

FILED

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

JAN 31 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 96-CR-011-001-B

TIM LANDRY
Defendant.

ENTERED ON DOCKET
DATE JAN 31 1997

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

The defendant, TIM LANDRY, was represented by Rex Earl Starr.

The defendant pleaded guilty to count(s) 1 of the Indictment on July 12, 1996. 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 Controlled Substances	01/16/96	1

As pronounced on January 28, 1997, 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 31 day of January, 1997.

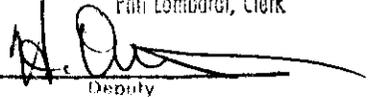

The Honorable Thomas R. Brett
Senior United States District Judge

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.

Phil Lombardi, Clerk

Defendant's SSN: 440-66-4199
Defendant's Date of Birth: 02/13/61
Defendant's residence and mailing address: 705 Creek, Muskogee, Oklahoma 74403


Deputy

Defendant: TIM LANDRY
Case Number: 96-CR-011-001-B

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 57 months.

The Court makes the following recommendations to the Bureau of Prisons: Classification provisions permitting, the Court recommends that the Bureau of Prisons designate a facility within the State of Oklahoma as the place of service for 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: TIM LANDRY
Case Number: 96-CR-011-001-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: TIM LANDRY
Case Number: 96-CR-011-001-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: TIM LANDRY
Case Number: 96-CR-011-001-B

STATEMENT OF REASONS

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

Guideline Range Determined by the Court:

Total Offense Level:	25
Criminal History Category:	I
Imprisonment Range:	57 months to 71 months
Supervised Release Range:	4 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.

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

JAN 30 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
WARD LARAY PRICE,)
)
Defendant.)

No. 89-CR-91-C ✓
ENTERED ON DOCKET
DATE JAN 31 1997

ORDER

Currently pending before the Court is the motion filed by defendant, Ward Price, seeking to vacate his sentence, pursuant to 28 U.S.C. § 2255.

On September 6, 1989, a two-count Superseding Indictment was filed against Price. Count One charged Price with knowingly and willfully conspiring to distribute fifty grams of a mixture which contained cocaine base and 500 grams of cocaine, in violation of 21 U.S.C. §§ 846 and 841. Count Two charged Price with knowingly and intentionally possessing with intent to distribute one kilogram of cocaine, in violation of 21 U.S.C. § 841(a)(1). On December 6, 1989, a jury found Price guilty on both Counts. Price was sentenced on February 14, 1990, to life imprisonment on Count One and thirty years imprisonment on Count Two.

Price appealed his conviction and sentence on the grounds that the Court erred in denying his motions for acquittal and in imposing sentences under the Sentencing Guidelines which violate the Eighth Amendment and which did not comply with Fed.R.Crim.P. 32(c)(3)(D). Price's conviction was affirmed on appeal, but his sentence was vacated and the case was remanded for resentencing due to the fact that this Court did not make the findings as required by Rule 32(c)(3)(D). U.S. v. Price, 945 F.2d 331 (10th Cir.1991).

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Price was resentenced on February 7, 1992. The Court imposed life imprisonment on Count One and five years imprisonment on Count Two. Once again, Price filed an appeal to the Tenth Circuit arguing that this Court erred in determining that Price and his co-conspirators sold in excess of 500 grams of crack cocaine and that his sentence is unconstitutionally severe. The Tenth Circuit rejected Price's contentions and affirmed the judgment of this Court. U.S. v. Price, 1993 WL 191841 (10th Cir.1993).

Price moves this Court to vacate, set aside, or correct the sentence imposed upon him on the following grounds: (1) ineffective assistance of counsel at the sentencing hearing, (2) newly developed caselaw which requires resentencing, and (3) the Guidelines imposed upon Price are unconstitutionally vague.

The Court arrived at the above sentence upon reviewing Price's presentence report ("PSR"), as prepared by the U.S. Probation Office. The PSR indicates that Price participated in an offense involving 500 grams or more of cocaine base. The PSR also indicates that Price distributed seven kilograms of cocaine base, which is in excess of 500 grams of cocaine base. Pursuant to the Sentencing Guidelines Manual used by the Court when Price was sentenced, a base offense level of 36 was assigned, in accordance with § 2D1.1(a)(3). The PSR indicates that Price was constructively in possession of a Uzi machine gun and agreed to sell an AR15 automatic rifle as partial payment for a kilogram of cocaine. Thus, pursuant to §§ 2D1.1(b)(1) and 2X1.1, two points were added for possession of a dangerous weapon. Four points were added on account of Price acting as the leader of a criminal enterprise, pursuant to § 3B1.1(a). Finally, two points were added pursuant to § 3C1.1 for obstruction of justice due to the fact that Price paid more than one bribe to a Tulsa police officer in an attempt to influence the officer in his execution of his official duties. Price's total offense level

thus resulted in 44 points, with a Criminal History Category of I. Pursuant to the sentencing table, the guideline range for imprisonment under such factors is life imprisonment.

Prior to addressing the merits of Price's motion, the Court notes that § 2255, as amended in April of 1996, provides for a one-year limitations period in which to file a § 2255 motion. The Court further notes that if the Court were to apply the limitations period to Price, his motion would be time-barred. However, the Court finds that "defendants whose date of conviction would per se preclude the filing of a petition pursuant to § 2255 under a literal reading of the amendment, were surely meant to have one year from the date of the amendment to file their petitions." Smith v. U.S., 945 F.Supp. 1439, 1441 (D.Co. 1996). Hence, the Court concludes that Price's present motion is not time-barred under § 2255, as amended.

Price first contends that there was no evidence that he knowingly and willfully obstructed justice, and therefore, Price contends that the obstruction of justice enhancement is improper. Price cites caselaw requiring that a defendant must be aware that an investigation is proceeding in order to impose an obstruction enhancement. Price acknowledges that the PSR attributed the obstruction enhancement to Price's bribing of a Tulsa police officer, but Price maintains that there is no indication as to how this bribe "obstructed the offense." Price argues that the bribes occurred prior to the prosecution or sentencing, and that there is no proof that Price was aware of the investigation of the instant federal offense. Price also contends that there is no proof that Price's actions in any way obstructed the investigation of the offense.

Price additionally contends that the enhancement for possession of a weapon under § 2D1.1 was improper. Price argues that the government had the burden of proving that Price had actual knowledge of the weapon's presence and use in the crime. Price cites the PSR, which indicates that

a weapon was stored in the residence of Tanya McBee and that Price agreed to trade cocaine for cash and a weapon. Price argues that the cocaine transaction never occurred and no weapon was produced. Additionally, Price contends that there was no evidence that Price was actually aware of the weapon located at McBee's residence. Price therefore maintains that his counsel was ineffective for failing to raise these issues regarding Price's enhancement for obstruction and possession of a weapon. Price contends that, had these issues been successfully raised, Price's base offense level would have been 40, which would have provided for a sentencing range of 292 to 365 months.

Typically, "§ 2255 is not available to test the legality of matters which should have been raised on appeal." U.S. v. Walling, 982 F.2d 447, 448 (10th Cir.1992). A failure to raise an issue on direct appeal acts as a bar to raising the issue in a § 2255 motion, unless Price can show cause and actual prejudice, or can show that a fundamental miscarriage of justice will result if his claim is not addressed. U.S. v. Allen, 16 F.3d 377, 378 (10th Cir.1994). This procedural bar applies to collateral attacks on a defendant's sentence, as well as his conviction. Id. Since the government raised this procedural bar in the instant case, this Court must enforce it and hold Price's claims barred unless cause and prejudice or a miscarriage of justice is shown. Id. See also, U.S. v. Saucedo, 950 F.2d 1508 (10th Cir.1991), cert. denied, 507 U.S. 942 (1993) (defendant's failure to object at sentencing to an entirely factual issue acts as a waiver of that issue). The Court notes that in Price's second appeal to the Tenth Circuit, Price raised the issue regarding the imposition of an enhancement based on Price's leadership role in the conspiracy. The argument was considered and rejected by the Circuit. However, Price failed to raise the issues regarding the propriety of the enhancements for obstruction or possession of a weapon in either of his appeals. Thus, Price is generally procedurally barred from raising such issues in his present § 2255 motion.

In order to evade the above-mentioned procedural bar, Price relies upon the well-established exception of ineffective assistance of counsel. “A defendant may establish cause for procedural default by showing he received ineffective assistance of counsel.” U.S. v. Cox, 83 F.3d 336 (10th Cir.1996). Price alleges that his counsel failed to object to the obstruction and weapons enhancement at sentencing. Price maintains that had his counsel successfully raised and argued these issues during sentencing, such enhancements would not have been imposed.

The Court, however, is not convinced that Price satisfied the rigid standard contained in Strickland v. Washington, 466 U.S. 668 (1984). The Supreme Court in Strickland held that a claim of ineffective assistance of counsel has two components. First, Price must show that his attorney “made errors so serious that counsel was not functioning as the ‘counsel’ guaranteed . . . by the Sixth Amendment.” Id. at 687. “The proper standard for attorney performance is that of reasonably effective assistance.” Id. Therefore, to succeed, Price must show that his counsel’s performance fell below an objective standard of reasonableness. Furthermore, Price must show that “the deficient performance prejudiced the defense.” Id. However, “a court must indulge a strong presumption that counsel’s conduct falls within the wide range of reasonable professional assistance . . .” Id. at 689.

Even if the Court were to agree with Price that his attorney failed to provide the reasonable and professional assistance guaranteed by the Constitution during the sentencing phase of his case, the Court nevertheless finds that Price failed to show that “there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different.” Id. at 694. That is, based upon the record, the Court finds that Price was not prejudiced by his attorney’s failure to raise these issues during sentencing.

The Tenth Circuit in U.S. v. Gacnik, 50 F.3d 848, 852 (10th Cir.1995), held that “the clear language of § 3C1.1 enunciates a nexus requirement that must be met to warrant an adjustment” for obstruction of justice. “This requirement is that the obstructive conduct, which must relate to the offense of conviction, must be undertaken during the investigation, prosecution, or sentencing. Obstructive conduct undertaken prior to an investigation, prosecution, or sentencing; prior to any indication of an impending investigation, prosecution or sentencing; or as regards a completely unrelated offense, does not fulfill this nexus requirement.” Id. The Circuit also implied that a defendant must have knowledge of the impending investigation, as § 3C1.1 “compels the conclusion that this provision should be read only to cover willful conduct that obstructs or attempts to obstruct ‘the investigation . . . of the instant offense.’” Id. at 852-853.

