

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

ENTERED ON DOCKET
DATE 6-24-99

UNITED STATES OF AMERICA

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

V.

Terry Spontarelli

Case Number: 98-CR-164-001-H ✓

FILED

John Echols
Defendant's Attorney

mm JUN 24 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

THE DEFENDANT:

Pleaded guilty to Counts 1-3 of the Indictment on February 26, 1999.

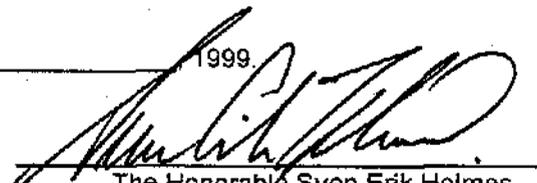
Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Counts</u>
18 USC 2423(b)	Interstate Travel With Intent to Engage in Sexual Activity With a Minor	10/29/98	1
18 USC 2251(a)	Production of a Videotape Involving Sexual Activity With a Minor	10/29/98	2
18 USC 2253	Criminal Forfeiture	N/A	3

As pronounced on June 18, 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 23RD day of JUNE, 1999.


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

Defendant's Soc. Sec. No.: 204-58-6586
Defendant's Date of Birth: 11/5/62
Defendant's USM No.: 08349-062
Defendant's Residence and Mailing Address: c/o Tulsa County Jail, 500 S. Denver Avenue, 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 121 months. 120 months as to Count 1, and 121 months as to Count 2; said terms to run concurrently, each with the other.

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

That the defendant attend the Sex Offender Treatment Program at FCI Butner, North Carolina while in the Bureau of Prisons' custody. When not in the Butner program, recommend placement as close to the Denver, Colorado area as possible to allow family visitation.

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 as to each of Counts 1 & 2; said terms to run concurrently, each with the other.

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

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released 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 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 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. The defendant shall abide by the "Special Sex Offender Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on October 21, 1998.

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
\$200.00	\$1,208.10	\$0.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$200 for Counts 1 & 2 of the Indictment, which shall be due immediately.

RESTITUTION

The defendant shall make restitution in the total amount of \$1,208.10.

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>
Debra Delcour	Rt. 2 Box 276	Catoosa OK 74105	\$1,133.10
Crime Victims Compensation Fund	2200 Classen Blvd., Ste 1800	Oklahoma City OK 73106-5811	\$75.00

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. 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.

FORFEITURE

The defendant shall forfeit the defendant's interest in the following property to the United States: computer, photographic and video equipment.

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:	30	
Criminal History Category:	I	
Imprisonment Range:	97 to 121 months	Counts 1 & 2
Supervised Release Range:	2 to 3 years	Counts 1 & 2
Fine Range:	\$15,000 to \$150,000	Counts 1 & 2

Total amount of Restitution: \$1,208.10.

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 6-23-99

UNITED STATES OF AMERICA

V.

Emmadean Green

THE DEFENDANT:

Pleaded guilty to Count 1 of the Indictment on February 9, 1999.

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 641	Theft of Government Funds	10/1/93	1

As pronounced on June 16, 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 22nd day of JUNE, 1999.



The Honorable Michael Burrage
U.S. District Court Judge

Defendant's Soc. Sec. No.: 440-46-5966

Defendant's Date of Birth: 9/29/46

Defendant's USM No.: 08378-062

Defendant's Residence and Mailing Address: 2207 E. Greenwich Circle, Colorado Springs CO 80909

FILED

June JUN 23 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

PROBATION

The Defendant is hereby placed on probation for a term of four (4) 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.
2. The Court suspends the requirements for mandatory urine screening as dictated by 18 USC § 3608, but specifically retains the probation officer's authority to administer such tests for cause as permitted by the standard conditions of supervision.
3. The defendant shall be placed on home confinement for a period of six (6) months to commence within 72 hours of sentencing date. During this time, the defendant shall remain at her place of residence except for employment and other activities approved in advance by the U.S. Probation Office (no electronic monitoring). Contact with the defendant by the U.S. Probation Office shall be made at the defendant's home only unless extraordinary circumstances arise.

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
\$50.00	\$10,000.00	\$0.00

ASSESSMENT

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

RESTITUTION

The defendant shall make restitution in the total amount of \$10,000.

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>
Social Security Administration, Debt. Management Section, Attn: Court Returns	Box 2861	Philadelphia PA 19122	\$10,000

Restitution shall be paid in full immediately. Any amount not paid immediately shall be paid during the period of probation. 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:	10	
Criminal History Category:	1	
Imprisonment Range:	6 to 12 months	Count 1
Supervised Release Range:	2 to 3 years	Count 1
Fine Range:	\$2,000 to \$20,000	Count 1

Total amount of Restitution: \$31,664.

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

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

UW

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

EOD: 6-22-99

UNITED STATES OF AMERICA

V.

