

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

V.

Jerry M. Gullo

THE DEFENDANT:

Pleaded guilty to Count 1 of the Superseding Indictment on August 26, 1998.

Accordingly, the defendant is adjudged guilty of such count, involving the following offense.

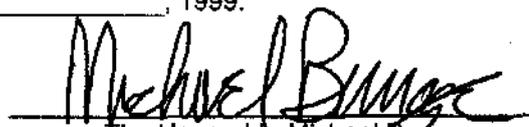
<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count</u>
18 USC 371	Conspiracy to Commit Mail Fraud, Wire Fraud, and Interstate Transportation of Funds Obtained by Wire Fraud	10/3/97	1

As pronounced on January 27, 1999, 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.

All counts of the original Indictment and the remaining counts of the Superseding Indictment are dismissed on the motion of the United States.

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 29th day of January, 1999.


The Honorable Michael Burrage
U.S. District Court Judge

Defendant's Soc. Sec. No.: 462-08-6495
Defendant's Date of Birth: 9/9/55
Defendant's USM No.: 08286-062

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

Case Number: 98-CR-085-BU

Jack Schisler
Defendant's Attorney

FILED

JAN 29 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

ENTERED ON DOCKET

DATE 1/29/99

PROBATION

The Defendant is hereby placed on probation for a term of five (5) years.

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

1. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of 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.

STANDARD CONDITIONS OF PROBATION

1. You will not leave the judicial district without permission of the Court or probation officer.
2. You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
3. You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
4. You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
5. You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
6. You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
7. You will notify the probation officer ten days prior to any change of residence or employment.
8. You will not frequent places where controlled substances are illegally sold, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
9. You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
10. You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
11. You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
12. You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
13. You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
14. You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
15. As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirements.
16. You will not possess a firearm, destructive device, or other dangerous weapon.

ADDITIONAL CONDITIONS:

1. 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.

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties; payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

ASSESSMENT	RESTITUTION	FINE
\$100.00	\$446,833.15	\$0.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$100 for Count 1 of the Superseding Indictment, which shall be due immediately.

RESTITUTION

The defendant shall make restitution in the total amount of \$446,833.15. The interest for restitution is waived by the Court.

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

<u>Name of Payee</u>	<u>Payee Address</u>	<u>City, State, Zip</u>	<u>Amount</u>
Hilti, Inc., Attn: John Donnelly	PO Box 21148	Tulsa OK 74121	\$446,833.15

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation. This amount of restitution shall be paid jointly and severally with any other person ordered to pay restitution to the victim of this offense. The defendant shall notify the Court and the Attorney General of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay restitution.

If a victim has received compensation from insurance or any other source with respect to a loss, restitution shall be paid to the person who provided or is obligated to provide the compensation, but all restitution of victims shall be paid to the victims before any restitution is paid to such a provider of compensation.

Unless the interest is waived, the defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

If the fine and/or restitution is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614. The defendant shall notify the Court of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay the fine.

All criminal monetary penalty payments are to be made to the United States District Court Clerk, 333 West 4th Street, Rm. 411, Tulsa, Oklahoma 74103, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

STATEMENT OF REASONS

The Court adopts the factual findings and guidelines application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	14	
Criminal History Category:		
Imprisonment Range:	15 to 21 months	Count 1
Supervised Release Range:	2 to 3 years	Count 1
Fine Range:	\$4,000 to \$860,000	Count 1

Total amount of Restitution: \$446,833.15.

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

The sentence departs from the guideline range:

Upon motion of the government, as a result of defendant's substantial assistance.

LMW

UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA)
Plaintiff)

VS)

JARROD JAY BILLINGSLY)
Defendant)

ENTERED ON DOCKET

DATE JAN 28 1999

⁹⁸
97-CR-123-001-H ✓

FILED

JAN 27 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

ORDER REVOKING SUPERVISED RELEASE

Now on this 15th day of January, 1999, this cause comes on for sentencing on revocation of Supervised Release. The defendant was heretofore convicted on July 5, 1996, on his plea of guilty to Count One of an Indictment charging a violation of 21 § U.S.C. 841(a)(1) and 18 § U.S.C. 2, Distribution of Lysergic Acid Diethylamide. This conviction took place in the Southern District of Florida in case number 95-CR-8024-R(S)-001. Billingsly was sentenced to the custody of the Bureau of Prisons for a term of thirty-four (34) months, followed by a five (5) year term of supervised release. The standard conditions of supervised release were imposed, as was a special drug testing and treatment condition, and a condition that the offender not be unemployed for a period of time to exceed thirty days without the permission of the probation officer. Upon serving his custody sentence, the defendant was released to the Northern District of Oklahoma, where jurisdiction of his case was transferred to on July 31, 1998, and assigned case number 98-CR-123-001-H.

On this 15th day of January, 1999, a Revocation Hearing was held. The defendant was present in person and represented by counsel, Cindy Cunningham. The Government was represented by Assistant United States Attorney Susan Morgan, and the United States Probation Office was represented by Doug Burris. The defendant stipulated to the allegations as alleged in the Petition on Supervised Release filed on January 8, 1999. The specific allegations stipulated to were that the offender violated the conditions of his supervision by illegally entering his girlfriend's apartment, by possessing and consuming alcohol, and by having contact with his former girlfriend when instructed by his probation office not to. After stipulating to the allegations, the matter immediately proceeded to sentencing.

The Court finds that the original conviction occurred after November 1, 1987, and that Chapter 7 of the U.S. Sentencing Guideline is applicable. Further, Billingsly has committed Grade C violations in accordance with U.S.S.G. § 7B1.1(a)(3), and that the defendant's Criminal History Category of I is applicable for determining the imprisonment range. Pursuant to U.S.S.G. § 7B1.3(g)(2), the Court may impose a new term of supervised release, and that the length of supervised release shall not exceed the term of supervised release originally imposed, which was five years, minus any term of imprisonment.

The Court finds that Grade C violations and a Criminal History Category of I establishes a revocation imprisonment range of three (3) to nine (9) months, in accordance with U.S.S.G. § 7B1.4(a) and 18 § U.S.C. 3583(e). In consideration of these findings and pursuant to U.S. vs Lee, 757 F2d 770 (10th

Cir 1992), in which the circuit determined that the policy statements in Chapter 7 were not mandatory, but must be considered by the Court, the following sentence is ordered:

The defendant, Jarrod Jay Billingsly, is committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of seven (7) months. The Court recommended to the Bureau of Prisons that the defendant be placed in a jail type facility to serve this term of incarceration.

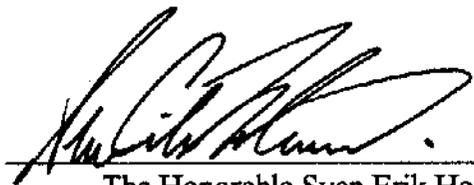
Upon release from imprisonment, the defendant shall be placed on supervised release for a term of thirty-six (36) months. Within 72 hours of release from the custody, the defendant shall report in person to the probation office in the district to which the defendant is released. During the time of supervised release, or afterward, as long as you are a convicted felon, you are not to possess a firearm, unless you have expressed written permission of the appropriate federal and state agency. Further, while on supervised release, you shall not possess a controlled substance. In addition, you shall comply with the standard conditions that have been adopted by this court, and shall comply with the following additional conditions:

- 1) The defendant shall participate in a program of testing and treatment for substance abuse (to include inpatient treatment, if necessary) as directed by the probation officer, until such time as released from the program by the probation officer.

- 2) The defendant shall abide by the "Special Search and Seizure Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on May 25, 1995.

- 3) The defendant shall not possess or consume any alcoholic beverage.
- 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 released from the program by the probation officer.
- 5) The defendant shall be placed on home detention to include electronic monitoring when deemed necessary by the U.S. Probation Officer. During this time, the defendant shall remain at his 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 daily cost of the electronic monitoring will be paid by the defendant.

The defendant is remanded to the custody of the U.S. Marshal pending his placement with the Bureau of Prisons.