As noted, Price argues that because he had no knowledge that an investigation was being conducted during the time in which he offered bribes to a Tulsa police officer, the obstruction enhancement was improperly applied. The Court does not agree. Price does not dispute that he offered bribes to a Tulsa police officer. In his present motion, Price readily admits that the bribes occurred prior to the prosecution and sentencing of the instant offense. Paragraph eight of the PSR states that in “an effort to further expand and protect his illicit drug enterprise Price paid more than one bribe to a Tulsa Police Officer . . . beginning in June, 1989. Price also offered the same officer an 80% share of all profit that could be generated from the sale of any illicit drug embezzled by [the officer] from the Police Department’s Property Room. Price paid a total sum of \$2,300 in bribes to officer C. L. Witt, during a series of meetings to obtain and use his knowledge and position to influence prosecution in Tulsa County and elsewhere.”

Price does not contest the accuracy of these facts in his present motion. The Court therefore has trouble understanding how such facts do not constitute the willful obstruction or attempt to obstruct or impede the administration of justice during the investigation of the instant offense. The facts outlined in Paragraph eight of the PSR can only lead to the conclusion that Price, in an attempt to avoid prosecution, offered bribes to a public official, and by so doing, attempted to impede the administration of justice. The Court finds incredible Price's contention that he was completely unaware of any investigation of his illicit conduct when he made the bribes. It would seem only reasonable that one who offers a bribe to a police officer in order to avoid prosecution is also likely to know that an investigation is occurring. The whole purpose of a bribe is to redirect the officer's attention away from the criminal matters at hand, and to entice him to discontinue any investigation and prosecution of the offending conduct. The facts of this case certainly appear to fall within the contemplation of § 3C1.1, which is designed to prevent the willful obstruction of justice during an investigation, prosecution, or sentencing of the instant offense. If offering a bribe to a police officer in an attempt to cause the officer to abandon an investigation does not meet the criteria for an obstruction of justice enhancement, the Court has difficulty envisioning what exactly would meet such criteria. Further, the obstructive conduct, i e., the bribes, clearly relate to the offense of conviction, i.e., conspiracy to distribute cocaine and cocaine base, and possession with the intent to distribute a controlled substance. Hence, the Court concludes that Price was not prejudiced by his counsel's failure to raise the obstruction issue, as the issue is meritless.

Faced with these particular facts, the Court cannot now hold that Price's counsel was ineffective for failing to object to the obstruction enhancement. Any such objection to the enhancement under the facts of this case would certainly appear futile to a reasonable advocate, and

failure to make such an objection did not fall below the standard of reasonable professional assistance. The Court notes that Price's counsel did raise objections to the PSR, although such objections were not directed toward the obstruction enhancement. The Court is not inclined to second-guess counsel's decision as to what elements of the PSR warranted an objection. It is sufficient that the Court concludes that counsel was not deficient for failing to make what must have seemed to be a useless objection. As noted above, the proper standard for attorney performance is that of reasonably effective assistance. The Court is of the opinion that Price received such assistance. Moreover, the Court is required to indulge a strong presumption that counsel's conduct fell within the wide range of reasonable professional assistance.

Price similarly attacks the weapons enhancement by arguing that he had no knowledge that weapons were involved in the criminal activity. Price is correct in that scienter must be shown before a weapons enhancement may be imposed, although such is no longer the rule today. The scienter requirement with respect to a weapons enhancement pursuant to § 2D1.1(b)(1) was deleted effective November of 1989, and, after that date, simple possession alone will suffice for a weapons enhancement. The Court notes that Price was originally sentenced in February of 1990, and although the Court is typically required to apply the Guidelines in effect at the time of sentencing, the *ex post facto* clause prohibits such application in the present case. That is, retroactive application of the changed guideline, which deleted scienter as an element regarding weapons enhancement, would disadvantage Price in this case. Thus, the Court must apply the Guidelines in effect at the time of the offense conduct, which occurred prior to November of 1989. See, U.S. v. Underwood, 938 F.2d 1086, 1090 (10th Cir.1991), cert. denied, 113 S.Ct. 3043 (1993). Accordingly, a "defendant who personally possesses a firearm during a drug offense is subject to the [weapons enhancement under

2D1.1(b)(1)] only if he knowingly possessed the weapon or if he was criminally negligent in his unwitting possession.” Id. Further, “reasonable foreseeability of weapons possession by a codefendant may be inferred if the codefendant knowingly possessed the weapon.” Id. The government must prove weapons possession by a preponderance of the evidence. Id. at 1091.

In the present case, the record is replete with instances demonstrating that weapons were a part of Price’s criminal conduct. Paragraph seven of the PSR states that the residence of Tanya McBee was utilized by Price as a place to store, process, and distribute crack cocaine. The residence was also used as a “safe house” to store weapons. The PSR further states that numerous guns, including one Uzi machine gun, were controlled by Price and his organization. Moreover, the PSR states that, in a taped conversation to an undercover police officer, Price indicated that members of his organization were always strapped, i.e., armed, and that these weapons were pulled whenever they ran into members of a rival gang. Furthermore, the PSR states that Price offered to provide an AR15 assault rifle to a Tulsa police officer, along with \$6,000, in exchange for a kilogram of cocaine from the police department’s property room.

Price does not deny that weapons were involved in his criminal activity. Price simply argues that there was no evidence submitted demonstrating that Price had exact knowledge of the possession of weapons. However, given the above facts, the Court finds that it has been shown, by a preponderance of the evidence, that Price knowingly possessed weapons during the criminal activity for which he was convicted. Further, faced with the above evidence against Price, the Court cannot conclude that Price’s counsel was deficient for failing to object to the weapons enhancement. As the Court noted above with respect to the obstruction enhancement, Price’s counsel cannot be considered ineffective for failing to make an objection which must have seemed futile in light of the evidence

against Price. Even if such an objection had been made, the Court would have certainly overruled it. Thus, Price has made no showing of prejudice.

Price contends that newly developed law requires a new sentencing proceeding. Price argues that he should not have been sentenced on the basis of cocaine base since the government failed to prove that Price's offense involved crack. Price cites the November 1993 amendment to the Guidelines, which provides that cocaine base means crack. Amendment 487 amended the notes following § 2D1.1(c) by inserting the paragraph which provides that cocaine base means crack, which is the street name for a form of cocaine base, usually prepared by processing cocaine hydrochloride and sodium bicarbonate. Price maintains that no evidence was introduced to prove what type of cocaine base was involved, or what the ingredients were. However, the Court notes that Amendment 487 is not retroactive. Price was sentenced prior to the effective date of Amendment 487. Accordingly, in order to benefit from a later enacted amendment to the Guidelines, § 1B1.10 must authorize the retroactive application. However, § 1B1.10(c) does not include Amendment 487 as being covered by § 1B1.10. Hence, retroactive application of that Amendment is not authorized, pursuant to § 1B1.10(a).

Even if Amendment 487 were applied to Price, the result would be the same. In several instances, the PSR attributes crack to Price and his organization. Furthermore, the Circuit stated that it was "unable to [conclude] that the trial court clearly erred in finding by a preponderance of the evidence that Mr. Price and his co-conspirators distributed in excess of 500 grams of crack cocaine." U.S. v. Price, 1993 WL 191841 (10th Cir. 1993). Additionally, the Circuit considered and rejected arguments by Price's co-defendants that the controlled substance involved in this case was not cocaine base. U.S. v. LeRoy, 944 F.2d 787 (10th Cir. 1991), cert. denied, 114 S.Ct. 99 (1993). The

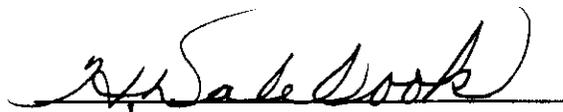
Circuit noted that there was much testimony that cocaine and crack was distributed by Price's organization. The Circuit found that cocaine base is commonly referred to as crack. Thus, Price's argument that cocaine base was not involved is meritless.

Finally, the Court turns to Price's argument that the sentencing guidelines for crack offenders are unconstitutionally vague and meaningless. The Circuit considered and rejected Price's argument that his sentence is unconstitutionally severe. U.S. v. Price, 1993 WL 191841 (10th Cir.1993). The Circuit specifically held that Price's sentence is not unconstitutional. As noted above, a failure to raise an issue at sentencing or on direct appeal acts as a bar to raising the issue in a § 2255 motion. This argument should have been made to the Circuit when Price appealed his sentence and conviction. Indeed, a very similar argument was made to the Circuit and was rejected.

Price requests a hearing on this matter. Section 2255 provides that unless the motion and records conclusively show that Price is entitled to no relief, the Court shall grant a hearing. In the present case, the Court concludes that the record conclusively shows that Price is entitled to no relief, and a hearing would simply be superfluous. Hence, Price's request for a hearing is denied.

Accordingly, Price's motion to vacate his sentence pursuant to 28 U.S.C. § 2255 is hereby DENIED.

IT IS SO ORDERED this 29th day of January, 1997.


H. DALE COOK
United States District Judge

FILED

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

JAN 30 1997

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UNITED STATES OF AMERICA

Phil Lombardi, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

v.

Case Number 96-CR-031-001-BU

WILLIAM D. HUNT
Defendant.

ENTERED ON DOCKET
DATE 1-30-97

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

The defendant, WILLIAM D. HUNT, was represented by Curtis Byrum.

On motion of the United States the court has dismissed count(s) 1 through 5 of the Superseding Indictment.

The defendant pleaded guilty to count(s) 1 of the Information on September 16, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

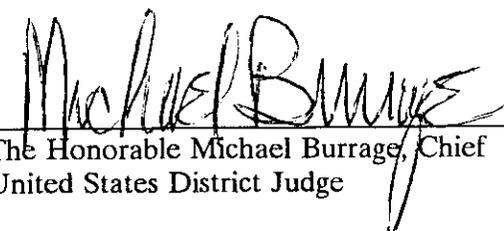
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
26 USC 7203	Failure to Pay Income Tax Due	04/15/88	1

As pronounced on January 23, 1997, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 25.00, for count(s) 1 of the Information, which shall be due immediately.

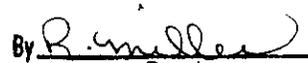
It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid.

Signed this the 30th day of January, 1997.


The Honorable Michael Burrage, Chief
United States District Judge

Defendant's SSN: 442-48-7050
Defendant's Date of Birth: February 24, 1946
Defendant's residence and mailing address: 6004 E. 62nd Street, Tulsa, Oklahoma 74136

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.
Phil Lombardi, Clerk

By 
Deputy

Defendant: WILLIAM D. HUNT
Case Number: 96-CR-031-001-BU

PROBATION

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

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

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of 6 months, to commence within 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.
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.
5. The defendant shall comply with all laws and regulations of the Internal Revenue Service.