Billy Greene

AMENDED JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)
Correction of Sentence for Clerical Mistake (Fed. R. Crim.
P. 36)

Case Number: 98-CR-165-002-K ✓

Paul Brunton
Defendant's Attorney

THE DEFENDANT:

Pled guilty to Count 6 of the Indictment on February 11, 1999.

Accordingly, the defendant is adjudged guilty of such count, involving the following offenses **Phil Lombardi, Clerk
U.S. DISTRICT COURT**

FILED
JUN 21 1999
Cs

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count</u>
42 USC 6928 (d)(2)(A)	Unlawful Disposal of Hazardous Waste Without a Permit and Causing a Criminal Act	4/13/98	6

As pronounced on June 1, 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.

Counts 1 & 7 of the 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 21 day of June, 1999.

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

Defendant's Soc. Sec. No.: 443-74-3724
Defendant's Date of Birth: 11/21/62
Defendant's USM No.: 08358-062
Defendant's Residence and Mailing Address: PO Box 7, Oilton OK 74052

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	\$0.00	\$7,500.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$100 for Count 6 of the Indictment, which shall be due immediately.

FINE

The defendant shall pay a fine of \$7,500 for Count 6 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. 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:	13	
Criminal History Category:	1	
Imprisonment Range:	12 to 18 months	Count 6
Supervised Release Range:	2 to 3 years	Count 6
Fine Range:	\$3,000 to \$30,000	Count 6

Total amount of Restitution: \$. Unknown

Restitution is applicable in this case, however, full amount has not been determined and the co-defendant in this case has agreed to a Consent Order to pay the victims the full amount of the remediation costs associated with the cleanup of the contaminated sites in this offense.

The sentence departs from the guideline range for the following specific reasons:

The Court granted a downward departure based on three factors. First, the defendant's participation was in large part the result of negligent conduct. There is no evidence he was knowledgeable of the applicable regulations pertaining to the disposal of the hazardous wastes involved in this offense or that it was reasonable that he should have known of the applicable regulations. He had no significant financial interest in the unlawful disposal of the hazardous wastes and his actions were motivated in large part by his desire to simply burn a brush pile on his property. In fact, this offense created substantial harm to the defendant by the damage that was done to his property. Considering his lack of knowledge about the substances involved and his general lack of knowledge concerning the applicable regulations for the handling of the hazardous wastes, his conduct could be categorized as negligent. A one-level departure under provisions of USSG §2Q1.2, comment. (n.4) is appropriate.

A further two-level downward departure is appropriate under the provisions of USSG §2Q1.2, comment. (n.5). There are obviously varying degrees of contamination that could occur from an unlawful discharge of hazardous wastes. Application Note 5 considers the wide ranges and types of discharges covered by the general provisions of USSG §2Q1.2. The guideline does not specifically address the degree of contamination but suggests the sentencing court consider a departure, upward or downward, to address greater or lesser degrees of the environmental contamination. Not to diminish the seriousness of the offense, it must be compared to other types of possible and conceivable discharges of hazardous wastes. This offense is not of the nature involving a discharge of nuclear material in an urban area or a large scale contamination of food products or a public water supply. On a broad scale covering similar types of offenses, but considering all degrees of contamination, from the least to the most, this offense is on the lower end of the scale.

Another two-level downward departure is warranted under the provisions of Application Note 8. Although this offense involved a violation of a permit, Greene's failure to obtain an EPA or ODEQ permit to discharge the spent solvent and waste paint, the nature and quantity of the substance involved and the risk associated with the offense are less than many conceivable similar types of offenses. In addition, this offense was a single event and not a lengthy series of unpermitted discharges.

With a departure of five levels, Greene's offense level is 8. Combined with his Criminal History Category 1, the applicable range of 0 to 6 months places him in Zone A of the Sentencing Table. This makes him eligible for probation.

an

EOD: 6-21-99

**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-165-001-K ✓

Carl Dale Turnbow

Gerald Hilsher
Defendant's Attorney

FILED
JUN 21 1999 *CL*

THE DEFENDANT:

Pled guilty to Counts 1 & 6 of the Indictment on February 11, 1999.

Phil Lombardi, Clerk
U.S. DISTRICT COURT

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

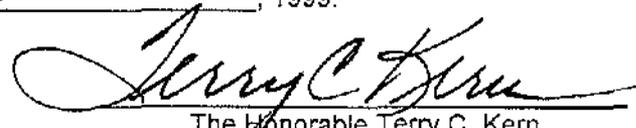
<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Counts</u>
18 USC 371	Conspiracy	4/15/98	1
42 USC 6928(d)(2)(A) and 18 USC 2(b)	Unlawful Disposal of Hazardous Waste Without A Permit and Causing a Criminal Act	4/13/98	6

As pronounced on June 17, 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.

Counts 2, 3, 4, 5 & 7 of the 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 21 day of June, 1999.


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

Defendant's Soc. Sec. No.: 447-34-5115
Defendant's Date of Birth: 2/1/34
Defendant's USM No.: 08359-062
Defendant's Residence and Mailing Address: 1010 W. Broadway, Drumright OK 74050

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 12 months and 1 day as to each of Counts 1 & 6; said terms to run concurrently, each with the other.