The Honorable Sven Erik Holmes
United States District Judge

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

UNITED STATES OF AMERICA

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

V.

Case Number: 98-CR-107-002-H ✓

Lucio Martinez-Vasquez

Barbara Ward
Defendant's Attorney

FILED
JAN 27 1999
Phil Lombardi, Clerk
U.S. DISTRICT COURT

THE DEFENDANT:

Pleaded guilty to Count 1 of the Indictment on October 2, 1998.

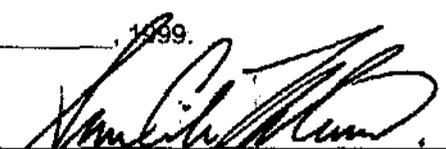
Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count</u>
21 USC 846	Conspiracy to Distribute a Controlled Substance	6/16/98	1

As pronounced on January 15, 1999, 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 FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Signed this the 27TH day of January, 1999.


The Honorable Sven Erik Holmes
U.S. District Court Judge

Defendant's Soc. Sec. No.: n/a
Defendant's Date of Birth: 1/13/67
Defendant's USM No.: 08307-062
Defendant's Residence and Mailing Address: 224 Velma Street, Springdale AR 72764

IMPRISONMENT

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

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

RETURN

I have executed this Judgment as follows:

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

United States Marshal

By: _____
Deputy Marshal

SUPERVISED RELEASE

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

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

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 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.

STANDARD CONDITIONS OF SUPERVISION

1. You will not leave the judicial district without permission of the Court or probation officer.
2. You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
3. You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
4. You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
5. You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
6. You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
7. You will notify the probation officer ten days prior to any change of residence or employment.
8. You will not frequent places where controlled substances are illegally sold, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
9. You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
10. You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
11. You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
12. You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
13. You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
14. You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
15. As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirements.
16. You will not possess a firearm, destructive device, or other dangerous weapon.

ADDITIONAL CONDITIONS:

1. 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 acknowledgment shall be provided to the U. S. Probation Office immediately upon taking residency.
2. 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.
3. Upon completion of term of imprisonment, you are to be surrendered to a duly-authorized immigration official for deportation in accordance with established procedures provided by the Immigration and Naturalization Act, 8 USC §§ 1101-1524.

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties; payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

ASSESSMENT	RESTITUTION	FINE
\$100.00	\$0.00	\$5,000.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$100 for Count 1 of the Indictment, which shall be due immediately.

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 for Count 1 of the Indictment. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

Unless the interest is waived, the defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

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

All criminal monetary penalty payments are to be made to the United States District Court Clerk, 333 West 4th Street, Rm. 411, Tulsa, Oklahoma 74103, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

STATEMENT OF REASONS

The Court adopts the factual findings and guidelines application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	31	
Criminal History Category:	I	
Imprisonment Range:	108 to 135 months	Count 1
Supervised Release Range:	5 years	Count 1
Fine Range:	\$15,000 to \$4,000,000	Count 1

Total amount of Restitution: \$ Not Applicable

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

The sentence departs from the guideline range:

Upon motion of the government, as a result of defendant's substantial assistance.

BJJ

FILED

JAN 27 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
-vs-)
)
SIDNEY EDWARD ESCHENBACH,)
)
Defendant.)

No. 86-CR-192-B

ENTERED ON DOCKET

DATE 1-27-99

ORDER

Now on this 27th day of January, 1999, this cause comes on to be heard in the matter of the plaintiff's Motion for Leave to Dismiss, without prejudice, the Indictment against defendant in the above styled cause. The Court finds that said request ought to be granted and the Indictment ^{+ Superseding Indictment} against defendant SIDNEY EDWARD ESCHENBACH is dismissed, without prejudice.

IT IS SO ORDERED.

for 
 THOMAS R. BRETT
 United States District Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

JAN 26 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

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

V.

Case Number: 98-CR-136-002-C

Carla Arzola

Richard D. White
Defendant's Attorney

ENTERED ON DOCKET

THE DEFENDANT:

DATE 1/26/99

Pled guilty to Count 1 of the Information on October 30, 1998.

Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count</u>
18 USC 924(c)	Possession of a Firearm While in Commission of a Drug Trafficking Crime	4/16/98	1

As pronounced on January 20, 1999, 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.

Count 1 of the Indictment is dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Signed this the 25th day of January, 1999.


The Honorable H. Dale Cook
U.S. District Court Judge

Defendant's Soc. Sec. No.: 447-42-0627
Defendant's Date of Birth: 7/4/46
Defendant's USM No.: 08320-062
Defendant's Residence and Mailing Address: 1101 N. Sandusky, Tulsa OK 74105

IMPRISONMENT

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

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

RETURN

I have executed this Judgment as follows:

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

United States Marshal

By: _____
Deputy Marshal

SUPERVISED RELEASE

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

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

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 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.

STANDARD CONDITIONS OF SUPERVISION

1. You will not leave the judicial district without permission of the Court or probation officer.
2. You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
3. You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
4. You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
5. You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
6. You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
7. You will notify the probation officer ten days prior to any change of residence or employment.
8. You will not frequent places where controlled substances are illegally sold, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
9. You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
10. You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
11. You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
12. You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
13. You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
14. You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
15. As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirements.
16. You will not possess a firearm, destructive device, or other dangerous weapon.

ADDITIONAL CONDITIONS:

1. 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 acknowledgment shall be provided to the U. S. Probation Office immediately upon taking residency.

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties; payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

ASSESSMENT	RESTITUTION	FINE
\$100.00	\$0.00	\$0.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$100 for Count 1 of the information, which shall be due immediately.

Unless the interest is waived, the defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

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

All criminal monetary penalty payments are to be made to the United States District Court Clerk, 333 West 4th Street, Rm. 411, Tulsa, Oklahoma 74103, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

STATEMENT OF REASONS

The Court adopts the factual findings and guidelines application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	n/a
Criminal History Category:	1
Imprisonment Range:	60 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$250,000 to \$

Total amount of Restitution: \$ Not Applicable

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 the application of the guidelines.

BJJ

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

JAN 26 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

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

V.

Case Number: 98-CR-136-001-C

Billy Jean Tiffey

Jack Schisler
Defendant's Attorney

THE DEFENDANT:

ENTERED ON DOCKET

Pleaded guilty to Count 1 of the Information on October 30, 1998.

DATE 1/26/99

Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

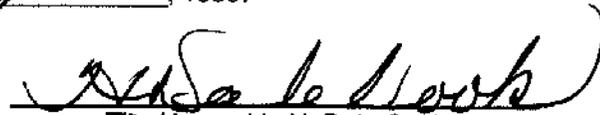
<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count</u>
18 USC 843(b)	Use of Communication Facility in Facilitating the Commission of a Felony	4/15/98	1

As pronounced on January 20, 1999, 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.

Count 1 of the Indictment is dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Signed this the 25th day of January, 1999.


The Honorable H. Dale Cook
U.S. District Court Judge

Defendant's Soc. Sec. No.: 445-76-8028
Defendant's Date of Birth: 2/22/64
Defendant's USM No.: 08319-062
Defendant's Residence and Mailing Address: 1101 N. Sandusky, Tulsa OK 74105

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 48 months.

The Court makes the following recommendations to the Bureau of Prisons:

That the Bureau of Prisons designate the defendant to a facility that can provide Comprehensive Substance Abuse Treatment during his term of incarceration.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

Before 9 a.m. on March 1, 1999.

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

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of one (1) year.

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 as soon as possible, but in no event later than 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.

STANDARD CONDITIONS OF SUPERVISION

1. You will not leave the judicial district without permission of the Court or probation officer.
2. You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
3. You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
4. You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
5. You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
6. You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
7. You will notify the probation officer ten days prior to any change of residence or employment.
8. You will not frequent places where controlled substances are illegally sold, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
9. You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
10. You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
11. You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
12. You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
13. You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
14. You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
15. As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirements.
16. You will not possess a firearm, destructive device, or other dangerous weapon.

ADDITIONAL CONDITIONS:

1. 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 acknowledgment shall be provided to the U. S. Probation Office immediately upon taking residency.
2. 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.