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: WILLIAM D. HUNT
Case Number: 96-CR-031-001-BU

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 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: WILLIAM D. HUNT
Case Number: 96-CR-031-001-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:	10
Criminal History Category:	I
Imprisonment Range:	6 months to 12 months
Supervised Release Range:	1 year
Fine Range:	\$ 2,000 to \$ 20,000
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.

W

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

JAN 30 1997

UNITED STATES OF AMERICA

v.

Case Number 96-CR-131-002-BU

Phil Lombardi, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

TERRY EUGENE RAY
Defendant.

ENTERED ON DOCKET

DATE 1-30-97

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

The defendant, TERRY EUGENE RAY, was represented by Jack M. Short.

The defendant pleaded guilty to count(s) 1 of the Indictment on October 25, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

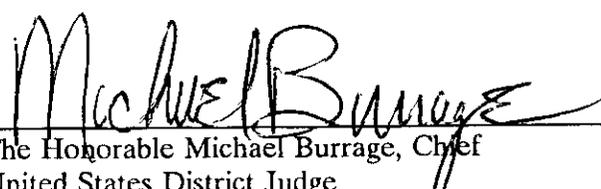
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371	Conspiracy to Commit Bank Fraud	06/95	1

As pronounced on January 23, 1997, 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 30th day of January, 1997.


The Honorable Michael Burrage, Chief
United States District Judge

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

By R. Miller
Deputy

Defendant's SSN: 448-66-8647

Defendant's Date of Birth: October 18, 1961

Defendant's residence and mailing address: 247 E. 53rd Street N., Tulsa, Oklahoma 74126

Defendant: TERRY EUGENE RAY
Case Number: 96-CR-131-002-BU

PROBATION

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

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

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

The Court suspends the requirements for mandatory urine screening as dictated by 18 USC § 3608, but specifically retains the probation officer's authority to administer such tests for cause as permitted by the standard conditions of supervision.

The Court vacates the previous Order imposed by the U.S. Magistrate Judge requiring \$50.00 per month reimbursement of court appointed counsel.

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: TERRY EUGENE RAY
Case Number: 96-CR-131-002-BU

FINE

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

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

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

Defendant: TERRY EUGENE RAY
Case Number: 96-CR-131-002-BU

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$4,763.95.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Green Country Credit Union Attn: Pete Morguecho 202 E. Morrow Rd. Sand Springs, OK 74063	\$282.57
Cumis Insurance Company Attn: Claims Dept. P.O. Box 1221 Madison, WI	\$4,481.38

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

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation, except that no further payment shall be required after the sum of the actually paid by all defendants has fully covered all of the compensable injuries.

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

Defendant: TERRY EUGENE RAY
Case Number: 96-CR-131-002-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:	5
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 250 to \$ 5,000
Restitution:	\$ 4,763.95

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 **FILED**
Northern District of Oklahoma

JAN 30 1997

UNITED STATES OF AMERICA

Phil Lombardi, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

v.

Case Number 96-CR-131-001-BU

CONNIE JO FORD
Defendant.

FILED ON DOCKET
DATE 1-30-97

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

The defendant, CONNIE JO FORD, was represented by Craig Bryant.

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

The defendant pleaded guilty to count(s) 1 of the Indictment on October 25, 1996. 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	06/95	1

As pronounced on January 23, 1997, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

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

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

Signed this the 30th day of January, 1997.

Michael Burrage
The Honorable Michael Burrage, Chief
United States District Judge

Defendant's SSN: 440-56-6347
Defendant's Date of Birth: October 4, 1951
Defendant's residence and mailing address: 247 E. 53rd St. North, Tulsa, OK 74126

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. Phil Lombardi, Clerk
By *R. Miller*
Deputy

Defendant: CONNIE JO FORD
Case Number: 96-CR-131-001-BU

PROBATION

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

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

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF PROBATION

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

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

Defendant: CONNIE JO FORD
Case Number: 96-CR-131-001-BU

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$4,763.95.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Green Country Credit Union Attn: Pete Morquecho 202 E. Morrow Rd. Sand Springs, OK 74063	\$282.57
Cumis Insurance Company Attn: Claims Dept. P.O. Box 1221 Madison, WI	\$4,481.38

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

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation, except that no further payment shall be required after the sum of the amounts paid by the defendant and codefendant, Terry Eugene Ray, has fully covered all of the compensable injuries.

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

Defendant: CONNIE JO FORD
Case Number: 96-CR-131-001-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:	7
Criminal History Category:	I
Imprisonment Range:	0 months to 6 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 500 to \$ 8,000
Restitution:	\$ 4,763.95

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

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

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

JAN 30 1997

UNITED STATES OF AMERICA

v.

Case Number 96-CR-031-002-BU

Phil Lombardi, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

SANDRA L. HUNT
Defendant.

ENTERED ON DOCKET

DATE 1-30-97

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

The defendant, SANDRA L. HUNT, was represented by Steve Knorr.

On motion of the United States the court has dismissed count(s) 1 through 5 of the Superseding Indictment.

The defendant pleaded guilty to count(s) 1 of the Information on September 16, 1996. 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>
26 USC 7203	Failure to Pay Income Tax Due	04/15/88	1

As pronounced on January 23, 1997, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 25.00, for count(s) 1 of the Information, which shall be due immediately.

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

Signed this the 30th day of January, 1997.

Michael Burrage
The Honorable Michael Burrage, Chief
United States District Judge

Defendant's SSN: 444-48-9827
Defendant's Date of Birth: May 24, 1946
Defendant's residence and mailing address: 6004 E. 62nd Street, Tulsa, Oklahoma 74136

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

By R. Miller
Deputy

Defendant: SANDRA L. HUNT
Case Number: 96-CR-031-002-BU

PROBATION

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

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

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of 6 months, to commence within 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.
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.
5. The defendant shall comply with all laws and regulations of the Internal Revenue Service.

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: SANDRA L. HUNT
Case Number: 96-CR-031-002-BU

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 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: SANDRA L. HUNT
Case Number: 96-CR-031-002-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:	10
Criminal History Category:	I
Imprisonment Range:	6 months to 12 months
Supervised Release Range:	1 year
Fine Range:	\$ 2,000 to \$ 20,000
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.

270

F I L E D

JAN 30 1997

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

**Phil Lombardi, Clerk
U.S. DISTRICT COURT**

**UNITED STATES OF AMERICA
Plaintiff**

v.

Case No.: 94-CR-038-001-C

ENTERED ON DOCKET

**ERIKA LEIGH BELL
Defendant**

DATE 1/30/97

MODIFICATION OF SUPERVISED RELEASE CONDITIONS

Now on this 17th day of January, 1997, this cause comes on for revocation and modification after a stipulation that the defendant violated the conditions of supervised release as set out in the Petition on Supervised Release filed on December 6, 1996. The defendant is present in person and with her attorney, Stephen Greubel. The Government is represented by Assistant United States Attorney Kenneth Snoke, and the United States Probation Office is represented by Tony Budzinsky.

The defendant was heretofore, on June 1, 1994, convicted on her plea of guilty to Counts One and Three of a six-count Indictment, both of which charged Mail Fraud And Causing a Criminal Act, in violation of Title 18, United States Code, Section 1341 and 2(b). She was subsequently sentenced on September 7, 1994, to five and one-half (5 1/2) months custody on each of counts One and Three of the Indictment to run concurrently, with credit for time served.

U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA
is a true copy of the original on file
in this court.
Phil Lombardi, Clerk

By Ben McCallough
Deputy

Upon release from imprisonment, the defendant was ordered to serve three (3) years supervised release as to counts One and Three of the Indictment, to run concurrently. The standard conditions of supervised release recommended by the Sentencing Commission were imposed with additional conditions of a \$750 fine, a prohibition against possessing a firearm or destructive device, five and one-half (5 1/2) months of home confinement with electronic monitoring, a search condition, and the "Special Financial Conditions."

On January 17, 1997, the defendant stipulated to the allegation in the Petition on Supervised Release; said allegation being that the defendant was involved in a new law violation while under supervision. Based upon her stipulation to the allegation, the Court made a finding that the defendant violated her conditions of supervised release and modified the defendant's conditions on the same date.

It is adjudged by the Court that the defendant shall be continued under supervised release with the original conditions imposed to remain in effect, with the additional special condition of six (6) months of electronic monitoring. The cost of the program is assessed to the defendant.


H. Dale Cook
United States District Judge

F I L E D

JAN 30 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

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

**UNITED STATES OF AMERICA
Plaintiff**

v.

**CHAD ASHLEY ADMIRE
Defendant**

Case Number 96-CR-100-001-C

ENTERED ON DOCKET

DATE 1/30/97

**JUDGMENT AND COMMITMENT ORDER
ON REVOCATION OF PROBATION**

Now on this 23rd day of January, 1997, 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 December 9, 1996. The defendant is present in person and with his attorney, Sandra Houston. The Government is represented by Assistant United States Attorney Charles McLoughlin, and the United States Probation Office is represented by Tony Budzinsky.

The defendant was heretofore, on August 22, 1996, convicted on his plea of guilty to Count Two of the Indictment which charged Obstruction of Correspondence, in violation of Title 18, United States Code, Section 1702. He was subsequently sentenced on November 6, 1996, to a three (3) year period of probation.

On January 23, 1997, a Revocation Hearing was held regarding the allegations noted in the Petition on Probation; said allegations being that the defendant used marijuana and, additionally, used marijuana while in an inpatient treatment program. Based upon his stipulation to the allegations as contained in the petition, the Court found him to be in violation and sentenced the defendant on the same date at his request. All parties waived additional time for sentencing.

As a result of the Sentencing Hearing, the Court finds that the violations occurred after November 1, 1987, and that Chapter Seven of the U.S. Sentencing Commission Guidelines is

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. Phil Lombardi, Clerk

By: *Ben McLoughlin*

applicable. Further, the Court finds that the violations of probation constitute Grade C violations in accordance with Section 7B1.1(a)(3), and that the defendant's 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 3 to 9 months, in accordance with Section 7B1.4(a) and Title 18, United States Code, Section 3565(a). Further, pursuant to Title 18, United States Code, Section 3621(b), (e)(2)(A) and (B), the Court recommends the defendant be allowed to participate in a residential substance abuse program during imprisonment. In consideration of these findings and pursuant to U.S. v. Lee, 957 F.2d 770 (Tenth Circuit, 1992), in which the Circuit determined that the policy statements in Chapter Seven were not mandatory, but must be considered by the Court, the following sentence is ordered:

It is adjudged by the Court that the defendant shall be sentenced to the custody of the Bureau of Prisons for a term of eighteen (18) months. Upon release from imprisonment, the defendant shall be placed on supervised release for a term of two (2) years.