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

Before noon on August 19, 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 as to each of Counts 1 & 6; said terms to run concurrently, each with the other.

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

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released 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 abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.
2. The defendant shall comply with the terms of the Consent Order, an agreement between the defendant and the Oklahoma Department of Environmental Quality executed on March 11, 1999, or any revisions made to the order which are agreed upon by both parties.

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
\$200.00	\$9,461.88	\$0.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$200 for Counts 1 & 6 of the Indictment, which shall be due immediately.

RESTITUTION

The defendant shall make restitution in the total amount of \$9,461.88.

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>
Oklahoma Department of Environmental Quality, Payable to the Hazardous Waste Fund, Attn: Marilyn Simpson, Finance Director, Administrative Services	PO Box 1677	Oklahoma City OK 73101-1677	\$9,461.88

Payment shall be made according to the Consent Order, executed on March 11, 1999, by the defendant and the Oklahoma Department of Environmental Quality. 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:	17	
Criminal History Category:	I	
Imprisonment Range:	24 to 30 months	Counts 1 & 6
Supervised Release Range:	2 to 3 years	Counts 1 & 6
Fine Range:	\$5,000 to \$50,000	Counts 1 & 6

Total amount of Restitution: \$9,461.88.

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 specific reasons:

A two-level downward departure is appropriate under the provisions of USSG §2Q1.2, comment. (n.5). There are obviously varying degrees of contamination that could occur from an unlawful discharge of hazardous wastes. Application Note 5 considers the wide ranges and types of discharges covered by the general provisions of USSG §2Q1.2. The guideline does not specifically address the degree of contamination but suggests the sentencing court consider a departure, upward or downward, to address greater or lesser degrees of the environmental contamination. Not to diminish the seriousness of the offense, it must be compared to other types of possible and conceivable discharges of hazardous wastes. This offense is not of the nature involving a discharge of nuclear material in an urban area or a large scale contamination of food products or a public water supply. On a broad scale covering similar types of offenses, but considering all degrees of contamination, from the least to the most, this offense is on the lower end of the scale.

Another two-level downward departure is warranted under the provisions of Application Note 8. Although this offense involved a violation of a permit, Turnbow's failure to obtain an EPA or ODEQ permit to discharge the spent solvent and waste paint, the nature and quantity of the substance involved and the risk associated with the offense are less than many conceivable similar types of offenses. In addition, this offense was a single event and not a lengthy series of unpermitted discharges.

With a departure of four levels, Turnbow's offense level is 13. Combined with his Criminal History Category I, the applicable range of 12 to 18 months places him in Zone D of the Sentencing Table.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

JUN 18 1999 B

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-124-001-C ✓

Gene Kung Ho Lum

Joel Wohlgermuth
Defendant's Attorney

ENTERED ON DOCKET

THE DEFENDANT:

DATE 6/18/99

Pleaded guilty to Counts 1 & 2 of the Information on August 13, 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>
26 USC 7206(1)	Subscribing False U.S. Individual Income Tax Returns	10/15/95	1
26 USC 7206(2)	Aiding and Assisting in, and Procuring, Counseling, and Advising the Preparation of False Income Tax Return	10/15/95	2

As pronounced on June 3, 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 17th day of June, 1999.

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

Defendant's Soc. Sec. No.: 576-36-7169
Defendant's Date of Birth: 7/4/39
Defendant's USM No.: 21437-016
Defendant's Residence and Mailing Address: 525 Seaside Way, #408, Long Beach, CA 90802

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 24 months, as to each of Counts 1 & 2; said terms to run concurrently, each with the other.

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

That the Bureau of Prisons designate a facility in or near Los Angeles, California, as the place of confinement so that the defendant may be near his family.

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

Before noon on July 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 one (1) year, as to each of Counts 1 & 2; said terms to run concurrently, each with the other.

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

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released 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 abide by the "Special Financial Conditions" enumerated in Miscellaneous Order Number M-128, filed with the Clerk of the Court on March 18, 1992.
2. While on supervised release, should the Internal Revenue Service determine the amount of any delinquent tax and applicable penalties owed by the defendant, such amounts should be paid by the defendant in accordance with any schedule set by the Internal Revenue Service or agreed upon by the defendant and the Internal Revenue Service.

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 Counts 1 & 2 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. 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 guideline application in the presentence report except:

The Court finds that the enhancement under USSG §3G1.1, Obstruction of Justice, is not applicable in this case. There is no evidence that the defendant's false statements to investigations occurred during the investigation into the instant offense.

Guideline Range Determined by the Court:

Total Offense Level:	20	
Criminal History Category:	II	
Imprisonment Range:	37 to 46 months	Counts 1 & 2
Supervised Release Range:	1 to years	Counts 1 & 2
Fine Range:	\$7,500 to \$75,000	Counts 1 & 2

Total amount of Restitution: \$0

Full restitution is not ordered for the following reason:

Based on the defendant's inability to pay and the fact that the Internal Revenue Service will attempt to collect a large delinquent tax debt.

