September 18, 1995.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

APPROVED:

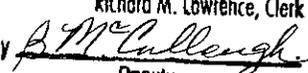
BARBER & BARTZ
Attorneys for Defendant

By 

Robert J. Bartz, OBA #580
One Ten Occidental Place
110 W. 7th St., Suite 200
Tulsa, Oklahoma 74119
(918) 599-7755

3082-01
/u/cal/plead/cr/beber.orddate

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

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT COURT OF OKLAHOMA

FILED

SEP 7 1995

UNITED STATES OF AMERICA)
)
 Plaintiff,)
)
 vs.)
)
 IVAN J. BEBERMEYER)
)
 Defendant.)

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

Docket No. 94-CR-009-001-E

ENTERED ON DOCKET

DATE 9/7/95

ORDER ON MODIFICATION
OF CONDITIONS OF PROBATION

Now on this 25th day of August 1995, this cause comes on for a revocation hearing on allegations of violation of probation as set out in the Petition on Probation filed on June 20, 1995. The defendant is present in person and with his attorney, Robert Bartz. The Government is represented by Assistant United States Attorney Susan Morgan, and the United States Probation Office is represented by Bradford Stewart.

On August 8, 1994, the defendant entered a plea of guilty to Count One, which charged Conspiracy, and Count Two, which charged Mail Fraud, in violation of 18 USC §§ 371 and 1341, respectively. Bebermeyer was sentenced to a three year term of probation as to both counts, commencing August 8, 1994.

A revocation hearing was held on July 11 and 12, 1995. At the hearing, the defendant entered a plea of not guilty to the allegations presented in the Petition. On July 12, 1995, the Court found, based on evidence presented in the Petition and on testimony presented

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

Richard M. Lawrence, Clerk
By B. McAllough
Deputy

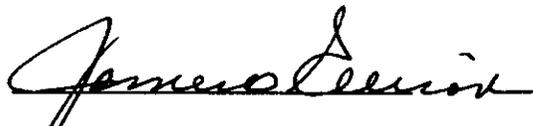
at the revocation hearing, that the defendant has violated the conditions of his probation, and accordingly conditions of probation in Counts One and Two should be modified. Therefore, pursuant to 18 USC § 3563(b)(22) and (c) the following is ordered.

It is ordered that the term of probation in Counts One and Two shall be extended by one additional year, for a total of four years probation, commencing on August 8, 1994.

It is further ordered that the following special conditions of probation shall supplement the standard conditions originally imposed and the special conditions of probation previously outlined in the Judgment and Commitment Order filed August 17, 1994, to wit:

For the first five months of the remaining probation term, you shall reside in a community corrections facility to be designated as the Freedom House, located in Tulsa, Oklahoma, commencing on September 15, 1995. During a five month period, you shall maintain fulltime employment, but you are prohibited from performing any employment involving the practice of chiropractic medicine, and you are prohibited entirely from entering your chiropractic business, currently located at 4120 E. 51 St., Suite D, Tulsa, Oklahoma. An electronic monitoring device shall be installed within 72 hours at the place of business to ensure compliance with this requirement. You shall maintain a telephone at the business without any special services, modems, answering machines, or cordless telephones for the above period. You shall wear an electronic monitoring device and shall observe the rules specified by the Probation Office. You shall pay the entire cost of this program.

You shall continue to abide by the standard conditions and the special conditions of probation previously imposed in this case, with the provision that the community service requirement be considered discharged as of this date. As an additional special condition of probation, you shall provide the U.S. Probation Officer with access to any requested business and financial records of any corporation controlled by you, to include, but not limited to, financial statements, customer billing and collection records, insurance claims submitted on behalf of chiropractic patients, records of revenues and expenses, appointment calendars, company bank statements and other records of deposit, withdrawal, and checking activity, income tax returns, and records of charitable contributions.

A handwritten signature in black ink, appearing to read "James O. Ellison". The signature is written in a cursive style with a prominent initial "J" and "E".

James O. Ellison
Senior United States District Judge

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

SEP 7 - 1995

UNITED STATES OF AMERICA

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

v.

Case Number 94-CR-121-004-C

GLENN ALLAN STUNKARD
Defendant.