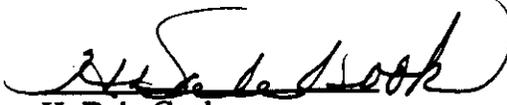
While on supervised release, you shall not commit another federal, state, or local crime. You are prohibited, during the period of supervised release, or afterward, from possessing a firearm or other dangerous devices, unless you have received express written permission of the appropriate federal and state agency. Further, while on supervised release you shall not illegally possess a controlled substance. In addition, you shall comply with the standard conditions that have been adopted by this Court and the following special conditions:

1. The defendant's fine is reimposed in the amount of \$750.00. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of supervised release.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall successfully participate in a program of testing and treatment (to include inpatient, if necessary) for drug and alcohol abuse, as directed by the

Probation Officer, until such time as released from the program by the Probation Officer.

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

The defendant is hereby remanded to the custody of the U.S. Marshal's Service pending transportation to the designated institution.


H. Dale Cook
United States District Judge

FILED

JAN 29 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

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

UNITED STATES OF AMERICA)
Plaintiff,)
)
vs.)
)
CHARLIE PHIPPS)
Defendant.)

Docket No. 89-CR-036-002-C
ENTERED ON DOCKET
DATE 1/29/97

ORDER ON REVOCATION OF PROBATION

Now on this 21st day of January 1997, this cause comes on for a revocation hearing on allegations of violation of probation as set out in the Petition on Probation filed on November 20, 1996. The defendant is present in person and with his attorney, Art Fleak. The Government is represented by Assistant United States Attorney Neal Kirkpatrick, and the United States Probation Office is represented by Bradford Stewart.

The defendant was heretofore, on November 9, 1989, convicted by Jury in Count One which charged Conspiracy, in violation of 18 U.S.C. § 371, Counts Two through Twenty-three which charged Wire Fraud and Aiding and Abetting, in violation of 18 U.S.C. §§ 1343 and 2, and Counts Twenty-four through Twenty-six which charged Misapplication of Bank Funds and Aiding and Abetting, in violation of 18 U.S.C. §§ 656 and 2.

Phipps was sentenced to a five year period of confinement in Count One, followed by a two year term of custody in Count Two, to run consecutively to the custody term imposed in Count One, said custody terms to be followed by concurrent five year probation terms as to Counts Three through Twenty-six. He began service of the probation terms on November 10, 1995.

United States District Court) SS
Northern District of Oklahoma)
Presented by the undersigned
is a true copy of the original on file
in this court. Phil Lombardi, Clerk

By B. M. Cullough
Deputy

At the hearing, the defendant admitted to violations of the probation conditions as outlined in the Petition. The Court finds the defendant in violation of the conditions of probation as outlined in the Petition, hereby revokes the term of probation as to Count Three only, and imposes sentence as follows:

It is adjudged and ordered by the Court that the defendant is sentenced to the custody of the Attorney General as to Count Three for a term of fifty-six (56) months. As to the remaining Counts Four through Twenty-six, the Court orders said counts to become inactive pursuant to 18 USC § 3564(b), and upon the defendant's release from custody in Count Three, the remaining Counts Four through Twenty-six shall recommence with credit for time served.

Furthermore, the Court orders that all previously ordered standard conditions of probation shall remain in effect, as well as the special conditions imposed pursuant to the modification of conditions on January 23, 1996. Also, pursuant to 18 U.S.C. § 3663, any restitution ordered as to these counts that remains due and payable shall be paid during the term of custody. Any remaining amount shall be paid during the term of probation in Counts Four through Twenty-six.

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



H. Dale Cook
United States District Judge

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 96-CR-126-001-K ✓

1-27-97

MARTY EUGENE SANDERS
Defendant.

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

FILED
JAN 27 1997 Co

The defendant, MARTY EUGENE SANDERS, was represented by David Phillips. Phil Lombardi, Clerk U.S. DISTRICT COURT

On motion of the United States the court has dismissed count(s) 1, 3, 4, 6, 7, and 11 of the Superseding Indictment.

The defendant pleaded guilty to count(s) 5 of the Superseding Indictment on November 8, 1996. 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 471	Counterfeiting Currency	08/22/96	5

As pronounced on January 14, 1997, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100.00, for count(s) 5 of the Superseding Indictment, which shall be due immediately.

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

Signed this the 23 day of January, 1997.


The Honorable Terry C. Kern, Chief
United States District Judge

Defendant's SSN: 448-72-6090
Defendant's Date of Birth: February 6, 1961
Defendant's residence and mailing address: C/O Tulsa County Jail, 500 S. Denver, Tulsa, OK 74103

Defendant: MARTY EUGENE SANDERS
Case Number: 96-CR-126-001-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 31 months.

The Court makes the following recommendations to the Bureau of Prisons: That the Bureau of Prisons designate the facility at El Reno, Oklahoma, for the defendant to serve this term. The Court further recommends that the defendant receive chemical dependency counseling through the Bureau of Prisons Substance Abuse Programs.

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: MARTY EUGENE SANDERS
Case Number: 96-CR-126-001-K

SUPERVISED RELEASE

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

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

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

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: MARTY EUGENE SANDERS
Case Number: 96-CR-126-001-K

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$5,549.27 on Count 5, to be paid jointly and severally with codefendant Carol Triplett.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Dollar Family Store Attn: Linda Saner 723 West 23rd Street Tulsa, OK 74107	\$100.00
Richard Allen 7877 Maryland Lane Sapulpa, OK 74131	\$500.00
The Schiller Law Firm Attorneys for Farmer's Insurance P.O. Box 159 Haskell, OK 74436	\$2,969.06
Office Depot Attn: Acct. #279344 P.O. Box 5019 Boca Raton, FL 34478	\$1,980.21

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma 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.

FORFEITURE

The defendant is ordered to forfeit the following property to the United States: A Hewlett Packard printer/copier, Serial #SG65PA204V, and \$877 in U.S. Currency.

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

Defendant: MARTY EUGENE SANDERS
Case Number: 96-CR-126-001-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:	13
Criminal History Category:	VI
Imprisonment Range:	33 months to 41 months - Ct. 5
Supervised Release Range:	2 to 3 years - Ct. 5
Fine Range:	\$ 3,000 to \$ 30,000 - Ct. 5
Restitution:	\$ 5,549.27

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

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

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 96-CR-108-001-K ✓

DOROTHY JEWELL ESTES
Defendant.

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

27-97
FILED

JAN 27 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

The defendant, DOROTHY JEWELL ESTES, was represented by William Hughes.

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

The defendant pleaded guilty to count(s) 1 and 3 of the Indictment on October 10, 1996. 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 1029(a)(2)	Fraud With Access Device	07/11/96	1
18 USC 1709	Theft of Mail by Postal Employee	11/02/95	3

As pronounced on January 14, 1997, 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) 1 and 3 of the Indictment, which shall be due immediately.

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

Signed this the 23 day of January, 1997.


The Honorable Terry C. Kern, Chief
United States District Judge

Defendant's SSN: 442-46-1531

Defendant's Date of Birth: July 1, 1947

Defendant's residence and mailing address: 6104 S. 87th East Ave., Apt. B, Tulsa, OK 74133

Defendant: DOROTHY JEWELL ESTES
Case Number: 96-CR-108-001-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 15 months as to each count, said counts to be served concurrently, each with the other.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant be placed in the Intensive Confinement Center, Bryan, Texas, to participate in the Shock Incarceration Program..

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 1:00 p.m. on April 25, 1997.

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: DOROTHY JEWELL ESTES

Case Number: 96-CR-108-001-K

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years as to Counts 1 and 3, to be served concurrently, each with the other.

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

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall participate in a program of mental health treatment (to include inpatient), as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Officer.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.
6. The defendant is prohibited from gambling or participating in any game of chance, to include bingo.

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: DOROTHY JEWELL ESTES
Case Number: 96-CR-108-001-K

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$79,942.52 on Count 1.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
1. The Prudential Bank, 1 Ravinia Drive, Suite 1000, Atlanta, GA 30346	\$9,459.76
2. Bank of America, 1825 Buckeye Road, Phoenix, Arizona 85034	\$4,556.76
3. Bank of New York, 1080 Broad Hollow Road, Farmingdale, New York	\$3,872.64
4. Citibank, P.O. Box 6200, The Lakes, NV 88901	\$2,160.67
5. NationsBank, P.O. Box 16989, Atlanta, GA 30321	\$6,482.25
6. First U.S.A., P.O. Box 740085, Atlanta, GA 30374	\$7,816.98
7. MBNA, P.O. Box 15730, Wilmington, DE 198385	\$1,963.73
8. Mercantile Bank, 12443 Olive Blvd, St. Louis, Missouri	\$10,630.71
9. Chase Card Services, P.O. Box 29073, Phoenix, Arizona 85038	\$516.31
10. Boatmen's Bank, P.O. Box 419038, Kansas City Missouri 64183	\$1,800
11. Southwestern Bell Card Services, P.O. Box 790213, St. Louis, MO 63179	\$10,612.79
12. American General, 600 North Royal Avenue, Evansville, Indiana 47715	\$451.32
13. G.E. Capital Corporation, 5300 Kings Island Drive, Mason, Ohio 45040	\$9,828
14. First Union, 1525 W. T. Harris Blvd., Charlotte, North Carolina 28262	\$15.51
15. AT&T Card Services, P.O. Box 452523, Jacksonville, FL 32232	\$302.40
16. Discover Card Services, P.O. Box 29024, Phoenix, AZ 85308	\$5,712.19
17. Tulsa Teachers Credit Union, P.O. Box 4999, Tulsa, OK 74159	\$1,213
18. Direct Merchants Bank, P.O. Box 21222, Tulsa, OK 74121	\$1,500

Defendant: DOROTHY JEWELL ESTES
Case Number: 96-CR-108-001-K

RESTITUTION AND FORFEITURE

RESTITUTION CONTINUED:

- | | |
|---|---------|
| 19. Wells Fargo, P.O. Box 272580, Concord, CA, 94527, | \$1,100 |
| 20. First Card, 2500 Westfield Dr., Elgin, IL, 60123, | \$1,005 |

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma 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: DOROTHY JEWELL ESTES
Case Number: 96-CR-108-001-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:	13
Criminal History Category:	I
Imprisonment Range:	12 months to 18 months - Cts. 1 & 3
Supervised Release Range:	2 to 3 years - Cts. 1 & 3
Fine Range:	\$ 3,000 to \$ 30,000 - Cts. 1 & 3
Restitution:	\$ 79,942.52

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

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

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 96-CR-122-001-K

JACQUELINE JO OATS
Defendant.