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties; payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

ASSESSMENT	RESTITUTION	FINE
\$100.00	\$0.00	\$1,000.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$100 for Count 1 of the Information, which shall be due immediately.

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 for Count 1 of the Information. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

Unless the interest is waived, the defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

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

All criminal monetary penalty payments are to be made to the United States District Court Clerk, 333 West 4th Street, Rm. 411, Tulsa, Oklahoma 74103, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

STATEMENT OF REASONS

The Court adopts the factual findings and guidelines application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	35
Criminal History Category:	I
Imprisonment Range:	48 months
Supervised Release Range:	1 year
Fine Range:	\$20,000 to \$200,000

Total amount of Restitution: \$ Not Applicable

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 the application of the guidelines.

BJS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

ENTERED ON DOCKET
DATE 1-22-99

UNITED STATES OF AMERICA

V.

Mynatt Carroll Morton

THE DEFENDANT:

Pleaded guilty to Count 1 of the indictment on September 11, 1998.

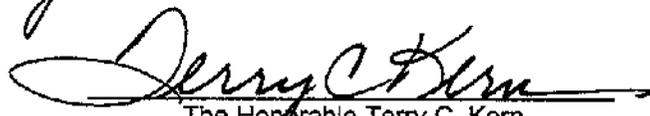
Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count</u>
21 USC 846	Conspiracy to Manufacture and Distribute Controlled Substances	3/5/98	1

As pronounced on January 13, 1999, 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 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, 1999.


The Honorable Terry C. Kern
Chief U.S. District Court Judge

Defendant's Soc. Sec. No.: 443-50-1950
Defendant's Date of Birth: 5/23/50
Defendant's USM No.: 08229-062
Defendant's Residence Address: 900 I NW, Miami OK 74354
Defendant's Mailing Address: 810 B.J. Turnell Street, Miami OK 74354

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

Case Number: 98-CR-046-001-K ✓

Cindy Hodges Cunningham
Defendant's Attorney

FILED

JAN 21 1999 *CS*

Phil Lombardi, Clerk
U.S. DISTRICT COURT

IMPRISONMENT

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

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

Before noon on February 12, 1999.

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

SUPERVISED RELEASE

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

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

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 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.

STANDARD CONDITIONS OF SUPERVISION

1. You will not leave the judicial district without permission of the Court or probation officer.
2. You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
3. You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
4. You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
5. You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
6. You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
7. You will notify the probation officer ten days prior to any change of residence or employment.
8. You will not frequent places where controlled substances are illegally sold, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
9. You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
10. You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
11. You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
12. You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
13. You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
14. You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
15. As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirements.
16. You will not possess a firearm, destructive device, or other dangerous weapon.

ADDITIONAL CONDITIONS:

1. 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 acknowledgment shall be provided to the U. S. Probation Office immediately upon taking residency.

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties; payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

ASSESSMENT

\$100.00

RESTITUTION

\$0.00

FINE

\$0.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$100 for Count 1 of the Indictment, which shall be due immediately.

Unless the interest is waived, the defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

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

All criminal monetary penalty payments are to be made to the United States District Court Clerk, 333 West 4th Street, Rm. 411, Tulsa, Oklahoma 74103, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

STATEMENT OF REASONS

The Court adopts the factual findings and guidelines application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	13	
Criminal History Category:	I	
Imprisonment Range:	15 to 21 months	Count(s) 1
Supervised Release Range:	0 to 3 months	Count(s) 1
Fine Range:	\$3,000 to \$1,000,000	Count(s) 1

Total amount of Restitution: \$ Not Applicable

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 the application of the guidelines.

Handwritten mark

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

UNITED STATES OF AMERICA

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

V.

Case Number: 98-CR-082-001-H ✓

Michelle Lee Silva

Stephen J. Knorr
Defendant's Attorney

FILED

THE DEFENDANT:

JAN 21 1999

Pleaded guilty to Count 2 of the Superseding Indictment on October 5, 1998.

Phil Lombardi, Clerk
U.S. DISTRICT COURT

Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

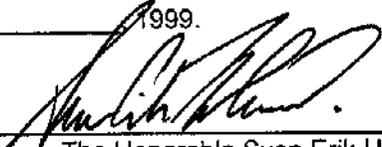
<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count</u>
42 USC 408(a)(7)(B)	Use of a False Social Security Number	1/8/97	2

As pronounced on January 8, 1999, 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.

Count 1 of the Superseding Indictment is dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Signed this the 20th day of JANUARY, 1999.


The Honorable Sven Erik Holmes
U.S. District Court Judge

Defendant's Soc. Sec. No.: 445-82-8853
Defendant's Date of Birth: 6/13/68
Defendant's USM No.: 08262-062
Defendant's Residence and Mailing Address: 3721 Crawfordville Rd., #3, Tallahassee FL 32310

PROBATION

The Defendant is hereby placed on probation for a term of three (3) years.

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

1. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of 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.

STANDARD CONDITIONS OF PROBATION

1. You will not leave the judicial district without permission of the Court or probation officer.
2. You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
3. You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
4. You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
5. You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
6. You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
7. You will notify the probation officer ten days prior to any change of residence or employment.
8. You will not frequent places where controlled substances are illegally sold, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
9. You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
10. You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
11. You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
12. You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
13. You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
14. You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
15. As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirements.
16. You will not possess a firearm, destructive device, or other dangerous weapon.

ADDITIONAL CONDITIONS:

1. 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.
2. 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.

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties; payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

ASSESSMENT

\$100.00

RESTITUTION

\$446.11

FINE

\$0.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$100 for Count 2 of the Superseding Indictment, which shall be due immediately.

RESTITUTION

The defendant shall make restitution in the total amount of \$446.11. The interest for restitution is waived by the Court.

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

<u>Name of Payee</u>	<u>Payee Address</u>	<u>City, State, Zip</u>	<u>Amount</u>
Dillard's Dept. Store, Attn: Pat Carter	6919 S. Memorial Drive	Tulsa OK 74133	\$19
U.S. Cellular	4727-A S. Memorial Drive	Tulsa OK 74133	\$427.11

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

If a victim has received compensation from insurance or any other source with respect to a loss, restitution shall be paid to the person who provided or is obligated to provide the compensation, but all restitution of victims shall be paid to the victims before any restitution is paid to such a provider of compensation.

Unless the interest is waived, the defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

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

All criminal monetary penalty payments are to be made to the United States District Court Clerk, 333 West 4th Street, Rm. 411, Tulsa, Oklahoma 74103, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

STATEMENT OF REASONS

The Court adopts the factual findings and guidelines application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	7
Criminal History Category:	I
Imprisonment Range:	0 to 6 months
Supervised Release Range:	2 to 3 years
Fine Range:	\$500 to \$5,000

Total amount of Restitution: \$446.11.

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 the application of the guidelines.

BJS

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

UNITED STATES OF AMERICA

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

V.

Case Number: 98-CR-107-003-H ✓

Christina Angela Mendoza

Randy Lynn
Defendant's Attorney

FILED

JAN 21 1999 *PH*

Phil Lombardi, Clerk
U.S. DISTRICT COURT

THE DEFENDANT:

Pleaded guilty to Count 1 of the Indictment on October 2, 1998.

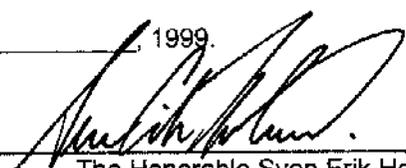
Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count</u>
21 USC 846	Conspiracy to Distribute Controlled Substances	6/16/98	1

As pronounced on January 8, 1999, 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 FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Signed this the 20TH day of JANUARY, 1999.



The Honorable Sven Erik Holmes
U.S. District Court Judge

Defendant's Soc. Sec. No.: 541-92-7698
Defendant's Date of Birth: 6/3/67
Defendant's USM No.: 08309-062
Defendant's Residence and Mailing Address: 2020 Kennedy Circle Keizer, Oregon 97303

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 48 months.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

Before noon on February 8, 1999.

