69 - CR - 107

CRIMINAL DOCKET
UNITED STATES DISTRICT COURT

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES *vs.* Carl Lee Cooper	*For U. S.:* Hubert H. Bryant Asst. U. S. Atty. *For Defendant:* S. Frank ~~James~~ Jones(Ct.Apt P. O. Box 300 Tulsa, Okla. 74101

STATISTICAL RECORD	COSTS			DATE	NAME OR RECEIPT NO.	REC.		DISB.	
J.S. 2 mailed 10-1-69	Clerk								
J.S. 3 mailed 1-2-70	Marshal								
Violation Firearms	Docket fee								
Title 18									
Sec. 922(a)(6) and 924(a)									

DATE	PROCEEDINGS
9-4-69	Record vote of the grand jury filed in open court. b
9-4-69	Indictment, filed in open court. b
9-4-69	Personal appearnace bond of the defendant in the sum of $1,500.00 by deposition 10% cash, filed. b
9-4-69	Order specifying methods and condition of release, filed. b
9-23-69	Defendant present in person and represented. Defendant arraigned, enters plea of NG waives reading of Indictment and request jury. Case set for Jury Trial on Monday, October 20, 1969 at 9:30 A.M., and defendant granted 10 days in which to file motions.(AEB-J)h
10-17-69	Deft's motion to dismiss, filed. m
10-20-69	Defendant present in person and represented. The government represented. It is ordered by the court that motion of the defendant to dismiss is sustained and case is dismissed. Government to prepare proper order.(Allen E. Barrow-Judge)h
10-24-69	Return on subpoenas to testify, filed. Served one witness. Return on subpoenas duces tecum, filed. Two witnesses served. One returned unserved. ds
12-22-69	Order that indictment is hereby dismissed, filed and entered. (AEB-J)m (copies mailed)

DATE	PROCEEDINGS

A.O. 100
(Rev. 1-59)

69-CR-107

UNITED STATES COMMISSIONER

NORTHERN DISTRICT OF OKLAHOMA

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Benjamin B. Ballenger (Name of commissioner) 411 U. S. Court House, Tulsa, Okla. (Address)

COMMISSIONER'S DOCKET NO. 1 CASE NO. 491
THE UNITED STATES
vs.
Carl Lee Cooper
(30)

Complaint filed on April 30, 1969, by Nolan E. Douglas
Official title Spec. Inv. A.T.&F., charging violation of United States Code, Title 18, Section 922(a)(6), on February 5, 1969, at Tulsa in the division of the Northern district of Oklahoma as follows: knowingly make false statement in connection with the acquisition of a firearm from a licensed dealer from that he purchased a .38 caliber Omega revolver, Serial Number 59419, after a prior felony conviction.
(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:
Date April 30, 1969 Warrant/Summons for Carl Lee Cooper (Name of defendant)
to (name and title of officer) the United States Marshal or any other authorized officer:
Substance of return Carl Lee Cooper arrested on May 2, 1969 by O'Neil L. Cobb, Deputy United States Marshal
Date Warrant/Summons for (Name of defendant)
to (name and title of officer)
Substance of return

FILED
17125
MAY - 9 1969
M. M. EWING, CLERK
U. S. DISTRICT COURT

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:
Date May 2, 1969 Arrested by O'Neil L. Cobb Deputy U. S. Marshal on warrant of Ballenger (Name of issuing officer) / without warrant.

Appearances
for United States (Name) (Address)
for accused (Name) (Address)

Proceedings taken May 3, 1969 (defendant arrested about 9:30 P.M., May 2, 1969)
(Here insert with dates, when appropriate, a seriatim account of essential steps taken at hearing such as "complaint prepared," if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived," if that is the fact; any adjournments taken, etc.

Defendant present in person, not represented by counsel, advised as to his right to the assistance of counsel, and that their was a charge against him. Defendant requested court appointed counsel for hearing, affidavit signed. S. Frank Jones appointed to represent the defendant. Bond fixed at $2,500.00. May 5, 1969. Defendant present in person and represented by Court Appointed Counsel, advised as to the charge and as to preliminary hearing. Preliminary Hearing requested and it is set for May 9, 1969 at 9:00 A. M. Bond reduced to $1,500.00, 10% Cash. Defendant failed to make bond and he was committed to custody of U. S. Marshal to be held for preliminary hearing.

May 7, 1969 Defendant released on $1,500.00, 10% cash, Bond.

Outcome Held for preliminary hearing. Committed to custody U.S. Marshal.

Bail fixed May 5th, 1969 Amount, $1,500.00/10% cash Bonded May 7th, 1969, by cash deposited by (name) Carl Lee Cooper, $150.00 Address 4013 West 55th Place, Tulsa, Ok transmitted to clerk of district court $150.00 May 7th, 1969 [or] by surety (name) Address (name) Address, who justified by affidavit dated, 19, [or] committed to custody U.S. Marshal on May 3rd, 1969

SUBPOENAS FOR WITNESSES ISSUED:

....., 19....., for (name of witness).....
at request of (name of party).....
Substance of return.....

....., 19....., for (name of witness).....
at request of (name of party).....
Substance of return.....

....., 19....., for (name of witness).....
at request of (name of party).....
Substance of return.....

PRELIMINARY EXAMINATION:
(Not to be used if case was disposed of at first presentation)

Date May 9th, 1969 Appearances for

United States (Name) Hubert H. Bryant, Asst.
(Address) U. S. Attorney
Accused (Name) S. Frank James
(Address) % Cities Service Oil Co.

WITNESSES FOR UNITED STATES: (List names and addresses)
James Cahill, Spec. Inv., A.T.& F.
Div. Treas. Dept.

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing.....names certified to United States Marshal for payment....., 19.....
Proceedings taken

Defendant, Carl Lee Cooper, present and represented by S. Frank James; government represented by Hubert H. Bryant, government's witness - James Cahill, Special Agent of AaT.& F., Div. of Treas. Dept., sworn and testified. Defendant advised as to his right to testify and declines. Commissioner finds that there is probable cause to believe that the offense charged has been committed and that he has committed it. Defendant held for Court Action and released on his present bond with same restrictions.

Outcome Held for Court Action
Bail fixed May 7th, 1969 Amount, $ 1,500.00 Bonded May 7th, 1969, by cash
deposited by (name) Carl Lee Cooper, 10% Address 4013 W. 55th Pl., Tulsa, Okla
transmitted to clerk of district court for Northern Dist. of Okla. May 7th, 1969
[or] by surety (names)..... Address.....
and..... Address.....
who justified by affidavit....., 19..... Committed to.....
on....., 19.....
Certified to be a correct transcript.
Made this 9th day of May, 19 69
Transmitted to Clerk of United States District Court for the Northern
district of Oklahoma, May 9th, 19 69

Benjamin B. Ballenger
Benjamin B. Ballenger United States Commissioner.