1-24-97

FILED

JAN 22 1997

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987) Phil Lombardi, Clerk
DISTRICT COURT

The defendant, JACQUELINE JO OATS, was represented by Patrick A. Williams.

The defendant pleaded guilty to count(s) 1 through 8 of the Information on October 17, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

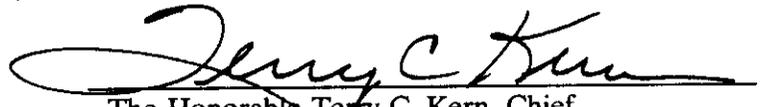
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1341	Mail Fraud	02/02/96	1-8

As pronounced on January 14, 1997, 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 \$ 400.00, for count(s) 1-8 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 21 day of January, 1997.


The Honorable Terry C. Kern, Chief
United States District Judge

Defendant's SSN: 448-52-3866

Defendant's Date of Birth: August 21, 1951

Defendant's residence and mailing address: 25986 Lariat Circle, Broken Arrow, OK 74014

Defendant: JACQUELINE JO OATS
Case Number: 96-CR-122-001-K

IMPRISONMENT

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

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 p.m. on February 13, 1997.

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: JACQUELINE JO OATS
Case Number: 96-CR-122-001-K

SUPERVISED RELEASE

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

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

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.
5. Should the defendant's pension and profit sharing accounts contain a clause which allows for forfeiture due to bad acts committed by the employee, the defendant shall immediately give up and transfer any and all rights to those accounts to Dr. Jeff Alexander. If the pension and profit sharing accounts do not contain such provisions, the accounts shall not be forfeited pursuant to these proceedings.

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: JACQUELINE JO OATS
Case Number: 96-CR-122-001-K

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$85,000.00 on Counts 1 through 8.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Dr. Jeff Alexander, M.D. 6565 South Yale Avenue Tulsa, Oklahoma	\$85,000.00

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: JACQUELINE JO OATS
Case Number: 96-CR-122-001-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:	13
Criminal History Category:	I
Imprisonment Range:	12 months to 18 months - Cts. 1-8
Supervised Release Range:	2 to 3 years - Cts. 1-8
Fine Range:	\$ 3,000 to \$ 30,000 - Cts. 1-8
Restitution:	\$ 199,983.62

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

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

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

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

1-24-97

Case Number 96-CR-101-001-K

v.

ADENA K. COLLARD aka ADENA COLLARD-ARDALE
Defendant.

FILED

JAN 22 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

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

The defendant, ADENA K. COLLARD aka ADENA COLLARD-ARDALE, was represented by Stephen J. Knorr.

On motion of the United States the court has dismissed count(s) Count 2 of the Indictment and Counts 1 and 2 of the Superseding Indictment.

The defendant pleaded guilty to count(s) 1 of the Indictment on October 16, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

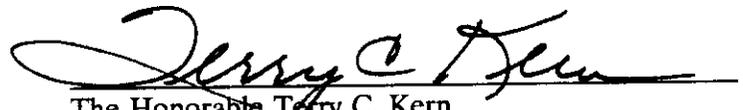
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 513(a)	Uttering a Forged Instrument	09/15/95	1

As pronounced on January 9, 1997, 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 21 day of January, 1997.


The Honorable Terry C. Kern
Chief United States District Judge

Defendant's SSN: 459-31-0391

Defendant's Date of Birth: July 15, 1960

Defendant's mailing address: Oklahoma Department of Corrections, Eddie Warrior Correctional Center, Drawer AO, Taft, OK 74463

Defendant's residence address: C/O U.S. Marshal's Service, Tulsa, OK

Defendant: ADENA K. COLLARD aka ADENA COLLARD-ARDALE
Case Number: 96-CR-101-001-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 15 months. This sentence shall run consecutively to the State sentence previously imposed in Jackson County, Oklahoma, District Court, Case No. CRF-93-24.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant receive a mental health evaluation and counseling while in the custody of the Bureau of Prisons.

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: ADENA K. COLLARD aka ADENA COLLARD-ARDALE
Case Number: 96-CR-101-001-K

SUPERVISED RELEASE

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

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

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall participate in a program of mental health treatment (to include inpatient), as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Officer.
5. The defendant shall perform 100 hours of community service.

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: ADENA K. COLLARD aka ADENA COLLARD-ARDALE
Case Number: 96-CR-101-001-K

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$3,421.82.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Boatmen's Bank (Formerly Bank IV) Attn: Leslie May P.O. Box 2360 Tulsa, OK 74101	\$3,421.82

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: ADENA K. COLLARD aka ADENA COLLARD-ARDALE
Case Number: 96-CR-101-001-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:	7
Criminal History Category:	VI
Imprisonment Range:	15 months to 21 months - Ct. 1
Supervised Release Range:	2 to 3 years - Ct. 1
Fine Range:	\$ 500 to \$ 5,000 - Ct. 1
Restitution:	\$ 3,421.82

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

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

United States District Court)
Northern District of Oklahoma) SS

I hereby certify that the foregoing
is a true copy of the original on file
in this court. Phil Lombardi, Clerk

By CSM
Deputy

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

FILED

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
CHRISTOPHER OAKLEY,)
)
Defendant.)

JAN 21 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

No. 96-CR-91-BU

ENTERED ON DOCKET
DATE 1-22-97

ORDER

NOW on this 21st day of January, 1997, this cause comes on to be heard on the Plaintiff's motion to dismiss the Indictment in the above-styled and numbered cause as to Defendant CHRISTOPHER OAKLEY. Good cause having been set out therein, the Court finds that the Government's motion to dismiss should be granted, and the Indictment is hereby dismissed without prejudice as to Defendant CHRISTOPHER OAKLEY

IT IS SO ORDERED.


MICHAEL BURRAGE
United States District Judge

UB

1 JAMES D. HENDERSON
2 530 Wilshire Boulevard
3 Suite 400
4 Santa Monica, California 90401
5 (310) 917-9277

6 Attorney for Defendant
7 RICHARD CALVIN LOWE

FILED

JAN 21 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF OKLAHOMA

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UNITED STATES OF AMERICA,
Plaintiff,
vs.
RICHARD CALVIN LOWE,
Defendant.

CASE NUMBER : 93 CR 773
[PROPOSED] ORDER

ENTERED ON DOCKET
DATE JAN 22 1997

GOOD CAUSE having been shown, and there being no objection from the office of the United States Attorney or from the United States Probation Office, IT IS HEREBY ORDERED that the previously imposed term of supervised release in the above-entitled and captioned matter is hereby terminated and the Defendant Richard Calvin Lowe is discharged from further obligations relating thereto.

Dated: January 17, 1997

UNITED STATES DISTRICT JUDGE

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES) ss.

I am employed in the County of Los Angeles. I am over the age of eighteen years and not a party to the within action. My business address is 530 Wilshire Boulevard, Suite 400, Santa Monica, California 90401.

On January 10, 1997, I served the foregoing document described as **[PROPOSED] ORDER** on the interested parties in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

Scott Woodward
Assistant United States Attorney
United States Courthouse
Room 3900
Tulsa, OK 74103

(BY MAIL)

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Santa Monica, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

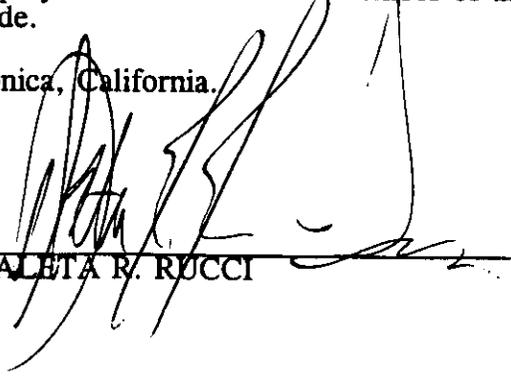
(BY PERSONAL SERVICE)

I delivered such envelope by hand to the offices of the addressee(s).

(STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on January 10, 1997, at Santa Monica, California.


Aleta R. RUCCI

FILED

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

JAN 17 1997

**Phil Lombardi, Clerk
U.S. DISTRICT COURT**

UNITED STATES OF AMERICA

v.

Case Number 96-CR-018-001-C

TRACY ALAN BAKER
Defendant.

FILED IN DOCKET
1/21/97

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

The defendant, TRACY ALAN BAKER, was represented by Shannon Davis.

The defendant pleaded guilty to count(s) 1 of the Indictment on July 8, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

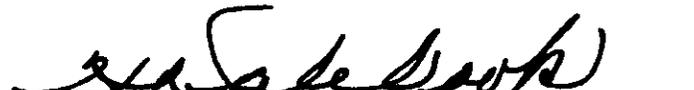
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 922(g)(1), 924(a)(2), and 924(e)(1)	Possession of a Firearm After Former Conviction of a Felony	12/30/95	1

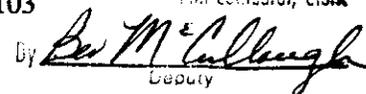
As pronounced on January 7, 1997, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

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 17th day of January, 1997.


The Honorable H. Dale Cook
United States District Judge

United States District Court)
Northern District of Oklahoma) **SS**
I hereby certify that a true and correct copy of this judgment is on file in this court.
Phil Lombardi, Clerk
By 
Deputy

Defendant's SSN: 408-13-9920
Defendant's Date of Birth: December 29, 1958
Defendant's mailing address: P.O. Box 591, Guthrie, OK
Defendant's residence address: C/O Tulsa County Jail, 500 S. Denver, Tulsa, OK 74103

Defendant: TRACY ALAN BAKER
Case Number: 96-CR-018-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 180 months to run concurrent with Northern District of Oklahoma Case No. 96-CR-154-001-C.

The Court makes the following recommendations to the Bureau of Prisons: That the Bureau of Prisons provide comprehensive alcohol and drug abuse treatment.

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: TRACY ALAN BAKER
Case Number: 96-CR-018-001-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 4 years to run concurrent with Northern District of Oklahoma Case No. 96-CR-154-001-C.