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

SUPERVISED RELEASE

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

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

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 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.

STANDARD CONDITIONS OF SUPERVISION

1. You will not leave the judicial district without permission of the Court or probation officer.
2. You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
3. You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
4. You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
5. You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
6. You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
7. You will notify the probation officer ten days prior to any change of residence or employment.
8. You will not frequent places where controlled substances are illegally sold, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
9. You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
10. You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
11. You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
12. You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
13. You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
14. You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
15. As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirements.
16. You will not possess a firearm, destructive device, or other dangerous weapon.

ADDITIONAL CONDITIONS:

1. 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 acknowledgment shall be provided to the U. S. Probation Office immediately upon taking residency.
2. 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.

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties; payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

ASSESSMENT

\$100.00

RESTITUTION

\$0.00

FINE

\$5,000.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$100 for Count 1 of the Indictment, which shall be due immediately.

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 for Count 1 of the Indictment. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

Unless the interest is waived, the defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

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

All criminal monetary penalty payments are to be made to the United States District Court Clerk, 333 West 4th Street, Rm. 411, Tulsa, Oklahoma 74103, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

STATEMENT OF REASONS

The Court adopts the factual findings and guidelines application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	31
Criminal History Category:	I
Imprisonment Range:	108 to 135 months
Supervised Release Range:	5 years
Fine Range:	\$15,000 to \$4,000,000

Total amount of Restitution: \$ Not Applicable

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

The sentence departs from the guideline range:

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.

Jai Dene Carpenter

THE DEFENDANT:

Pled guilty to Count 1 of the Indictment on October 2, 1998.

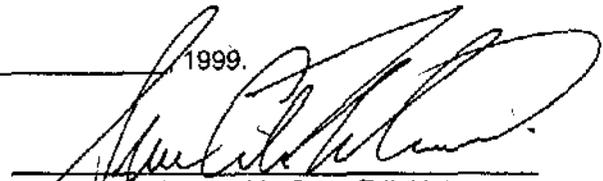
Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count</u>
21 USC 846	Conspiracy to Distribute Controlled Substances	6/16/98	1

As pronounced on January 8, 1999, 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 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 21ST day of JANUARY 1999.


The Honorable Sven Erik Holmes
U.S. District Court Judge

Defendant's Soc. Sec. No.: 544-84-4624
Defendant's Date of Birth: 10/3/64
Defendant's USM No.: 08306-062
Defendant's Residence and Mailing Address: 4335 Lancaster, Salem, Oregon 97301

FILED

JAN 21 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

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 defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

Before noon on February 8, 1999.

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

SUPERVISED RELEASE

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

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

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 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.

STANDARD CONDITIONS OF SUPERVISION

1. You will not leave the judicial district without permission of the Court or probation officer.
2. You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
3. You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
4. You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
5. You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
6. You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
7. You will notify the probation officer ten days prior to any change of residence or employment.
8. You will not frequent places where controlled substances are illegally sold, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
9. You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
10. You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
11. You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
12. You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
13. You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
14. You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
15. As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirements.
16. You will not possess a firearm, destructive device, or other dangerous weapon.

ADDITIONAL CONDITIONS:

1. 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 acknowledgment shall be provided to the U. S. Probation Office immediately upon taking residency.
2. 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.

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties; payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

ASSESSMENT

\$100.00

RESTITUTION

\$0.00

FINE

\$0.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$100 for Count 1 of the Indictment, which shall be due immediately.

Unless the interest is waived, the defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

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

All criminal monetary penalty payments are to be made to the United States District Court Clerk, 333 West 4th Street, Rm. 411, Tulsa, Oklahoma 74103, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

STATEMENT OF REASONS

The Court adopts the factual findings and guidelines application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	33
Criminal History Category:	II
Imprisonment Range:	151 to 188 months
Supervised Release Range:	5 years
Fine Range:	\$17,500 to \$4,000,000

Total amount of Restitution: \$ Not Applicable

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

The sentence departs from the guideline range for the following reasons: 1) significant sentencing disparity between defendant and co-defendants; 2) the criminal history category over-represents the seriousness of her criminal history; 3) aberrational conduct on part of defendant; 4) sole custodian of four minor children; 5) long-term gainful employment.

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

UNITED STATES OF AMERICA

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

V.

Case Number: 98-CR-117-001-H ✓

Angela June Kelly

Stephen J. Knorr
Defendant's Attorney

FILED
JAN 21 1999
Phil Lombardi, Clerk
U.S. DISTRICT COURT

THE DEFENDANT:

Pleaded guilty to Counts 1 & 2 of the Information on October 1, 1998.

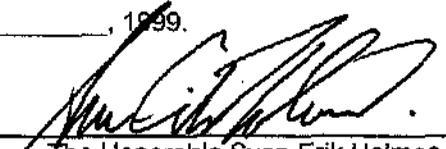
Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Counts</u>
21 USC 844(a)	Possession of Marihuana	4/23/98	1
18 USC 7, 13, 1151 & O.S.S. 1289.7 & 1289.13	Carrying a Concealed Weapon	4/23/98	2

As pronounced on January 14, 1999, 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 FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Signed this the 20TH day of JANUARY, 1999.


The Honorable Sven Erik Holmes
U.S. District Court Judge

Defendant's Soc. Sec. No.: 442-70-7770
Defendant's Date of Birth: 4/22/75
Defendant's USM No.: 08314-062
Defendant's Residence and Mailing Address: 116 L Street, Commerce OK 74339

PROBATION

The Defendant is hereby placed on probation for a term of three (3) years as to each of Counts 1 and 2; said terms shall run concurrently, each with the other, for a total of three (3) years.

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

1. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of 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.

STANDARD CONDITIONS OF PROBATION

1. You will not leave the judicial district without permission of the Court or probation officer.
2. You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
3. You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
4. You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
5. You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
6. You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
7. You will notify the probation officer ten days prior to any change of residence or employment.
8. You will not frequent places where controlled substances are illegally sold, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
9. You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
10. You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
11. You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
12. You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
13. You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
14. You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
15. As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirements.
16. You will not possess a firearm, destructive device, or other dangerous weapon.

ADDITIONAL CONDITIONS:

1. 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 acknowledgment shall be provided to the U. S. Probation Office immediately upon taking residency.

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties; payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

ASSESSMENT

\$35.00

RESTITUTION

\$0.00

FINE

\$1,000.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$35 for Counts 1 & 2 of the Information, which shall be due immediately.

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 for Count 1 of the Information. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of Probation.

Unless the interest is waived, the defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

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

All criminal monetary penalty payments are to be made to the United States District Court Clerk, 333 West 4th Street, Rm. 411, Tulsa, Oklahoma 74103, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

STATEMENT OF REASONS

The Court adopts the factual findings and guidelines application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	2	
Criminal History Category:	II	
Imprisonment Range:	0 to 6 months	Count 1
Supervised Release Range:	1 year	Count 1
Fine Range:	\$1,000 to \$5,000	Count 1

Total amount of Restitution: \$ Not Applicable

Count 2 is not guideline determinative.

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 the application of the guidelines.

LWA

F I L E D

JAN 15 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA)
Plaintiff)
VS)
RODERICK LAMONTE HARBIN)
Defendant)

Case Number 94-CR-053-001-C

ENTERED ON DOCKET

DATE 1/18/99

ORDER REVOKING SUPERVISED RELEASE

Now on this 13th day of January 1999, this cause comes on for revocation and sentencing concerning allegations that the defendant violated conditions of supervised release as set out in the Petition on Supervised Release filed on July 24, 1999. The defendant is present in person and represented by counsel, Stephen Knorr. The Government is represented by Assistant United States Attorney, Allen Litchfield, and the United States Probation Office is represented by David Plunkett.