The sentence departs from the guideline range:

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

BJS

FILED

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

JUN 17 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-180-001-B

Robert Pfeiler

John Thomas Hall
Defendant's Attorney

ENTERED ON DOCKET

THE DEFENDANT:

DATE 6-18-99

Pleaded guilty to Counts 1 & 2 of the Information on March 3, 1999.

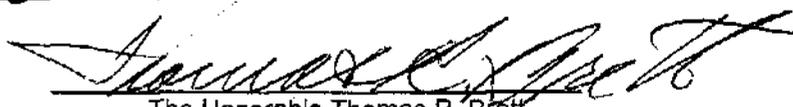
Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Counts</u>
18 USC 1344(1)	Bank Fraud	5/97	1
18 USC 1344	Bank Fraud	1/97	2

As pronounced on June 4, 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 15 day of June, 1999.



The Honorable Thomas R. Brett
Senior U.S. District Court Judge

Defendant's Soc. Sec. No.: 445-11-1810
Defendant's Date of Birth: 11/7/58
Defendant's USM No.: 08385-062
Defendant's Residence and Mailing Address: 306 East 43rd Street, Tulsa OK 74105

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

By Phil Lombardi, Clerk
Deputy

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of four (4) months, as to each of Counts 1 & 2; said terms shall run concurrently, each with the other.

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

That the defendant be designated to the Bureau of Prisons' camp facility located in El Reno, Oklahoma.

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

At 3:00 p.m. on July 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 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 dependants 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 four (4) months, to commence within 72 hours of release from imprisonment. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. 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.

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. Pursuant to the Violent Crime Control and Law Enforcement Act of 1994, the requirement for mandatory drug testing is suspended based on the Court's determination that the defendant poses a low risk of future drug abuse. However, the Probation Office retains the authority to administer such tests for cause as permitted by the standard conditions of supervision.

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
\$200.00	\$155,664.60	\$0.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$200 for Counts 1 & 2 of the Information, which shall be due immediately.

RESTITUTION

The defendant shall make restitution in the total amount of \$155,664.60, and shall receive credit for the \$50,000 the defendant paid at sentencing. Interest on the restitution balance is waived.

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>
Titus, Hillis and Reynolds, PC, Attn: Barry Reynolds, Re: Oklahoma Trucking and Equipment	15 East 15 th Street, Ste. 2750	Tulsa OK 74103	\$60,300
American National Bank & Trust, Attn: Tom Hudgins	PO Box 1408	Sapulpa OK 74067	\$95,364.60

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. 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:	13	
Criminal History Category:	I	
Imprisonment Range:	12 to 18 months	Counts 1 & 2
Supervised Release Range:	3 to 5 years	Counts 1 & 2
Fine Range:	\$3,000 to \$1,000,000	Counts 1 & 2

Total amount of Restitution: \$155,664.60 (less the \$50,000 paid at sentencing)

The fine is waived based on the amount of restitution owed by the defendant and the financial circumstances of the defendant.

The sentence departs from the guideline range for the following specific reasons:

A two-level downward departure is 1) based on the defendant's genuine remorse, 2) the defendant's voluntary repayment of \$50,000, 3) the defendant's current employment situation, and 4) the defendant's assistance in repayment of restitution.

cu

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

ENTERED ON DOCKET
DATE 6-18-99

UNITED STATES OF AMERICA

V.

Jorge Rodriguez-Moreno

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

FILED

Case Number: 97-CR-065-002-K

Just JUN 17 1999

Stanley D. Monroe
Defendant's Attorney

Phil Lombardi, Clerk
U.S. DISTRICT COURT

THE DEFENDANT:

Was found guilty by jury trial on Count 1 of the 4th Superseding Indictment, on February 18, 1999 after a plea of not guilty.

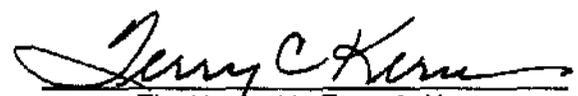
Accordingly, the defendant is adjudged guilty of such count, involving the following offense:

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count</u>
21:846,841(a)(1) & (b)(1)(A)(vii)	Conspiracy to Possess With Intent to Distribute Marijuana in Excess of 1,000 Kilos	4/29/97	1

As pronounced on June 10, 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 16 day of June, 1999.


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

Defendant's Soc. Sec. No.: 452-12-1652
Defendant's Date of Birth: 6/18/68
Defendant's USM No.: 71860-079
Defendant's Residence Address: 2701 Covina Street, McAllen, TX 78501
Defendant's Mailing Address: c/o Tulsa County Jail, 500 S. Denver Ave., 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 240 Months.

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

Designate defendant to a facility equipped to provide comprehensive substance abuse treatment during his period of incarceration.

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

RETURN

I have executed this Judgment as follows:

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

United States Marshal

By: _____
Deputy Marshal

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 10 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.