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: TRACY ALAN BAKER
Case Number: 96-CR-018-001-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 \$ 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: TRACY ALAN BAKER
Case Number: 96-CR-018-001-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:	31
Criminal History Category:	VI
Imprisonment Range:	188 months to 235 months
Supervised Release Range:	3 to 5 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 for the following reason(s): The Court found that the defendant may have committed the crime in order to avoid a perceived greater harm and departed to 180 months, pursuant to USSG § 5K2.11.

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

JAN 17 1997

UNITED STATES OF AMERICA

Phil Lombardi, Clerk
U.S. DISTRICT COURT

v.

Case Number 96-CR-154-001-C

TRACY ALAN BAKER
Defendant.

ENTERED ON DOCKET

DATE 1/21/97

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

The defendant, TRACY ALAN BAKER, was represented by Shannon Davis.

The defendant pleaded guilty to count(s) 1 of the Indictment on November 5, 1996. 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); 924(a)(2) and 924(e)(1)	Possession of a Firearm After Former Conviction of a Felony	07/01/93	1

As pronounced on January 7, 1997, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

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

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

Signed this the 17th day of Jan., 1997.


The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 408-13-9920
Defendant's Date of Birth: December 29, 1958
Defendant's mailing address: P.O. Box 591, Guthrie, OK
Defendant's residence address: C/O Tulsa County Jail, 500 S. Denver, Tulsa, OK 74103

United States District Court)
Northern District of Oklahoma) SS
Phil Lombardi, Clerk
By 
Deputy

Defendant: TRACY ALAN BAKER
Case Number: 96-CR-154-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 180 months to run concurrent with Northern District of Oklahoma Case No. 96-CR-018-001-C.

The Court makes the following recommendations to the Bureau of Prisons: That the Bureau of Prisons provide comprehensive alcohol and drug abuse treatment.

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: TRACY ALAN BAKER
Case Number: 96-CR-154-001-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 4 years to run concurrent with Northern District of Oklahoma Case No. 96-CR-018-001-C.

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: TRACY ALAN BAKER
Case Number: 96-CR-154-001-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:	31
Criminal History Category:	VI
Imprisonment Range:	188 months to 235 months - Ct. 1
Supervised Release Range:	3 to 5 years - Ct. 1
Fine Range:	\$ 15,000 to \$ 150,000 - 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 departs from the guideline range for the following reason(s): The Court found that the defendant may have committed the crime in order to avoid a perceived greater harm and departed to 180 months, pursuant to USSG § 5K2.11.

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

JAN 17 1997

UNITED STATES OF AMERICA

Phil Lombardi, Clerk
U.S. DISTRICT COURT

v.

Case Number 96-CR-132-001-C

ENTERED ON DOCKET

TINA MARIE RAHMAN
Defendant.

DATE 1/21/97

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

The defendant, TINA MARIE RAHMAN, was represented by Roy W. Byars.

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

The defendant pleaded guilty to count(s) 1 of the Indictment on October 28, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371	Conspiracy to Commit Bank Fraud	02/27/96	1

As pronounced on January 7, 1997, 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 17th day of January, 1997.


The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 444-70-2049
Defendant's Date of Birth: March 24, 1967
Defendant's residence and mailing address: 14314 E. 37th St., Tulsa, OK 74134

United States District Court)
Northern District of Oklahoma) SS
I hereby certify that the foregoing
is a true copy of the original as filed
in this court. Phil Lombardi, Clerk

By Ben McCullough
Deputy

Defendant: TINA MARIE RAHMAN
Case Number: 96-CR-132-001-C

IMPRISONMENT

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

The Court makes the following recommendations to the Bureau of Prisons: That the defendant serve this sentence in a Half-way House.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 noon on February 10, 1997.

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: TINA MARIE RAHMAN
Case Number: 96-CR-132-001-C

SUPERVISED RELEASE

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

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

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. At the discretion of the U.S. Probation Office, the defendant shall participate in a program of mental health treatment (to include inpatient), as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Officer.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: TINA MARIE RAHMAN
Case Number: 96-CR-132-001-C

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$4,000.00.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Bank of Boston 133 Federal Street, Suite 500 Boston, MA	\$4,000.00

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: TINA MARIE RAHMAN
Case Number: 96-CR-132-001-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:	5
Criminal History Category:	II
Imprisonment Range:	0 months to 6 months - Ct. 1
Supervised Release Range:	2 to 3 years - Ct. 1
Fine Range:	\$ 250 to \$ 5,000 - Ct. 1
Restitution:	\$ 4,000

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

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

DATE JAN 21 1997

FILED

JAN 17 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 96CR-123-001-H

CALVIN BAILEY
Defendant.

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

The defendant, CALVIN BAILEY, was represented by Craig Bryant.

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

The defendant pleaded guilty to count(s) 1 of the Indictment on October 11, 1996. 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 371, and 2314	Conspiracy to Transport Stolen Securities	08/23/96	1

As pronounced on January 9, 1997, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100.00, for count(s) 1 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 17th day of JANUARY, 1997.


The Honorable Sven Erik Holmes
United States District Judge

Defendant's SSN: 125-44-7547

Defendant's Date of Birth: May 3, 1956

Defendant's residence and mailing address: 6706 South Zunis, #606, Tulsa, OK 74136

Defendant: CALVIN BAILEY
Case Number: 96-CR-123-001-H

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 successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
4. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of 4 months, to commence within one week of sentencing date. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the defendant.
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 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: CALVIN BAILEY
Case Number: 96-CR-123-001-H

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$9,675.00. This amount is to be paid jointly and severally with codefendant Edward Edgehill, immediately, except no further payment shall be required after the sum of the amounts actually paid by both defendants has fully covered the compensable injury.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
State Bank and Trust Attn: Charlie Pilkington 502 South Main Mall Tulsa, OK 74103	\$9,675.00

Payments of restitution are to be made to the Clerk of the Court for the Northern District of Oklahoma for transfer to the payee(s).

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

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

Defendant: CALVIN BAILEY
Case Number: 96-CR-123-001-H

STATEMENT OF REASONS

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

Guideline Range Determined by the Court:

Total Offense Level:	7
Criminal History Category:	II
Imprisonment Range:	2 months to 8 months - Ct. 1
Supervised Release Range:	2 to 3 years - Ct. 1
Fine Range:	\$ 500 to \$ 5,000 - Ct. 1
Restitution:	\$ 9,675

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.

u

ENTERED ON DOCKET

DATE 1-15-97

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 vs.)
)
 GARY HART,)
)
 Defendant.)

No. 96-CR-155-K ✓

F I L E D
IN FEDERAL COURT

JAN 14 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

O R D E R

Before the Court is Defendant's Motion to Dismiss the Indictment.

On November 8, 1996, an Indictment was filed charging that the Defendant "possessed and uttered a counterfeit security of an organization, namely, a counterfeit cashier's check, number 9274, drawn on the Saint Francis Federal Credit Union, in the amount of \$12,250.00, in violation of Title 18, United States Code, Section 513, and Title 18, United States Code, Section 2." Title 18 U.S.C. § 513 states that whoever makes, utters, or possesses a counterfeited or forged security of a State or a political subdivision thereof or of an organization, with the intent to deceive another person, organization, or government shall be fined under this title or imprisoned.

Defendant asserts that the Indictment, as filed, fails to state an essential element of the crime of uttering counterfeit securities, namely, that the indictment fails to allege that the Defendant intended to deceive another person, organization or government. The Defendant cites *United States v. Brown*, 995 F.2d

1493, 1503-04 (10th Cir. 1993) in support. In *Brown*, the Court of Appeals *sua sponte* addressed the issue of the failure of an indictment to allege the essential elements of the crime charged, and dismissed the indictment accordingly. *Id.* at 1505 ("the failure of the indictment to allege all the essential elements of an offense under § 856(a)(2) is a jurisdictional defect requiring dismissal, despite citation of the underlying statute in the indictment.").

The Court finds that the *Brown* case controls here and that the Indictment is insufficient on its face. For this reason, the Indictment against the Defendant will be dismissed without prejudice.

ORDERED this 12/17th day of January, 1997.



TERRY C. KERN
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

UNITED STATES OF AMERICA

v.

Case Number 96-CR-103-001-Phil Lombardi, Clerk
U.S. DISTRICT COURT

JAN 14 1997

SHELLA SMITH
Defendant.

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

1-14-97

The defendant, SHELLA SMITH, was represented by Allen Smallwood.

The defendant pleaded guilty to count(s) 1 of the Information on October 8, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 513(a)	Uttering of Forged Securities	01/17/96	1

As pronounced on January 6, 1997, 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 14th day of January, 1997.


The Honorable Terry C. Kern, Chief
United States District Judge

Defendant's SSN: 447-66-1986
Defendant's Date of Birth: October 14, 1963
Defendant's residence and mailing address: Rt. 1, Box 343, Cleveland, OK 74020

Defendant: SHELLA SMITH
Case Number: 96-CR-103-001-K

IMPRISONMENT

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

The Court makes the following recommendations to the Bureau of Prisons: That defendant be incarcerated in Freedom Ranch Half-way House in Tulsa, Oklahoma.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 p.m. on February 6, 1997.

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: SHELLA SMITH
Case Number: 96-CR-103-001-K

SUPERVISED RELEASE

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

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

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

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: SHELLA SMITH
Case Number: 96-CR-103-001-K

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$35,000.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Midwest Detailing Inc. C/O Jerry Crombie 8906 East Skelly Drive Tulsa, Oklahoma 74129-3426	\$35,000

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

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid as a condition of supervised release.

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

Defendant: SHELLA SMITH
Case Number: 96-CR-103-001-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:	11
Criminal History Category:	I
Imprisonment Range:	8 months to 14 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 2,000 to \$ 20,000
Restitution:	\$ 59,877.99

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): Because of the defendant's inability to pay.

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

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

DATE 1-14-97

UNITED STATES OF AMERICA

v.

Case Number 96-CR-025-004-K

FILED

ADRIAN FLORES
Defendant.

JAN 14 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

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

The defendant, ADRIAN FLORES, was represented by Thomas D. McCormick.

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

The defendant pleaded guilty to count(s) 1 of the Information on October 21, 1996. 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 1952	Interstate Travel in Aid of Racketeering	12/31/94	1

As pronounced on January 8, 1997, 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 14th day of January, 1997.