ENTERED ON DOCKET

DATE 9-7-95

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

The defendant, GLENN ALLAN STUNKARD, was represented by Scott Troy.

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

The defendant pleaded guilty to count(s) 1 of the Information on November 7, 1994. 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 USC 1952	Interstate Travel in Aid of Racketeering	08/22/94	1

As pronounced on August 28, 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 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 6th day of Sept - , 1995.



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: 448-50-0641

Defendant's Date of Birth: 11/06/50

Defendant's residence and mailing address: 10565 Roosevelt, Prairie Grove, Arkansas 72753

Defendant: GLENN ALLAN STUNKARD
Case Number: 94-CR-121-004-C

IMPRISONMENT

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

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 9:00 a.m. on September 25, 1995.

RETURN

I have executed this Judgment as follows:

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

United States Marshal
By _____
Deputy Marshal

Defendant: GLENN ALLAN STUNKARD
Case Number: 94-CR-121-004-C

SUPERVISED RELEASE

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

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

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
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 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: GLENN ALLAN STUNKARD
Case Number: 94-CR-121-004-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 \$ 2,000.00. 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: GLENN ALLAN STUNKARD
Case Number: 94-CR-121-004-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:	29
Criminal History Category:	I
Imprisonment Range:	60 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 15,000 to \$ 150,000
Restitution:	\$ N/A

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

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

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 94-CR-121002-C

ENTERED ON DOCKET

DATE 9-7-95

TERRY TRAYWICK
Defendant.

FILED

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

SEP 6 - 1995

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

The defendant, TERRY TRAYWICK, was represented by Charles Richardson.

The defendant pleaded guilty to count(s) 1 of the Indictment on November 8, 1994. 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 846 and 841(b)(1)(A)(viii)	Conspiracy to Possess Controlled Substance With Intent to Distribute	08/22/94	1

As pronounced on August 28, 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 5th day of September, 1995.



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

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

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

Defendant's SSN: 443-64-4055
Defendant's Date of Birth: 12/17/56
Defendant's mailing address: 14315 E. 58th Street North, Owasso, Oklahoma 74055
Defendant's residence address: C/O Tulsa County Jail, 500 So. Denver, Tulsa, Oklahoma 74103

Defendant: Terry Traywick
Case Number: 94-CR-121-002-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 33 months.

The Court makes the following recommendations to the Bureau of Prisons: The Court recommends to the Bureau of Prisons that the defendant be placed at a facility that can adequately address his substance abuse and provide treatment for such during 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: Terry Traywick
Case Number: 94-CR-121-002-C

SUPERVISED RELEASE

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

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

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
5. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: Terry Traywick
Case Number: 94-CR-121-002-C

FINE

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

The defendant shall pay a fine of \$ 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: Terry Traywick
Case Number: 94-CR-121-002-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:	34
Criminal History Category:	I
Imprisonment Range:	151 months to 188 months
Supervised Release Range:	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 departs from the guideline range for the following reason(s): upon motion of the government, as a result of defendant's substantial assistance.

l jw

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET

UNITED STATES OF AMERICA

DATE 9-7-95

v.

Case Number 94-CR-121-006-C

JERRY LEE WORKMAN
Defendant.

FILED

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

SEP 6 - 1995

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

The defendant, JERRY LEE WORKMAN, was represented by Mike Able.

The defendant pleaded guilty to count(s) 1 of the Indictment on November 1, 1994. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

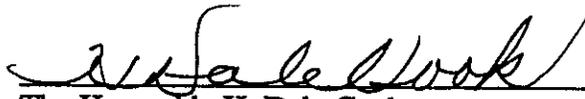
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
21 USC 846, 841(a)(1) and 841(b)(1)(A)(iii)	Conspiracy to Possess Controlled Substance With Intent to Distribute Methamphetamine	08/24/94	1

As pronounced on August 28, 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.

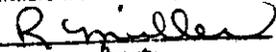
Signed this the 5th day of September, 1995.


