

-BARROW
DAUGHERTY

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS					
BUFORD BRUNER, JR. VS UNITED STATES OF AMERICA		For plaintiff: Buford Bruner, Jr. 17847 P. O. Box 1000 Leavenworth, Kansas 66048 Gomer A. Evans, Jr. (Ct. Appt) Room 1910 - Fourth Nat'l Bk Bldg. Tulsa, Oklahoma 74119 (585-8181) For defendant: Hubert H. Bryant					
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.		
J.S. 5 mailed 6-1-72	Clerk						
J.S. 6 mailed 10-1-72	Marshal						
Basis of Action: Motion pursuant to 28 USC 2255	Docket fee						
	Witness fees						
Action arose at:	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
5-17-72	Application to proceed in forma pauperis, filed. ds (copy to U.S. Atty)	
5-17-72	Case transferred from Judge Barrow to Judge Daugherty, pursuant to Rule 29(f) of local rules of court. (JHP-Clerk by br)r	
5-17-72	Order allowing petitioner to proceed in forma pauperis, filed. (part of application)(FD-J)r	
5-17-72	Motion pursuant to 28 USC 2255, filed. r	
5-23-72	Copy of letter dated 5-23-72 from J.D. to U.S. Atty, stating it is desired that the U.S. respond to said motion 28 USCA 2255 with brief and any supporting documents it may wish to present in connection therewith and do so within 20 days (6-12), filed. r	
6-7-72	Response of govt. to motion pursuant to 28 USC 2255, filed. hm <i>mailed w/ file</i>	
6-15-72	Petitioner's traverse to the show cause response, filed. r (copy to U.S. Atty)	
6-16-72	Order, filed. Petitioner is ordered to file with clerk, a sworn statement regarding his being influenced w/narcotics at trial within 30 days (7-16-72). (FD-J)r (2 copies to institution officials at prison; 1 copy to petitioner & 1 copy to U.S. Atty)	
6-21-72	Receipt acknowledging that Buford Bruner, Jr. received order of 6-16-72, filed. r	
7-18-72	Pltf's sworn affidavit & statement, filed. (copy to U.S. Atty) <i>to FD w/ file</i>	
7-26-72	Order, filed, directing respondent to prepare an appl. for a writ of H/O ad testificandum and submit to the Court within 10 days (8-5-72). (FD-J)r (copies mailed)	
8-7-72	Petition for writ of H/C ad testificandum, filed by govt. r <i>copy to FD w/ order</i>	
8-8-72	Order granting writ of H/C ad testificandum. Ordered that Bruner be here on 8-22-72 to testify, filed. (FD-J)r	
8-8-72	Writ of H/C ad testificandum, issued. r	
8-22-72	Case called for hearing on writ. Petitioner present & not represented; govt. represented. Petitioner requests appointment of counsel & Court directs Petitioner to file affidavit in forma pauperis & Court will then make a ruling. Case to be set for hearing. Court allows no bail and Petitioner remanded to custody of U.S. Marshal. (FD-J)hm	
8-22-72	XX	
8-25-72	Case set for hearing on motion pursuant to 28 USC 2255 9-19-72 at 1:30 p.m. (FD-J)hm	
8-29-72	Financial Affidavit of Bruner, filed. r	
8-29-72	Application for Court-Appt Counsel by Bruner, filed. r	
8-29-72	MINUTE ORDER: Ordered by Court that Gomer Evans, Jr. is the Appointed Counsel for the Petitioner in this case. (FD-J)r (Notified Evans and Petitioner by letter)	
9-15-72	Appl for Order to issue subpoenas, filed by petitioner's atty., filed. r <i>submit w/ order</i>	
9-19-72	Order filed. Mot. for Production of Transcript is denied; Mot of Petitioner to act as co-counsel is denied; Court denys the request to issue subpoena on witness that resides in Leavenworth, Kansas. Court grants Petitioner's request to issue subpoenas on persons living in Tulsa, Okla., filed. (FD-J)r	

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-19-72	Petitioner's Motion for Production of Transcripts, filed. r	
9-19-72	Petitioners Motion to assist as co-counsel, filed. r	
9-19-72	Order filed. Mot. for Production of Transcript is denied; Mot of Petitioner to act as co-counsel is denied; Court denys the request to issue subpoena on witness that resides in Leavenworth, Kansas. Court grants Petitioner's Request to issue subpoenas on persons living in Tulsa area, filed. (FD-J)r.	
9-19-72	Hearing held on Motion pursuant to 28 U.S.C. 2255. Petitioner present and rep by Gomer Evans, Je.; U.S.A. rep by Hubert Bryant. Petitioner's request for continuane is denied by Court. Court makes F/F and conclusions in this case. Petitioner's Motion 2255 is dismissed. (FD-J)r	
9-21-72	Order filed, that 2255 Motion is dismissed, filed and entered. (FD-J)r	
9-21-72	Subpoenae, ret. & filed: served Waldo E. Jones, Sr., Buford Bruner, Sr., Hubert H. Bryant, at Tulsa, 9-13-72; Dr. Pizzaro, Leavenworth, Ks., 9-14-72. (USM \$18.36)g	
9-25-72	Marshal's return of servc e of writ of HC ad tesificandum, filed.rm(
12-1-72	Marshal's return of service of writ of HC ad testificandum, filed. rm	

DATE	PROCEEDINGS	Date Order or Judgment Noted