During the hearing, the defendant stipulated to the allegations noted in the Petition on Supervised Release. Said allegations being that he used, possessed, and distributed cocaine during his period of supervision. The Court found that the defendant was in violation of the conditions of his release and supervised release was revoked. The Government and the defendant waived additional time for a sentencing hearing. The Court proceeded with sentencing and found that the conviction occurred after November 1, 1987, and that Chapter 7 of the U. S. Sentencing Guidelines is applicable. Further, the Court found that the violations of supervised release constituted a Grade A violation in accordance with USSG § 7B1.1(a)(3), and the defendant's original Criminal History Category of VI is applicable for determining the imprisonment range. The Court found that a Grade A violation and a Criminal History Category of VI establish a guideline revocation imprisonment range of 33 to 41

months in accordance with USSG § 7B1.4(a). The Court further found that the statutory maximum following revocation in this case could not exceed two years. In consideration of these findings and pursuant to U.S. vs. Lee, 757 F.2d 770 (10th Cir. 1992), in which the circuit determined that the policy statements in Chapter 7 were not mandatory, but must be considered by the Court, the following sentence is ordered:

It is the judgment of the Court that the defendant, Roderick Lamonte Harbin, is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of two years. The Court recommends that, classification provisions permitting, that the defendant be confined in a facility capable of providing substance abuse treatment.

It is ordered that the defendant pay the fine balance in the amount of \$1,400. It is further ordered that \$500 of the funds recovered from the defendant's residence by the U.S. Probation Office be immediately applied toward the fine, with the remaining \$900 to be paid while the defendant is in custody through the Bureau of Prisons' Inmate Financial Responsibility Program.

The defendant is remanded to the custody of the U.S. Marshals Service for immediate transport to the Bureau of Prison's facility of designation.



The Honorable H. Dale Cook
United States District Judge

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

FILED

JAN 20 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
-vs-)
)
JEFFREY GREEN,)
)
Defendant.)

No. 98-CR-134-BU ✓

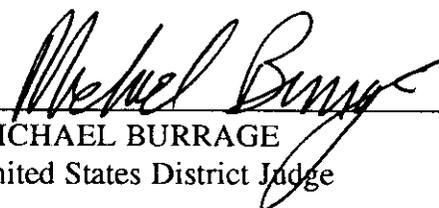
ENTERED ON DOCKET

DATE 1-20-99

ORDER

Now on this 20th day of January, 1999, this cause comes on to be heard in the matter of the plaintiff's Motion for Leave to Dismiss, without prejudice, the Indictment against JEFFREY GREEN in the above styled cause. The Court finds that said request ought to be granted and the Indictment against defendant JEFFREY GREEN is dismissed, without prejudice.

IT IS SO ORDERED.



MICHAEL BURRAGE
United States District Judge

8

5

UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

F I L E D

JAN 19 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA)
Plaintiff)

VS)

THOMAS RAY HARTNESS)
Defendant)

Case Number 95-CR-072-001-C

ENTERED ON DOCKET

DATE 1/19/99

ORDER REVOKING SUPERVISED RELEASE

Now on this 14th day of January 1999, this cause comes on for revocation and sentencing concerning allegations that the defendant violated conditions of supervised release as set out in the Petition on Supervised Release filed on June 19, 1997. The defendant is present in person and represented by counsel, Stephen Knorr. The Government is represented by Assistant United States Attorney, James Swartz, and the United States Probation Office is represented by David Plunkett.

During the hearing, the defendant stipulated to the allegations noted in the Petition on Supervised Release. Said allegations being that the defendant failed to report as instructed; that he failed to truthfully answer all inquires and follow the instructions of the probation officer; that he failed to notify the probation officer prior to changing residence or employment; and that he failed to permit the probation officer from visiting him at home or elsewhere. The Court found that the defendant was in violation of the conditions of his release and supervised release was revoked. The Government and the defendant waived additional time for a sentencing hearing. The Court proceeded with sentencing and found that the conviction occurred after November 1, 1987, and that Chapter 7 of the U. S. Sentencing Guidelines is applicable. Further, the Court found that the violations of supervised release constituted a Grade C violation in accordance with USSG § 7B1.1(a)(3), and the

defendant's original Criminal History Category of I is applicable for determining the imprisonment range. The Court found that a Grade C violation and a Criminal History Category of I establish a guideline revocation imprisonment range of 3 to 9 months in accordance with USSG § 7B1.4(a). In consideration of these findings and pursuant to U.S. vs. Lee, 757 F.2d 770 (10th Cir. 1992), in which the circuit determined that the policy statements in Chapter 7 were not mandatory, but must be considered by the Court, the following sentence is ordered:

It is the judgment of the Court that the defendant, Thomas Ray Hartness, is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of four (4) months.

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of thirty (30) months. Immediately, but in no event more than 72 hours of release from the Bureau of Prisons, the defendant shall report in person to the probation office in the district to which he is released. While on supervised release, the defendant shall not commit another federal, state, or local crime, shall comply with the standard conditions that have been adopted by this Court, and shall comply with the following additional conditions:

The defendant shall not own or possess a firearm, or destructive device, or other dangerous weapon.

The defendant shall reside for a period of time, to commence immediately following release from imprisonment, at the Turley Correctional Center in Tulsa, and shall observe the rules of that facility.

The defendant shall participate in a program of mental health treatment, to include inpatient, as directed by the probation officer, until such time as he is released from the program by the probation officer.

The defendant shall abide by the "Special Financial Conditions" as enumerated in Miscellaneous Order M-128, filed with the Clerk of the Court on March 18, 1992.

It is ordered that the defendant pay the restitution balance in the amount of \$6,736.41. This amount will be paid immediately. Any amount not paid immediately shall be paid while the defendant is in custody through the Bureau of Prisons' Inmate Financial Responsibility Program.

The defendant is remanded to the custody of the U.S. Marshals Service for immediate transport to the Bureau of Prisons facility of designation.



The Honorable H. Dale Cook
United States District Judge

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 -vs-)
)
 JOHN WILSON,)
)
 Defendant.)

No. 98-CR-98-BU

FILED

JAN 19 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

ENTERED ON DOCKET

DATE JAN 19 1999

ORDER

Now on this 19th day of January, 1999, this cause comes on to be heard in the matter of the plaintiff's Motion for Leave to Dismiss, without prejudice, the Indictment against defendant in the above styled cause. The Court finds that said request ought to be granted and the Indictment against defendant JOHN WILSON is dismissed, without prejudice.

IT IS SO ORDERED.


Michael Burrage
United States District Judge

33

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

FILED

JAN 19 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)

Plaintiff,)

-vs-)

MATTHEW DOUGLAS,)

Defendant.)

No. 98-CR-98-BU

ENTERED ON DOCKET

DATE JAN 19 1999

ORDER

Now on this 19th day of January, 1999, this cause comes on to be heard in the matter of the plaintiff's Motion for Leave to Dismiss, without prejudice, the Indictment against defendant in the above styled cause. The Court finds that said request ought to be granted and the Indictment against defendant MATTHEW DOUGLAS is dismissed, without prejudice.

IT IS SO ORDERED.


Michael Burrage
United States District Judge

JAN 14 1999

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA

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

V.

Case Number: 97-CR-148-004-C

Phillip Eugene Varnell

Creekmore W. Wallace II
Defendant's Attorney

THE DEFENDANT:

ENTERED ON DOCKET

Pleaded guilty to Count 1 of the Indictment on October 5, 1998.

DATE 1/15/99

Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count</u>
21 USC 846, 841(a)(1) & (b)(1)(B)	Conspiracy to Possess With Intent to Distribute Marihuana	9/26/97	1

As pronounced on January 12, 1999, 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 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, 1999.


The Honorable H. Dale Cook
Senior U.S. District Court Judge

Defendant's Soc. Sec. No.: 442-60-2915
Defendant's Date of Birth: 6/27/56
Defendant's USM No.: 08080-062
Defendant's Residence and Mailing Address: Rt. 2 Box 9805, Porum OK 74455

IMPRISONMENT

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

The Court makes the following recommendations to the Bureau of Prisons:

That the defendant participate in the Comprehensive Substance Abuse Treatment Program during his period of incarceration.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

Before 9 a.m. on February 16, 1999.

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

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of four (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 as soon as possible, but in no event later than 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.