5
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(s) 1 of the 4th Superseding 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. 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.

5

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:	32	
Criminal History Category:	III	
Imprisonment Range:	151 to 188 months	Count 1
Supervised Release Range:	10 years	Count 1
Fine Range:	\$17,500 to \$8,000,000	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 is within the guideline range, that range exceeds 24 months, and the sentence is imposed for the following reason:

Although the range is 151-188 months, the statutory minimum is 240 months.

CW

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

UNITED STATES OF AMERICA

V.

Deon Dejohn Lee

THE DEFENDANT:

Pleaded guilty to Count 2 of the Indictment on February 11, 1999.

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

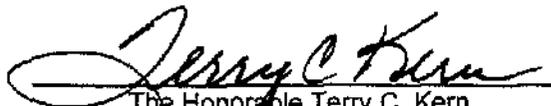
<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count</u>
18 USC 472 & 2(a)	Passing Counterfeit Obligations of the United States and Aiding & Abetting	8/15/97	2

As pronounced on June 11, 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 16 day of June, 1999.


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

Defendant's Soc. Sec. No.: 335-64-1394
Defendant's Date of Birth: 9/24/70
Defendant's USM No.: 49523-019
Defendant's Residence and Mailing Address: 1310 Concept 21 Way, Lithonia, GA 30058

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

Case Number: 98-CR-103-001-K

F. L. Dunn III
Defendant's Attorney

FILED

JUN 17 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

ENTERED ON DOCKET

DATE 6-18-99

IMPRISONMENT

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

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

Before noon on July 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.
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

\$1,120.00

FINE

\$3,000.00

ASSESSMENT

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

RESTITUTION

The defendant shall make restitution in the total amount of \$1,120.

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>
Foley's Central Loss Prevention, Attn: Anna Martinez	1110 Main Street	Houston TX 77002	\$1,120

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. 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.

FINE

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

The defendant shall pay a fine of \$3,000 for Count 2 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. 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, EXCEPT:

Paragraph 27. The Court finds that the Base Offense Level is 9, Pursuant to USSG §2B5.1(a), rather than §2B5.1(b)(2).

Guideline Range Determined by the Court:

Total Offense Level:	12	
Criminal History Category:	I	
Imprisonment Range:	10 to 16 months	Count 2
Supervised Release Range:	2 to 3 years	Count 2
Fine Range:	\$3,000 to \$30,000	Count 2

Total amount of Restitution: \$1,120.

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.

CW

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

UNITED STATES OF AMERICA

V.

Linda Marie Pryce

THE DEFENDANT:

Pleaded guilty to Count 3 of the Indictment on February 9, 1999.

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 513(a)	Uttering a Forged Instrument	5/9/97	3

As pronounced on June 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.

Counts 1 & 2 of the 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 11 day of June, 1999.


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

Defendant's Soc. Sec. No.: 448-52-8072
Defendant's Date of Birth: 1/3/50
Defendant's USM No.: 08357-062
Defendant's Residence and Mailing Address: 320 North West Mercedes, Barlesville OK 74003

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1990)

FILED

Case Number: 98-CR-163-001-K

JUN 14 1999

William John Patterson
Defendant's Attorney

Phil Lombardi, Clerk
U.S. DISTRICT COURT

ENTERED ON DOCKET
DATE 6-14-99

PROBATION

The Defendant is hereby placed on probation for a term of two (2) 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 four (4) months, to commence within 72 hours of sentencing date. During this time, the defendant shall remain at place of residence except for employment and other activities approved in advance by the probation office. The defendant shall maintain a telephone at place of residence without any special services, modems, answering machines, or cordless telephones for the above period. The defendant shall wear an electronic device and shall observe the rules specified by the Probation Office. The entire cost of this program shall be paid by the defendant.
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. The defendant shall be prohibited from engaging in any employment which would give her access to bank accounts, securities, or other negotiable assets of any individual, business, or other entity.

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

\$1,000.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$100 for Count 3 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 \$1,000 for Count 3 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. 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:	9	
Criminal History Category:	1	
Imprisonment Range:	4 to 10 months	Count 3
Supervised Release Range:	2 to 3 years	Count 3
Fine Range:	\$1,000 to \$10,000	Count 3

Total amount of Restitution: \$ Not Applicable

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.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

DATE 6-9-99

UNITED STATES OF AMERICA

v.

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

Case Number: 98-CR-159-001-K ✓

Fidencio Homero Martinez

Cynthia Barbare
Defendant's Attorney

FILED

JUN 08 1999 *es*

Phil Lombardi, Clerk
U.S. DISTRICT COURT

THE DEFENDANT:

Pleaded guilty to Count 1 of the indictment on February 8, 1999.

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 841(a)(1)	Possession With Intent to Distribute a Controlled Substance	10/22/98	1

As pronounced on June 2, 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 7 day of June, 1999.