The Honorable H. Dale Cook
United States District Judge

United States District Court)
Northern District of Oklahoma) SS

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

Richard M. Lawrence, Clerk

By 
Deputy

Defendant's SSN: 432-08-0692

Defendant's Date of Birth: 02/02/56

Defendant's residence and mailing address: P.O. Box 820, Prairie Grove, Arkansas 72753

Defendant: JERRY LEE WORKMAN
Case Number: 94-CR-121-006-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 12 months and 1 day.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant be incarcerated in a facility that offers extensive drug/alcohol treatment.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 9:00 a.m. on September 25, 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: JERRY LEE WORKMAN
Case Number: 94-CR-121-006-C

SUPERVISED RELEASE

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

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

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
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: JERRY LEE WORKMAN
Case Number: 94-CR-121-006-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 \$ 1,000.00. 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: JERRY LEE WORKMAN
Case Number: 94-CR-121-006-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:	26
Criminal History Category:	II
Imprisonment Range:	63 months to 78 months
Supervised Release Range:	5 years
Fine Range:	\$ 10,000 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 departs from the guideline range, upon motion of the government, as a result of defendant's substantial assistance.

19m

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET
DATE 9-6-95

UNITED STATES OF AMERICA

v.

Case Number 95-CR-055-002-C

JON DAVID ASTACIO
Defendant.

F I L E D

SEP 6 - 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, JON DAVID ASTACIO, was represented by Stephen Knorr.

On motion of the United States the court has dismissed count(s) 4 through 9, and 13 through 27.

The defendant pleaded guilty to count(s) 1, 3, and 14 of the Indictment on May 23, 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	5/94	1
47 USC 605(e)(4); 605(a) and 18:2	Sale or Modification of Device Intended for Unauthorized Interception and Publication of Radio Communications, and Causing a Criminal Act	5/27/94	3 and 14

As pronounced on August 28, 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 \$ 150.00, for count(s) 1, 3, and 14, 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 5th day of September, 1995.


The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 560-841-1727

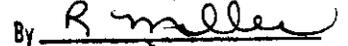
Defendant's Date of Birth: 10/10/52

Defendant's residence and mailing address: 2885 W. 12th Street, Brooklyn, New York 11224

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

41.

Defendant: JON DAVID ASTACIO
Case Number: 95-CR-055-002-C

PROBATION

The defendant is hereby placed on probation for a term of 5 year(s) in Counts 1, 3, and 14, as to each count, to run concurrently, each to the other.

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 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 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: JON DAVID ASTACIO
Case Number: 95-CR-055-002-C

FINE

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

The defendant shall pay a fine of \$ 1,500.00. 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: JON DAVID ASTACIO
Case Number: 95-CR-055-002-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:	12
Criminal History Category:	I
Imprisonment Range:	10 months to 16 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 3,000 to \$ 1,000,000
Restitution:	\$ N/A

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

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

PR

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON DOCKET

DATE 9-6-95

UNITED STATES OF AMERICA

v.

Case Number 95-CR-048-001-C

TOMMY DALE BARNES
Defendant.

F I L E D

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

rm SEP 6 - 1995

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

The defendant, TOMMY DALE BARNES, was represented by Stephen J. Knorr.

The defendant pleaded guilty to count(s) 1 of the Information on May 23, 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 844	Malicious Destruction of Property by Fire or Explosive	09/28/93	1
18 USC 2(a) and (b)	Causing a Criminal Act, and Aiding and Abetting		

As pronounced on August 28, 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 5th day of September, 1995.



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

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

Richard M. Lawrence, Clerk
By R. Miller
Deputy

Defendant's SSN: 440-68-1146

Defendant's Date of Birth: 06/04/66

Defendant's residence and mailing address: 4204 South 35th West Avenue, Tulsa, Oklahoma

Defendant: TOMMY DALE BARNES
Case Number: 95-CR-048-001-C

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.
3. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of 4 months, to commence within 72 hours of sentencing date. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the defendant.

STANDARD CONDITIONS OF PROBATION

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

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

Defendant: TOMMY DALE BARNES
Case Number: 95-CR-048-001-C

FINE

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

The defendant shall pay a fine of \$ 1,000.00. 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: TOMMY DALE BARNES
Case Number: 95-CR-048-001-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:	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.

RP