STANDARD CONDITIONS OF SUPERVISION

1. You will not leave the judicial district without permission of the Court or probation officer.
2. You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
3. You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
4. You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
5. You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
6. You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
7. You will notify the probation officer ten days prior to any change of residence or employment.
8. You will not frequent places where controlled substances are illegally sold, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
9. You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
10. You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
11. You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
12. You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
13. You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
14. You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
15. As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirements.
16. You will not possess a firearm, destructive device, or other dangerous weapon.

ADDITIONAL CONDITIONS:

1. 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 acknowledgment shall be provided to the U. S. Probation Office immediately upon taking residency.

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties; payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

ASSESSMENT

\$100.00

RESTITUTION

\$0.00

FINE

\$1,250.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$100 for Count 1 of the indictment, which shall be due immediately.

FINE

The defendant shall pay a fine of \$1,250 for Count 1 of the indictment. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

Unless the interest is waived, the defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

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

All criminal monetary penalty payments are to be made to the United States District Court Clerk, 333 West 4th Street, Rm. 411, Tulsa, Oklahoma 74103, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

STATEMENT OF REASONS

The Court adopts the factual findings and guidelines application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	24	
Criminal History Category:	I	
Imprisonment Range:	60 to 63 months	Count(s) 1
Supervised Release Range:	4 to 5 years	Count(s) 1
Fine Range:	\$10,000 to \$2,000,000	Count(s) 1

Total amount of Restitution: \$ Not Applicable

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 the application of the guidelines.

BJS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

ENTERED ON DOCKET
DATE 1-15-99

UNITED STATES OF AMERICA

V.

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

Case Number: 98-CR-087-002-K

Ebratollah Sakhaeifar

Stuart Southerland
Defendant's Attorney

FILED

JAN 15 1999

THE DEFENDANT:

Pleaded guilty to Count 1 of the Indictment on September 10, 1998.

Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

Phil Lombardi, Clerk
U.S. DISTRICT COURT

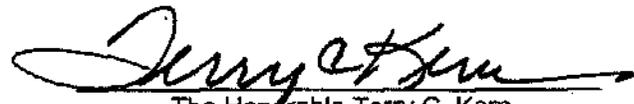
<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count</u>
18 USC 371	Conspiracy to Use Counterfeit Access Device	6/4/98	1

As pronounced on January 12, 1999, 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.

Count 2 of the Indictment is dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Signed this the 14 day of January, 1999.


The Honorable Terry C. Kern
Chief U.S. District Court Judge

Defendant's Soc. Sec. No.: 615-64-8051
Defendant's Date of Birth: 7/23/70
Defendant's USM No.: 08266-062
Defendant's Residence and Mailing Address: 10241 Oleander Avenue Fontana CA 92335-7812

PROBATION

The Defendant is hereby placed on probation for a term of five (5) years.

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

1. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of 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.

STANDARD CONDITIONS OF PROBATION

1. You will not leave the judicial district without permission of the Court or probation officer.
2. You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
3. You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
4. You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
5. You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
6. You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
7. You will notify the probation officer ten days prior to any change of residence or employment.
8. You will not frequent places where controlled substances are illegally sold, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
9. You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
10. You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
11. You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
12. You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
13. You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
14. You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
15. As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirements.
16. You will not possess a firearm, destructive device, or other dangerous weapon.

ADDITIONAL CONDITIONS:

1. 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 six (6) months, to commence within five (5) days of sentencing date. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the defendant.
2. 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 acknowledgment shall be provided to the U. S. Probation Office immediately upon taking residency.
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.
4. As a condition of probation, you are to inform a duly-authorized official of the immigration and Naturalization Service of your conviction within 5 working days of this sentence date. You shall follow all instructions received from the Immigration and Naturalization Service and shall keep that agency informed of your current whereabouts until a determination as to deportation proceedings has been made.

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties; payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

ASSESSMENT

\$100.00

RESTITUTION

\$27,419.73

FINE

\$1,000.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$100 for Count 1 of the Indictment, which shall be due immediately.

RESTITUTION

The defendant shall make restitution in the total amount of \$27,419.73. The interest for restitution is waived by the Court, and the amount of restitution shall be offset should any of the seized computers be forfeited to the victim of this case.

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

<u>Name of Payee</u>	<u>Payee Address</u>	<u>City, State, Zip</u>	<u>Amount</u>
Bank of America, Department # 4162, Attn: Christine Smith, Reference Case # 31180	1825 East Buckeye	Phoenix, Arizona 85034	\$27,419.73

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 amount actually paid by all defendants has fully covered the compensable injury.

If a victim has received compensation from insurance or any other source with respect to a loss, restitution shall be paid to the person who provided or is obligated to provide the compensation, but all restitution of victims shall be paid to the victims before any restitution is paid to such a provider of compensation.

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 for Count(s) 1 of the Indictment. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of Probation.

Unless the interest is waived, the defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

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

All criminal monetary penalty payments are to be made to the United States District Court Clerk, 333 West 4th Street, Rm. 411, Tulsa, Oklahoma 74103, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

STATEMENT OF REASONS

The Court adopts the factual findings and guidelines application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	10	
Criminal History Category:	I	
Imprisonment Range:	6 to 12 months	Count(s) 1
Supervised Release Range:	2 to 3 years	Count(s) 1
Fine Range:	\$2,000 to \$20,000	Count(s) 1

Total amount of Restitution: \$27,419.73.

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 the application of the guidelines.

BJS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

ENTERED ON DOCKET

DATE 1-15-99

UNITED STATES OF AMERICA

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

V.

Case Number: 98-CR-139-001-K ✓

Frank Edward Summerlin

Cindy Hodges Cunningham
Defendant's Attorney

FILED

JAN 15 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

THE DEFENDANT:

Pleaded guilty to Count 1 of the Indictment on October 28, 1998.

Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count</u>
18 USC 2113(a)	Bank Robbery	8/14/98	1

As pronounced on January 7, 1999, 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 FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Signed this the 14 day of January, 1999.


The Honorable Terry G. Kern
Chief U.S. District Court Judge

Defendant's Soc. Sec. No.: 444-54-2405
Defendant's Date of Birth: 8/14/54
Defendant's USM No.: 08311-062
Defendant's Residence and Mailing Address: c/o Tulsa County Jail, 500 S. Denver, Tulsa OK 74103

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 41 months.

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

RETURN

I have executed this Judgment as follows:

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

United States Marshal

By: _____
Deputy Marshal

SUPERVISED RELEASE

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

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

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 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.

STANDARD CONDITIONS OF SUPERVISION

1. You will not leave the judicial district without permission of the Court or probation officer.
2. You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
3. You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
4. You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
5. You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
6. You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
7. You will notify the probation officer ten days prior to any change of residence or employment.
8. You will not frequent places where controlled substances are illegally sold, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
9. You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
10. You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
11. You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
12. You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
13. You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
14. You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
15. As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirements.
16. You will not possess a firearm, destructive device, or other dangerous weapon.

ADDITIONAL CONDITIONS:

1. 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 acknowledgment shall be provided to the U. S. Probation Office immediately upon taking residency.
2. 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.

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties; payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

ASSESSMENT	RESTITUTION	FINE
\$100.00	\$250.00	\$500.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$100 for Count 1 of the Indictment, which shall be due immediately.

RESTITUTION

The defendant shall make restitution in the total amount of \$250.

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

<u>Name of Payee</u>	<u>Payee Address</u>	<u>City, State, Zip</u>	<u>Amount</u>
Bank of Commerce	PO Box 199	Adair OK 74330	\$250

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.

If a victim has received compensation from insurance or any other source with respect to a loss, restitution shall be paid to the person who provided or is obligated to provide the compensation, but all restitution of victims shall be paid to the victims before any restitution is paid to such a provider of compensation.

FINE

The defendant shall pay a fine of \$500 for Count(s) 1 of the indictment. This fine shall be paid in full immediately. Any amount not paid immediately shall be paid while in custody through the Bureau of Prisons' Inmate Financial Responsibility Program. Upon release from custody, any unpaid balance shall be paid during the term of supervised release.