The Honorable Terry C. Kern, Chief
United States District Judge

- Defendant's SSN: 558-53-6537
- Defendant's Date of Birth: July 7, 1972
- Defendant's mailing address: 13016 Robin Lane, Chino, California 91710
- Defendant's residence address: C/O Tulsa County Jail, 500 S. Denver, Tulsa, OK 74103

Defendant: ADRIAN FLORES
Case Number: 96-CR-025-004-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: 1) 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 comprehensive substance abuse treatment during service of this sentence; 2) The Court recommends to the Bureau of Prisons that the defendant be designated to a facility 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: ADRIAN FLORES
Case Number: 96-CR-025-004-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.
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: ADRIAN FLORES
Case Number: 96-CR-025-004-K

FINE

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: ADRIAN FLORES
Case Number: 96-CR-025-004-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:	31
Criminal History Category:	II
Imprisonment Range:	60 months - Ct. 1
Supervised Release Range:	2 to 3 years - Ct. 1
Fine Range:	\$ 15,000 to \$ 150,000 - 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.

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

ENTERED ON FILE
DATE 1-14-97

UNITED STATES OF AMERICA

v.

Case Number 96-CR-025-003-K ✓

FILED

JAN 14 1997 *CS*

JASON FLEJTER
Defendant.

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

Phil Lombardi, Clerk
U.S. DISTRICT COURT

The defendant, JASON FLEJTER, was represented by Jack Short.

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

The defendant pleaded guilty to count(s) 1 of the Superseding Indictment on October 8, 1996. 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)	Conspiracy to Possess With Intent to Distribute Methamphetamine and Cocaine	01/13/95	1

As pronounced on January 8, 1997, 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 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 14th day of January, 1997.

Terry C. Kern
The Honorable Terry C. Kern, Chief
United States District Judge

Defendant's SSN: 398-90-8189
Defendant's Date of Birth: August 2, 1972
Defendant's residence and mailing address: 5857 Burgundy Ave., Alta Loma, CA 91701

Defendant: JASON FLEJTER
Case Number: 96-CR-025-003-K

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 36 months. The Court notes for the record that this sentence is not a departure from the Court determined sentence of 47 months, but provides credit for approximately 11 months served in state custody under San Bernardino, California, Case No. CR-FWV-06290, that will not be credited toward this federal sentence, as directed by USSG § 5G1.3(b). This Court recommends that the Bureau of Prisons designate the California Department of Corrections to be the place of service of this sentence, thereby making this sentence concurrent with the defendant's imprisonment pursuant to the Judgment in Superior Court of San Bernardino, California Case No. CR-FWV-06290.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant be incarcerated at a facility specializing in comprehensive drug treatment.

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: JASON FLEJTER
Case Number: 96-CR-025-003-K

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 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: JASON FLEJTER
Case Number: 96-CR-025-003-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 \$ 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: JASON FLEJTER
Case Number: 96-CR-025-003-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:	35
Criminal History Category:	I
Imprisonment Range:	168 months to 210 months - Ct. 1
Supervised Release Range:	5 years - Ct. 1
Fine Range:	\$ 20,000 to \$ 4,000,000 - 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 departs from the guideline range for the following reason(s): Upon motion of the government, as a result of defendant's substantial assistance.

CF

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

JAN 13 1997

Phil Lombardi, Clerk
 U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

Case Number 96-CR-130-001-C

ENTERED ON DOCKET

LUMECIA ROCHELLE HAYNES
 Defendant.

1/14/97

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

The defendant, LUMECIA ROCHELLE HAYNES, was represented by Randal D. Morley.

The defendant pleaded guilty to count(s) 1 of the Indictment on October 15, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

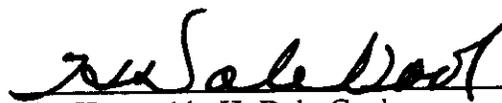
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1029(a)(2), and (b)(1)	Fraudulent Use of an Unauthorized Access Device	04/24/96	1

As pronounced on January 7, 1997, the defendant is sentenced as provided in pages 2 through 3 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 50.00, 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 13 day of January, 1997.


 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. Phil Lombardi, Clerk

Defendant's SSN: 446-70-0054
 Defendant's Date of Birth: June 13, 1975
 Defendant's residence and mailing address: 1050 East 61st St., Apt. 96, Tulsa, Oklahoma 74136
 By  Deputy

Defendant: LUMECIA ROCHELLE HAYNES
Case Number: 96-CR-130-001-C

PROBATION

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

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

1. If this judgment imposes a fine, special assessment, costs or restitution obligation, it shall be a condition of probation that the defendant pay any such fine, assessment, costs and restitution.
2. The defendant shall not own or possess a firearm or destructive device.
3. The defendant shall successfully participate in a program of testing and treatment (to include inpatient) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.
4. The defendant shall participate in a program of mental health treatment (to include inpatient), as directed by the Probation Officer, until such time as the defendant is released from the program by the Probation Officer.
5. The defendant shall perform 100 hours of community service as directed by the Probation Office.

STANDARD CONDITIONS OF PROBATION

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

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

Defendant: LUMECIA ROCHELLE HAYNES
Case Number: 96-CR-130-001-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:	I
Imprisonment Range:	0 months to 6 months - Ct. 1
Supervised Release Range:	2 to 3 years - Ct. 1
Fine Range:	\$ 500 to \$ 5,000 - 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.

F I L E D

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

JAN 13 1997

UNITED STATES OF AMERICA

Phil Lombardi, Clerk
U.S. DISTRICT COURT

v.

Case Number 96-CR-094-001-C

ENTERED ON DOCKET

JACKIE LEE SCOTT
Defendant.

DATE 1/14/97

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

The defendant, JACKIE LEE SCOTT, was represented by Craig Bryant.

The defendant pleaded guilty to count(s) 1 of the Information on August 20, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 510(b)	Possession of Stolen U.S. Savings Bonds	06/18/96	1

As pronounced on January 7, 1997, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100.00, 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 13 day of January, 1997.


The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 444-30-7168
Defendant's Date of Birth: January 5, 1933
Defendant's residence and mailing address: 506 S. 108th E. Ave., Tulsa, OK 74128

United States District Court)
Northern District of Oklahoma) SS
I hereby certify that a true and correct copy of the above is being filed with the clerk of this court.
Phil Lombardi, Clerk


Deputy

Defendant: JACKIE LEE SCOTT
Case Number: 96-CR-094-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 27 months.

The Court makes the following recommendations to the Bureau of Prisons: Defendant be designated to FMCFP, Springfield, Missouri, or other facility that can adequately care for defendant's medical condition.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 9:00 a.m. on February 10, 1997.

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: JACKIE LEE SCOTT
Case Number: 96-CR-094-001-C

SUPERVISED RELEASE

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

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

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall submit to a search conducted by a United States Probation Officer of his person, residence, vehicle, office and/or business at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall not reside at any location without having first advised other residents that the premises may be subject to searches pursuant to this condition. Additionally, the defendant shall obtain written verification from other residents that said residents acknowledge the existence of this condition and that their failure to cooperate could result in revocation. This acknowledgement shall be provided to the U. S. Probation Office immediately upon taking residency.
5. The defendant shall abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: JACKIE LEE SCOTT
Case Number: 96-CR-094-001-C

FINE

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

The defendant shall pay a fine of \$ 500.00. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid 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: JACKIE LEE SCOTT
Case Number: 96-CR-094-001-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:	10
Criminal History Category:	V
Imprisonment Range:	21 months to 27 months - Ct. 1
Supervised Release Range:	2 to 3 years - Ct. 1
Fine Range:	\$ 2,000 to \$ 20,000 - 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.

DATE **JAN 14 1997**

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED

JAN 10 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Case Number 96-CR-058-002-H

MELISSA LYNN BEKEDEREMO
Defendant.

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

The defendant, MELISSA LYNN BEKEDEREMO, was represented by Michael G. McGuire.

On motion of the United States the court has dismissed count(s) 2-4, 7, 11-16, 18-22 of the second Superseding Indictment.

The defendant pleaded guilty to count(s) 1, 17, and 23 of the second Superseding Indictment on September 10, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 371	Conspiracy to Commit Bank Fraud	11/02/95	1
18 USC 1344(1)	Bank Fraud	03/05/96	17
18 USC 1001	False Statement	02/23/96	23

As pronounced on January 6, 1996, 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) 1, 17, and 23 of the Indictment, which shall be due immediately.

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

Signed this the 9TH day of JANUARY, 1997.


The Honorable Sven Erik Holmes
United States District Judge

Defendant's SSN: 446-92-5989
Defendant's Date of Birth: 04/17/70
Defendant's residence and mailing address: 28508 E. 141st., Apt. 63, Coweta, OK

Defendant: MELISSA LYNN BEKEDEREMO
Case Number: 96-CR-058-002-H

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 6 months as to each count, said counts to be served concurrently, each with the other.

The Court makes the following recommendations to the Bureau of Prisons: That the defendant serve this term at the FMC, Fort Worth, Texas.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 12:00 p.m. on February 5, 1997.

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: MELISSA LYNN BEKEDEREMO

Case Number: 96-CR-058-002-H

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years, 3 years as to Counts 1 and 23, and 5 years as to Count 17, all counts to run concurrently, each with the other.

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

1. The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.
2. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervised release.
3. The defendant shall not own or possess a firearm or destructive device.
4. The defendant shall be placed on home detention to include electronic monitoring at the discretion of the U. S. Probation Office for a period of 6 months, to commence within 72 hours of release from imprisonment. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office.
5. The defendant shall 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: MELISSA LYNN BEKEDEREMO
Case Number: 96-CR-058-002-H

RESTITUTION AND FORFEITURE

RESTITUTION

The total amount of restitution imposed on individual counts, are as follows: \$2,695.00 on Count 1 and \$6,350 on Count 17, and \$955.00 on Count 23.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
Bank of Boston (Ct. 1) 133 Federal Street, Suite 500 Boston, Mass 02110	\$2,695
Fleet Bank (Ct. 17) 225 Rainbow Mall Niagara Falls, N.Y. 14303	\$6,350
Department of Human Services (Ct. 23) P.O. Box 25352 Oklahoma City, OK 73125	\$955

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.

FORFEITURE

The defendant is ordered to forfeit the following property to the United States:
37 items as described in Preliminary Order of Forfeiture, filed January 6, 1997.

Defendant: MELISSA LYNN BEKEDEREMO
Case Number: 96-CR-058-002-H

STATEMENT OF REASONS

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

Guideline Range Determined by the Court:

Total Offense Level:	13
Criminal History Category:	I
Imprisonment Range:	12 months to 18 months - Cts. 1, 17, and 23
Supervised Release Range:	2 to 3 years - Ct. 1 2 to 3 years - Ct. 23 5 years - Ct. 17
Fine Range:	\$ 3,000 to \$ 30,000
Restitution:	\$ 99,750.86

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): 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.