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

Defendant's Soc. Sec. No.: 456-57-9958
Defendant's Date of Birth: 01/23/68
Defendant's USM No.: 08341-062
Defendant's Residence and Mailing Address: 1023 N. Madison, Dallas TX 75208

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 47 months.

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

That the defendant be placed in a Bureau of Prisons' facility that provides the 500 hour Comprehensive Substance Abuse Treatment Program.

The defendant shall surrender to the United States Marshal for this District:

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.
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. Keeping in mind the standard mandatory drug testing condition, it is recommended that the defendant be placed in the most intensive treatment (to include inpatient, if necessary) for drug and alcohol abuse, as directed by the Probation Officer, until such time as released from the program by the Probation Officer.

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

\$4,000.00

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 \$4,000 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. 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:	23	
Criminal History Category:	I	
Imprisonment Range:	46 to 57 months	Count 1
Supervised Release Range:	4 years	Count 1
Fine Range:	\$10,000 to \$2,000,000	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 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 6-9-99

UNITED STATES OF AMERICA

V.

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

Case Number: 98-CR-165-002-K

Billy Greene

Paul Brunton
Defendant's Attorney

FILED

JUN 08 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

THE DEFENDANT:

Pleaded guilty to Count 6 of the Indictment on February 11, 1999.

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 6928 (d)(2)(A)	Unlawful Disposal of Hazardous Waste Without a Permit and Causing a Criminal Act	4/13/98	6

As pronounced on June 1, 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.

Counts 1 & 7 of the 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 7 day of June, 1999.


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

Defendant's Soc. Sec. No.: 443-74-3724

Defendant's Date of Birth: 11/21/62

Defendant's USM No.: 08358-062

Defendant's Residence and Mailing Address: PO Box 7, Oilton OK 74052

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	\$0.00	\$7,500.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$100 for Count 6 of the Indictment, which shall be due immediately.

FINE

The defendant shall pay a fine of \$7,500 for Count 6 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. 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:	13	
Criminal History Category:	1	
Imprisonment Range:	12 to 18 months	Count 6
Supervised Release Range:	2 to 3 years	Count 6
Fine Range:	\$3,000 to \$30,000	Count 6

Total amount of Restitution: \$. Unknown

Restitution is applicable in this case, however, full amount has not been determined and the co-defendant in this case has agreed to a Consent Order to pay the victims the full amount of the remediation costs associated with the cleanup of the contaminated sites in this offense.

The sentence departs from the guideline range for the following specific reasons:

The Court granted a downward departure based on three factors. First, the defendant's participation was in large part the result of negligent conduct. There is no evidence he was knowledgeable of the applicable regulations pertaining to the disposal of the hazardous wastes involved in this offense or that it was reasonable that he should have known of the applicable regulations. He had no significant financial interest in the unlawful disposal of the hazardous wastes and his actions were motivated in large part by his desire to simply burn a brush pile on his property. In fact, this offense created substantial harm to the defendant by the damage that was done to his property. Considering his lack of knowledge about the substances involved and his general lack of knowledge concerning the applicable regulations for the handling of the hazardous wastes, his conduct could be categorized as negligent. A two-level departure under provisions of USSG §2Q1.2, comment. (n.4) is appropriate.

A further two-level downward departure is appropriate under the provisions of USSG §2Q1.2, comment. (n.5). There are obviously varying degrees of contamination that could occur from an unlawful discharge of hazardous wastes. Application Note 5 considers the wide ranges and types of discharges covered by the general provisions of USSG §2Q1.2. The guideline does not specifically address the degree of contamination but suggests the sentencing court consider a departure, upward or downward, to address greater or lesser degrees of the environmental contamination. Not to diminish the seriousness of the offense, it must be compared to other types of possible and conceivable discharges of hazardous wastes. This offense is not of the nature involving a discharge of nuclear material in an urban area or a large scale contamination of food products or a public water supply. On a broad scale covering similar types of offenses, but considering all degrees of contamination, from the least to the most, this offense is on the lower end of the scale.

Another one-level downward departure is warranted under the provisions of Application Note 8. Although this offense involved a violation of a permit, Greene's failure to obtain an EPA or ODEQ permit to discharge the spent solvent and waste paint, the nature and quantity of the substance involved and the risk associated with the offense are less than many conceivable similar types of offenses. In addition, this offense was a single event and not a lengthy series of unpermitted discharges.

With a departure of five levels, Greene's offense level is 8. Combined with his Criminal History Category I, the applicable range of 0 to 6 months places him in Zone A of the Sentencing Table. This makes him eligible for probation.

BJS

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA

V.

Juan Coronado-Lopez

THE DEFENDANT:

Pleaded guilty to Count 1 of the Indictment on February 26, 1999.

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>
8 USC 1326(a) & (b)(2)	Re-entry of a Deported Alien	8/28/98	1

As pronounced on June 2, 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 4th day of JUNE, 1999.