Unless the interest is waived, the defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

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

All criminal monetary penalty payments are to be made to the United States District Court Clerk, 333 West 4th Street, Rm. 411, Tulsa, Oklahoma 74103, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

STATEMENT OF REASONS

The Court adopts the factual findings and guidelines application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	22
Criminal History Category:	I
Imprisonment Range:	41 to 51 months
Supervised Release Range:	3 to 5 years
Fine Range:	\$7,500 to \$75,000

Total amount of Restitution: \$250.

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 the application of the guidelines.

BJS

UNITED STATES DISTRICT COURT
for the
NORTHERN DISTRICT OF OKLAHOMA

FILED

JAN 13 1999 *SA*

UNITED STATES OF AMERICA)
Plaintiff)
vs)
JOHN ANTHONY ROACH)
Defendant)

Phil Lombardi, Clerk
U.S. DISTRICT COURT

Case Number: 95-CR-085-002-K ✓

ENTERED ON DOCKET

DATE 1/14/99

JUDGMENT AND COMMITMENT ORDER
ON REVOCATION OF SUPERVISED RELEASE

Now on this 6th day of January, 1999, this cause comes on for revocation and sentencing concerning allegations that the defendant violated conditions of supervised release as set out in the Petition on Supervised Release filed on December 17, 1998. The defendant is present in person and represented by counsel, Cindy Cunningham. The Government is represented by Assistant U.S. Attorney Lucy Creekmore, and the United States Probation Office is represented by Randall Drew.

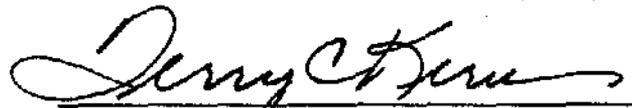
The defendant was heretofore, on November 17, 1995, sentenced to twenty-four (24) months custody of the U.S. Bureau of Prisons to be followed by a three (3) year term of supervised release, after a plea of guilty to Count three of a six count Indictment charging Distribution of Marijuana and Possession of Marijuana, and Aiding and Abetting in violation of 21 U.S.C. §841(a)(1), and 18 U.S.C. §2, respectively. The defendant stipulated to allegations in the petition pertaining to his violation of state law and to his possession and use of a controlled substance. The Court revoked supervised release based on all allegations, and at Roach's request, a sentencing hearing transpired

on the same date as revocation.

The Court found that the instant conviction occurred after November 1, 1987, and that Chapter 7 of the U.S. Sentencing Guidelines are applicable. Further, the Court found that the violations of supervised release constitute Grade C violations in accordance with U.S.S.G. §7B1.1(a)(3)(A), and that the defendant's original Criminal History Category of VI is applicable for determining the imprisonment range. In addition, the Court found that a Grade C violation and a Criminal History Category of VI establish a revocation imprisonment range of eight (8) to fourteen (14) months. In consideration of these findings, and taking notice that the policy statements in Chapter 7 are not mandatory, but must be considered by the Court, the following is ordered:

The defendant is committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of twenty-four months (24) months. The Court is sentencing the defendant above the policy statement range so that he will have the opportunity to undergo the five-hundred hour drug treatment program. The Court recommends to the U.S. Bureau of Prisons that the defendant be placed in the first available program. No term of supervised release is ordered to follow the incarceration period and the remainder of the original fine is rescinded.

The defendant is remanded to the custody of the U.S. Marshal pending his placement with the U.S. Bureau of Prisons.



The Honorable Terry C. Kern
Chief United States District Judge

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

F I L E D

JAN 11 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA)
)
 Plaintiff,)
)
 V.)
)
 MORRIS G. DEVILLE,)
)
 Defendant.)

Case No. 98-CR-129-C

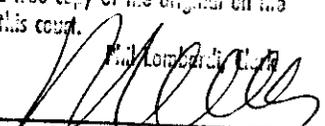
ENTERED ON DOCKET
DATE JAN 13 1999

ORDER

Now on this 11th day of January, 1999, this cause comes on to be heard in the matter of the plaintiff's Motion for Leave to Dismiss, without prejudice, the Indictment against defendant MORRIS G. DEVILLE in the above styled cause. The Court finds that said request ought to be granted and the Indictment against defendant MORRIS G. DEVILLE is dismissed, without prejudice.

IT IS SO ORDERED.


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
By 
Deputy

14

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

FILED

JAN 12 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,)
)
Plaintiff/Respondent,)
)
)
vs.)
)
)
PETER J. McMAHON,)
)
Defendant/Petitioner.)

Case Nos. 94-CR-176-BU ✓
97-CV-1058-BU

ENTERED ON DOCKET

DATE JAN 13 1999

ORDER

This matter comes before the Court upon Defendant/Petitioner's Application to Stay Further Proceedings Under Title 28 U.S.C. § 2255 Pending Direct Appeal. Plaintiff/Respondent has responded to the application and does not object to a stay, provided Defendant/Petitioner is required to include any adverse finding from his direct appeal in this § 2255 proceeding.

Upon due consideration, the Court declines to grant a stay of this § 2255 proceeding. Instead, the Court opines that this § 2255 proceeding should be administratively closed pending his direct appeal.

Accordingly, the Clerk of the Court is DIRECTED to administratively close this § 2255 proceeding in his records pending direct appeal of Defendant/Petitioner's resentencing. Defendant/Petitioner is DIRECTED to file an application to reopen this § 2255 proceeding and an amended motion to vacate, set aside or correct sentence, together with any desired brief in support,

168

within thirty (30) days of the date of the Tenth Circuit's mandate
in the direct appeal.

ENTERED this 12th day of January, 1999.



MICHAEL BURRAGE
UNITED STATES DISTRICT JUDGE

ew

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

*Entered on
Docket
1/12/99*

UNITED STATES OF AMERICA

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

V.

Melinda Deanne Tuell

Case Number: 98-CR-110-002-K

Jack Schisler
Defendant's Attorney

FILED

JAN 12 1999

THE DEFENDANT:

Phil Lombardi, Clerk
U.S. DISTRICT COURT

Pleaded guilty to Count 1 of the Indictment on September 15, 1998.

Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

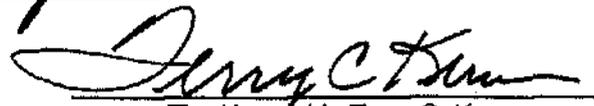
<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count</u>
18 USC 371	Conspiracy	7/8/98	1

As pronounced on January 5, 1999, 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.

Count 2 of the Indictment is dismissed on the motion of the United States.

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 7 day of January, 1999.



The Honorable Terry C. Kern
Chief U.S. District Court Judge

Defendant's Soc. Sec. No.: 443-70-1366
Defendant's Date of Birth: 3/5/75
Defendant's USM No.: 03588-063
Defendant's Residence and Mailing Address: 331 W. Elm Catoosa OK 74015

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 one day.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

Before noon on February 1, 1999.

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

SUPERVISED RELEASE

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

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

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released as soon as possible, but in no event later than 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.

STANDARD CONDITIONS OF SUPERVISION

1. You will not leave the judicial district without permission of the Court or probation officer.
2. You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
3. You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
4. You will successfully participate in cognitive/life skills training or similar programming as directed by the probation officer.
5. You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
6. You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
7. You will notify the probation officer ten days prior to any change of residence or employment.
8. You will not frequent places where controlled substances are illegally sold, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, or distribute any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
You will submit to urinalysis or other forms of testing to determine illicit drug use as directed by the probation officer; if directed by the probation officer, you will successfully participate in a program of testing and treatment (to include inpatient) for substance abuse until released from the program by the probation officer.
10. You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
11. You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
12. You will provide access to all personal and business financial information as requested by the probation officer; and you shall, if directed by the probation officer, not apply for or acquire any credit unless permitted in advance by the probation officer.
13. You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
14. You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
15. As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirements.
16. You will not possess a firearm, destructive device, or other dangerous weapon.

ADDITIONAL CONDITIONS:

1. 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 acknowledgment shall be provided to the U.S. Probation Office immediately upon taking residence.
2. 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.