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

F I L E D

JAN 07 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
RAY BESHHERA FISHER,)
)
Defendant.)

No. 96-CR-148-C

ENTERED ON DOCKET
DATE JAN 09 1997

ORDER

Currently pending before the Court is the motion filed by defendant, Ray Fisher, seeking to be released pending sentencing, pursuant to 18 U.S.C. § 3143.

On December 20, 1996, Fisher pled guilty to armed bank robbery. More specifically, Fisher pled guilty to Count One, conspiracy, in violation of 18 U.S.C. § 371, and Count Two, armed robbery of a bank, in violation of 18 U.S.C. § 2113(a), (d) and § 2. Fisher is scheduled to be sentenced on March 18, 1997. On December 30, 1996, Fisher filed his present motion, seeking to be released pending sentencing.

Section 3143 sets out the standard for releasing a defendant pending sentencing. Section 3143(a)(2) provides that the Court

shall order that a person who has been found guilty of an offense in a case described in subparagraph (A), (B), or (C) of subsection (f)(1) of section 3142 and is awaiting imposition or execution of sentence be detained unless --

- (A)(i) the judicial officer finds there is a substantial likelihood that a motion for acquittal or new trial will be granted; or
- (ii) an attorney for the Government has recommended that no sentence of imprisonment be imposed on the person; and
- (B) the judicial officer finds by clear and convincing evidence that the person is not likely to flee or pose a danger to any other person or the community.

Fisher was found guilty of armed robbery of a bank, which is clearly a crime of violence. Fisher was thus found guilty under an offense described in § 3142(f)(1)(A), thereby causing § 3143(a)(2) to be applicable. Hence, Fisher must show that either judgment of acquittal or new trial will probably be ordered or that the government has recommended that no sentence be imposed, and Fisher must additionally show that he is not likely to flee or pose a danger to the community. Clearly, Fisher cannot show that a new trial or judgment of acquittal will probably be granted. Further, there is no proof that the government has recommended that no imprisonment be imposed. Since Fisher has failed to meet the standard set forth in § 3143(a)(2), the Court has no choice but to order Fisher detained pending sentencing.

Accordingly, Fisher's motion to be released pending sentencing is hereby DENIED.

IT IS SO ORDERED this 7th day of January, 1997.



H. DALE COOK
United States District Judge

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

FILED

JAN 06 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

EDWARD M. BEASLEY,

Defendant.

Case No. 88-CR-74-C

RECORDED & INDEXED
JAN 07 1997

ORDER

Now on this 3rd day of January, 1997, this cause comes on to be heard in the matter of plaintiff's Motion for Leave to Dismiss, without prejudice, the Indictment against the above-named defendant. The Court finds that said request should be granted and the Indictment is hereby dismissed, without prejudice.

IT IS SO ORDERED.


H. DALE COOK
Senior United States Judge

(17)

Sentencing Guidelines. Although Hankins' motion is largely unintelligible, Hankins apparently asserts that certain Amendments effective on November 1, 1994, and November 1, 1995, mandate the modification of his sentence. The Court fails to understand how such Amendments could affect Hankins' sentence. Hankins was sentenced in August of 1996, and his sentence was calculated in accord with the 1995 edition of the Sentencing Guideline manual, which incorporates Amendments effective November 1, 1995. Hence, Hankins has already received any benefit offered by the Amendments he cites. Hankins cites no other Amendments which became effective after his sentencing date. The Court therefore finds Hankins' motion meritless on this issue.

Hankins additionally appears to contend that he should have been sentenced pursuant to the guideline applicable to cocaine rather than cocaine base. The notes to § 2D1.1(c) provide that cocaine base means crack. In Hankins' present motion, he cites the change of plea transcript in which he admits that he received at least 1.5 kilograms of crack cocaine. Further, in his objections to the presentence report, Hankins stipulated that he is personally accountable for at least 1.5 kilograms of cocaine base. Hence, the Court concludes that Hankins was properly sentenced pursuant to the guideline applicable to cocaine base.

Accordingly, Hankins' motion for reduction of sentence is hereby DENIED.

IT IS SO ORDERED this 3rd day of January, 1997.



H. Dale Cook
U.S. District Judge

FILED

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

JAN 06 1997

**Phil Lombardi, Clerk
U.S. DISTRICT COURT**

UNITED STATES OF AMERICA

v.

Case Number 96-CR-153-001-C

ENTERED ON DOCKET

EDWARD M. BEASLEY
Defendant.

DATE 1/6/97

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

The defendant, EDWARD M. BEASLEY, was represented by Bill Hughes.

The defendant pleaded guilty to count(s) 1 of the Indictment on October 21, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

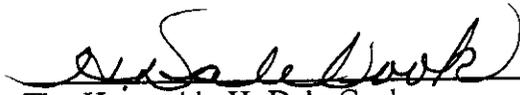
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 922(g)	Possession of Firearm After Felony Conviction	07/16/96	1

As pronounced on December 20, 1996, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100.00, for count(s) 1 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 6 day of January, 1997.


The Honorable H. Dale Cook
United States District Judge

Defendant's SSN: 466-40-8714
Defendant's Date of Birth: 12-29-33
Defendant's residence and mailing address: 119 Kentucky Ave., Sheffield, Alabama 35660

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.
Phil Lombardi, Clerk


Clerk

Defendant: EDWARD M. BEASLEY
Case Number: 96-CR-153-001-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 30 months, consecutive to Northern District of Oklahoma Case 82-CR-87-002-C.

The Court makes the following recommendations to the Bureau of Prisons: That the Bureau of Prisons designate FMC, Fort Worth, Texas, for the defendant to serve this term.

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: EDWARD M. BEASLEY

Case Number: 96-CR-153-001-C

SUPERVISED RELEASE

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

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

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

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: EDWARD M. BEASLEY
Case Number: 96-CR-153-001-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:	17
Criminal History Category:	III
Imprisonment Range:	30 months to 37 months - Ct. 1
Supervised Release Range:	2 to 3 years - Ct. 1
Fine Range:	\$ 5,000 to \$ 50,000 - 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.

DATE 1/7/97

FILED

JAN 6 1997

Phil Lombardi, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

UNITED STATES OF AMERICA

v.

Case Number 96-CR-109-001-H

JAMES OREN ISENHOUR
Defendant.

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

The defendant, JAMES OREN ISENHOUR, was represented by Scott Keith.

On motion of the United States the court has dismissed count(s) 2-10, and 12-20 of the Indictment.

The defendant pleaded guilty to count(s) 1 and 11 of the Indictment on September 17, 1996. Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 1341	Mail Fraud	02/25/93	1 & 11

As pronounced on December 18, 1996, the defendant is sentenced as provided in pages 2 through 5 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$ 100.00, for count(s) 1 and 11 of the Indictment, which shall be due immediately.

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

Signed this the 6TH day of JANUARY, 1996.

The Honorable Sven Erik Holmes
United States District Judge

Defendant's SSN: 510-60-3201
Defendant's Date of Birth: 09-29-56
Defendant's residence and mailing address: 7838 S. 88th East Avenue, Tulsa, Oklahoma 74133

Defendant: JAMES OREN ISENHOUR
Case Number: 96-CR-109-001-H

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. Said counts to run concurrent, each with the other.

The Court makes the following recommendations to the Bureau of Prisons: That the Bureau of Prisons designate either the camp at El Reno, Oklahoma, or Springfield, Missouri, as the place of service of this term.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons before 3:00 p.m. on January 17, 1997.

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 OREN ISENHOUR
Case Number: 96-CR-109-001-H

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 years as to Counts 1 and 11, said counts to run concurrently, each with the other.

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

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

STANDARD CONDITIONS OF SUPERVISION

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

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

Defendant: JAMES OREN ISENHOUR
Case Number: 96-CR-109-001-H

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the total amount of \$29,776.32.

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

<u>Name of Payee</u>	<u>Amount of Restitution</u>
OXY USA, Inc. Attn: Sharon Richardson P.O. Box 300 Tulsa, Oklahoma 74012	\$29,776.32

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: JAMES OREN ISENHOUR
Case Number: 96-CR-109-001-H

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:	II
Imprisonment Range:	12 months to 18 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$ 3,000 to \$ 30,000
Restitution:	\$ 29,776.32

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

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

DATE 1/6/97

UNITED STATES DISTRICT COURT
Northern District of Oklahoma

FILED
JAN 6 1997
Phil Lombardi, Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

v.

Case Number 95-CR-119-001-

JOEY DON LANGSTON
Defendant.

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

The defendant, JOEY DON LANGSTON, was represented by Craig Bryant.

On motion of the United States the court has dismissed count(s) 1, 3, 4, and 5 of the Superseding Indictment.

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

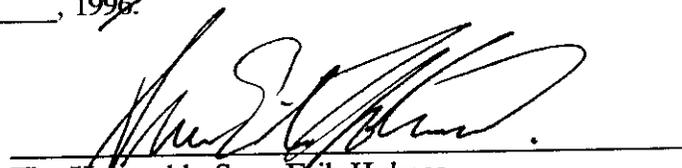
<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 USC 924(c)	Possession of a Firearm During Commission of a Violent Crime	08/16/95	2

As pronounced on December 18, 1996, 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) 2 of the Superseding Indictment, which shall be due immediately.

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

Signed this the 6TH day of JANUARY, 1996.


The Honorable Sven Erik Holmes
United States District Judge

Defendant's SSN: 442-84-3427
Defendant's Date of Birth: 03/09/74
Defendant's residence and mailing address: 800 NE Millfox Drive, Claremore, Oklahoma 74017

Defendant: JOEY DON LANGSTON
Case Number: 95-CR-119-001-H

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. This sentence shall run consecutive to any other state or federal sentence of imprisonment.

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

RETURN

I have executed this Judgment as follows:

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

United States Marshal

By _____
Deputy Marshal

Defendant: JOEY DON LANGSTON
Case Number: 95-CR-119-001-H

SUPERVISED RELEASE

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

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

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

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: JOEY DON LANGSTON
Case Number: 95-CR-119-001-H

FINE

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

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

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

Defendant: JOEY DON LANGSTON
Case Number: 95-CR-119-001-H

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 (mandatory) - Ct. 2
Supervised Release Range:	2 to 3 years - Ct. 2
Fine Range:	\$ 250,000 - Ct. 2
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.