The Honorable Michael Burrage
U.S. District Court Judge

Defendant's Soc. Sec. No.: 585-57-8299
Defendant's Date of Birth: 08/23/73
Defendant's USM No.: 08398-062
Defendant's Residence and Mailing Address: 2888 E. 48th Street North, Tulsa OK 74110

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

Case Number: 99 CR-002-001-BU

Cindy Hodges Cunningham
Defendant's Attorney

FILED

JUN 8 - 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

ENTERED ON DOCKET

DATE 6-8-99

Defendant: Juan Coronado-Lopez
Case Number: 98-CR-002-001-BU

99

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 21 months as to Count 1; said term shall run consecutively to Tulsa County Court Case #CF 98-4241.

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

99

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. As a condition of supervised release, upon completion of your term of imprisonment, you are to be surrendered to a duly-authorized immigration official for deportation proceedings in accordance with the established procedures provided by the Immigration and Naturalization Act, 8 USC §§ 1101-1524. It is a further condition of supervised release, if ordered deported, you shall remain outside the United States until termination of the term of supervised release. Should the defendant serve any portion of supervised release within the United States, the special conditions listed are ordered.

99

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. 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.

99

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:	V	
Imprisonment Range:	21 to 27 months	Count 1
Supervised Release Range:	2 to 3 years	Count 1
Fine Range:	\$2,000 to \$20,000	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 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

v.

James Dennis Boysel

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

FILED

Case Number 98-CR-167-001-BU

JUN 8 - 1999

Jack Schisler
Defendant's Attorney

Phil Lombardi, Clerk
U.S. DISTRICT COURT

THE DEFENDANT:

Pleaded guilty to Count 1 of the Indictment on January 29, 1999.

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

ENTERED ON DOCKET
DATE 6-8-99

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count</u>
18 USC 922(g)(1)	Possession of a Firearm and Ammunition After Former Conviction of a Felony	7/7/98	1

As pronounced on June 2, 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 8th day of JUNE, 1999.


The Honorable Michael Burrage
U.S. District Court Judge

Defendant's Soc. Sec. No.: 442-80-1478

Defendant's Date of Birth: 08/22/67

Defendant's USM No.: 08363-062

Defendant's Residence and Mailing Address: 2206 S. 130th East Avenue, Tulsa OK 74134

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 98 months.

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

That the defendant be designated to a Bureau of Prisons' facility which provides the 500-Hour Comprehensive Substance Abuse Treatment Program.

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

\$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. 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 guideline application in the presentence report except:

Paragraphs 18 and 20. The Court finds that no enhancement applies for obstruction of justice, and gives the defendant a 3-level reduction for acceptance of responsibility.

Guideline Range Determined by the Court:

Total Offense Level:	22	
Criminal History Category:	VI	
Imprisonment Range:	84 to 105 months	Count 1
Supervised Release Range:	2 to 3 years	Count 1
Fine Range:	\$7,500 to \$75,000	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 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

V.

Justin Sean O'Neal

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

Case Number 98-CR-098-001-BU

FILED

Jack Schisler
Defendant's Attorney

JUN 8 - 1999 *rum*

Phil Lombardi, Clerk
U.S. DISTRICT COURT

THE DEFENDANT:

Pleaded guilty to Count 1 of the Indictment on January 19, 1999.

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

ENTERED ON DOCKET
DATE 6-8-99

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count</u>
18 USC 1344(1)	Bank Fraud	4/22/97	1

As pronounced on June 2, 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.

Counts 2-25 of the 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 3rd day of JUNE, 1999.

Michael Burrage
The Honorable Michael Burrage
U.S. District Court Judge

Defendant's Soc. Sec. No.: 448-90-9765

Defendant's Date of Birth: 8/12/74

Defendant's USM No.: 08344-062

Defendant's Residence and Mailing Address: 6221 East King Avenue, Tulsa OK 74115

IMPRISONMENT

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

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

That the defendant be designated to the Intensive Confinement Center Program at Lompoc, California, on July 19, 1999. If the Bureau of Prisons' finds he is not eligible for the program, the defendant will report to the designated facility on July 19, 1999.

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

Before noon on July 19, 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	RESTITUTION	FINE
\$100.00	\$30,493.49	\$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 \$30,493.49.

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>
F & M Bank & Trust Company, Attn: Alesa Tyler for Quarks Group	PO Box 4500	Tulsa OK 74159	\$9,693.49
Nations Bank, Attn: Leslie Edison	5950 East Admiral Place	Tulsa OK 74115	\$20,800

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. 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 guideline application in the presentence report except:

For the four point enhancement for leader/organizer

Guideline Range Determined by the Court:

Total Offense Level:	12	
Criminal History Category:	I	
Imprisonment Range:	10 to 16 months	Count 1
Supervised Release Range:	3 to 5 years	Count 1
Fine Range:	\$3,000 to \$1,00,000	Count 1

Total amount of Restitution: \$30,493.49.

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

V.

Rodney Eugene Ellis a/k/a
Rodney Eugene Dick

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 99-CR-038-001-BU

Cindy Hodges Cunningham
Defendant's Attorney

FILED

JUN 8 - 1999

Phil Lombardi, Clerk
U.S. DISTRICT COURT

THE DEFENDANT:

Pleaded guilty to Count 1 of the Information on April 6, 1999.