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties; payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine principal; (4) cost of prosecution; (5) interest; (6) penalties.

ASSESSMENT

\$100.00

RESTITUTION

\$340.00

FINE

\$0.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$100 for Count 1 of the indictment, which shall be due immediately.

RESTITUTION

The defendant shall make restitution in the total amount of \$340. The interest for restitution is waived by the Court.

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

<u>Name of Payee</u>	<u>Payee Address</u>	<u>City, State, Zip</u>	<u>Amount</u>
Eric Masingale	3213 S. 214 th East Avenue	Broken Arrow OK 74014	\$140
Rib Crib Restaurant	3022 S. Garnett Road	Tulsa OK 74129	\$100
Donna White	2601 E. Albany Street	Broken Arrow OK 74014	\$100

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, except that no further payment shall be required after the sum of the amount actually paid by all defendants has fully covered the compensable injury.

If a victim has received compensation from insurance or any other source with respect to a loss, restitution shall be paid to the person who provided or is obligated to provide the compensation, but all restitution of victims shall be paid to the victims before any restitution is paid to such a provider of compensation.

Unless the interest is waived, the defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

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

All criminal monetary penalty payments are to be made to the United States District Court Clerk, 333 West 4th Street, Rm. 411, Tulsa, Oklahoma 74103, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

STATEMENT OF REASONS

The Court adopts the factual findings and guidelines application in the presentence report.

Guideline Range Determined by the Court:

Total Offense Level:	11
Criminal History Category:	III
Imprisonment Range:	12 to 18 months
Supervised Release Range:	2 to 3 months
Fine Range:	\$2,000 to \$20,000

Total amount of Restitution: \$340

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 the application of the guidelines.

FILED

JAN 5 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

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

UNITED STATES OF AMERICA)
)
)
vs.)
)
)
KEVIN ALAN HORN)

Docket No. 94-CR-134-001-E
95-CR-100-001-E
98-CR-142-001-E ✓
ENTERED ON DOCKET

DATE 1/5/99

ORDER REVOKING SUPERVISED RELEASE

Now on this, the 17th day of December, 1998, this cause comes on for sentencing concerning allegations that the defendant violated conditions of supervised release as set out in the Amended Petition on Supervised Release filed on October 16, 1998. The defendant is present in person and represented by counsel, Jack Schisler. The Government is represented by Assistant U.S. Attorney Ken Snoke, and the United States Probation Office is represented by Robert E. Boston.

The history of the defendant's three cases before the Court today are as follows:

On October 20, 1992, Horn was indicted in the Eastern District of Washington, Spokane Division, on six counts of Bank Fraud, in violation of 18 U.S.C. § 1344(1), Case #CR-92-295-WFN. He pled guilty to Counts I, II, and III, and on May 1, 1995, was sentenced to fourteen (14) months custody as to each count, followed by a five (5) year term of supervised release. The Court ordered that the sentences run concurrently, and concurrently to any other sentences imposed, but consecutive to all sentences received prior to May 1, 1995. Counts IV, V, and VI were dismissed. He was ordered to pay restitution in the total sum of \$1,550 as specified in the Judgement and Commitment Order. On September 24, 1998, the jurisdiction of this case was transferred to the Northern District of Oklahoma and became Case# 98-CR-142-001-E.

On September 21, 1993, Horn was indicted in the Northern District of Texas, Abilene Division, on two counts charging Bank Fraud and Causing a Criminal Act in violation of 18 U.S.C. §§ 1344(1) and 2, as to Count I, and Use of a False Social Security Number, in violation of 42 U.S.C. § 408(a)(7)(B), as to Count II, Case #1-93-CR-038-C. The date of the Count I offense was between July 7, 1992, and July 11, 1992. The date of the Count II offense was July 7, 1992. This case was transferred to the Northern District of Oklahoma by way of a Rule 20 Agreement and assigned Case #95-CR-100-001-E.

On September 8, 1994, the defendant, Kevin Allen Horn, was indicted in the Northern District of Oklahoma on two counts charging Bank Fraud, in violation of 18 U.S.C. § 1344(1), Case #94-CR-134-001-E. The date of the Count I offense was December 19, 1990, and the date of the Count II offense was November 16, 1993.

On July 17, 1995, Horn pled guilty to Count I of 94-CR-134-001-E and to Count II of 95-CR-100-001-E.

On October 26, 1995, Horn was sentenced to a term of eight (8) months custody followed by a five (5) year term of supervised release as to 94-CR-134-001-E. He was ordered to pay restitution in the total amount of \$5,219.73 as specified on page 4 of the Judgement and Commitment Order.

Also on October 26, 1995, Horn was sentenced to eight (8) months custody followed by a five (5) year term of supervised release as to 95-CR-100-001-E. This and the sentence cited in paragraph 4 were ordered to run concurrently and concurrently with the sentence imposed in the Eastern District of Washington.

Horn was released to the Western District of Oklahoma on April 3, 1997, to begin service of his five year terms of supervised release.

On November 17, 1997, a Petition on Supervised Release was filed alleging that Horn had absconded from supervision on about September 15, 1997.

On June 21, 1998, Horn was arrested by Laurel County, Kentucky Sheriff's Deputies when they found him in possession of a vehicle which had been stolen from a Little Rock, Arkansas car dealer. He remained in custody there until being turned over to the U.S. Marshal on September 21, 1998.

On October 16, 1998, an Amended Petition on Supervised Release was filed to include the violation of law, to wit: possession of the stolen vehicle.

On December 3, 1998, a Revocation Hearing was held and the defendant stipulated that if the probation officer was called to testify regarding the allegations in the Amended Petition on Supervised Release, the Court would find that Horn had violated the conditions of release as alleged. The Court found the defendant in violation of the conditions of supervised release. Sentencing was set for December 17, 1998.

Now, on this the 17th day of December, 1998, the Court orders that the term of supervised release in case #94-CR-134-001-E is hereby revoked. The running of the terms of supervised release in case #'s 95-CR-100-001-E and 98-CR-142-001-E are to be tolled until the defendant is released by the Bureau of Prisons after service of the sentence ordered hereafter in 94-CR-134-001-E. Since the offenses of conviction occurred after November 1, 1987, Chapter 7 of the U.S. Sentencing Guidelines is applicable. The violation procedures outlined in Chapter 7 of the U.S.S.G. are policy statements only, and thus are not binding on the Court. However, if the Court chooses not to follow the policy statements, circuits, including the Tenth, have ruled that the Court must state on the record that it takes notice of the Chapter 7 policy statements, but elects not to use them.

The most serious violation of supervised release constitutes a Grade B violation because it is an offense which carries a maximum penalty exceeding one year. Section 7B1.1(a)(2)

The defendant's Criminal History Category at the time he was originally sentenced was III. This Criminal History Category is now applicable for determining the imprisonment range upon revocation of supervised release. Section 7B1.4(a)

A Grade B violation and a Criminal History Category of III establish an imprisonment range of 8 to 14 months. The maximum sentence which can be imposed upon revocation of a Class B felony is three (3) years. 18 USC § 3583(e)(3).

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

The defendant, Kevin Alan Horn, is hereby committed to the custody of the U.S. Bureau of Prisons to be imprisoned for a term of ten (10) months. Restitution in the amount of \$5,219.73 shall be paid by the defendant as specified on page four (4) of the Judgement in a Criminal Case and is due immediately.

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


The Honorable James O. Ellison
United States District Judge

FILED

JAN 4 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

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

UNITED STATES OF AMERICA)
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vs.)
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The Honorable James O. Ellison
United States District Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

FILED

JAN 4 1999

Phil Lombardi, Clerk
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Docket No. 94-CR-134-001-E
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98-CR-142-001-E

ENTERED ON DOCKET

DATE 1/5/99

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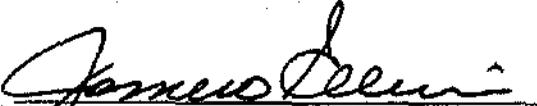
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The Honorable James O. Ellison
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