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

ENTERED ON DOCKET

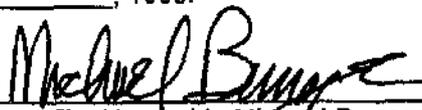
DATE 6-8-99

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count</u>
18 USC 2113(a) & (b) & 2	Bank Robbery & Aiding and Abetting	3/25/99	1

As pronounced on June 2, 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 4th day of JUNE, 1999.



The Honorable Michael Burrage
U.S. District Court Judge

Defendant's Soc. Sec. No.: 447-78-8504

Defendant's Date of Birth: 04-07-80

Defendant's USM No.: 08444-062

Defendant's Residence and Mailing Address: 1024 Faulkner, Claremore OK 74017

IMPRISONMENT

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

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

That the defendant be designated to a Bureau of Prisons' facility where he can receive the 500 hour Comprehensive Substance Abuse Treatment Program during his period of incarceration.

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

RETURN

I have executed this Judgment as follows:

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

United States Marshal

By: _____

Deputy Marshal

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. The defendant shall successfully complete the one-year residential treatment program of the Brush Creek Ranch, Jay, Oklahoma, which shall commence upon release from custody, as directed by the United States Probation Office

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

\$10.00

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 Information, which shall be due immediately.

RESTITUTION

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

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>
Rogers County Bank, Attn: Dusty L. Mangrum	1600 South Lynn Riggs Blvd.	Claremore, OK 74017	\$10

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. 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:	22	
Criminal History Category:	I	
Imprisonment Range:	41 to 51 months	Count 1
Supervised Release Range:	3 to 5 years	Count 1
Fine Range:	\$7,500 to \$75,000	Count 1

Total amount of Restitution: \$10.

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 specific reasons:

The Court recommends that a downward departure of four levels is warranted in this case, which would result in an offense level of 18, with a custody range of 27 to 33 months. This departure is made pursuant to USSG §5K2.0, based on the following: a combination of factors exists with respect to the defendant's age, lack of maturity, and abuse of alcohol since childhood, which combine to constitute extraordinary personal circumstances. Finally, the defendant faces a higher likelihood of abuse and victimization in prison than most defendants, based on his youthfulness and lack of maturity.

BJT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

ENTERED ON DOCKET
DATE 6/1/99

UNITED STATES OF AMERICA

V.

Mark DeWayne Johnson

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

Case Number: 98-CR-174-002-H ✓

Jack Schisler
Defendant's Attorney

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

THE DEFENDANT:

Pleaded guilty to Counts 1-5 of the Indictment on February 12, 1999.

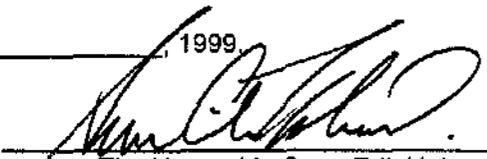
Accordingly, the defendant is adjudged guilty of such counts, involving the following offenses:

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Counts</u>
21 USC 846	Conspiracy to Distribute Cocaine Base in Excess of 50 Grams	12/4/98	1
21 USC 841(a)(1) & (b)(a)(A)(iii) and 18 USC 2	Distribution of Controlled Substances and Aiding and Abetting	10/27/98	2
21 USC 841(a)(1) and 18 USC 2	Distribution of Controlled Substances and Aiding and Abetting	11/6/98	3
21 USC 841(a)(1) and 18 USC 2	Distribution of Controlled Substances and Aiding and Abetting	11/8/98	4
21 USC 841(a)(1) and 18 USC 2	Distribution of Controlled Substances and Aiding and Abetting	11/24/98	5

As pronounced on May 14, 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 26TH day of MAY, 1999.


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

Defendant's Soc. Sec. No.: 440-72-1825
Defendant's Date of Birth: 8-29-68
Defendant's USM No.: 08375-062
Defendant's Residence and Mailing Address: 252 E. Ute Place, Tulsa OK 74106

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 164 months, as to each count, all counts to run concurrently, each with the other.

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

RETURN

I have executed this Judgment as follows:

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

United States Marshal

By: _____
Deputy Marshal

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of five (5) years, as to each count, all counts to run concurrently, each with the other.

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

1. The defendant shall report in person to the Probation Office in the district to which the defendant is released 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
\$500.00	\$0.00	\$0.00

ASSESSMENT

It is ordered that the defendant shall pay to the United States a special assessment of \$500 for Counts 1-5 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. 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:	31	
Criminal History Category:	IV	
Imprisonment Range:	151 to 188 months	Counts 1-5
Supervised Release Range:	5 years	Counts 1-5
Fine Range:	\$15,000 to \$150,000	Counts 1-5

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 exceeds 24 months, and the Court imposes in the middle of the guideline range for the following reason:

The defendant's criminal past includes multiple convictions for drug-related offenses.

RJS