

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES vs. JAMES DURANT, JR.	For U. S.: Ben F. Baker For Defendant: Edwin Ash (Ret.) 587-9318 McCulloch Bldg. P. O. Box 727 Okmulgee, Okla. Bencile Williams 2624 E. 21st St. Tulsa

Deft: 584-2170
1519 North Cheyenne
Tulsa 74106
(918-584-2170)

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 5-1-75.	Clerk				
J.S. 3 mailed 7-1-75	Marshal				
Violation Postal; Counter- feiting & Forgery Title 18	Docket fee				
Sec. 495 & 1708					
495: \$1,000 &/or 10 yrs. 1708: \$2,000 &/or 5 yrs. 6 Counts					

CTS.
456
Dismissed
6-2-75.

DATE	PROCEEDINGS
4-15-75	Indictment, filed in open court. hm
4-15-75	Record vote of the Grand Jury, filed in open court. hm
4-15-75	Appearance bond of the deft. in the amt. of \$5,000 (personal), filed. hm
4-15-75	Order specifying methods and conditions of release, filed. hm
4-16-75	MO: Case set for arraignment 4-29-75 at 10:00 a.m. (HDC-J)hm
4-17-75	Magistrate papers added to file. y
4-29-75	Petition for Writ of Habeas Corpus Ad Prosequendum, filed. jj
4-29-75	Order granting writ of H/C ad prosequendum, filed. (HDC-J)hm
4-29-75	Writ issued. jj
4-29-75	Case called for arraignment. Deft. present and represented by Bencile Williams, appearing for arraignment only; govt. represented. Deft. acknowledges receipt of indictment, advised of charge, arraigned and enters a plea of NOT GUILTY as to Cts. 1,2,3,4,5&6. Deft. given 10 days to file motions; govt. 5 days thereafter to respond, and case set for jury trial June 2, 1975, at 10:00 a.m. Deft. allowed to stand on \$5,000 OR bond. (HDC-J)hm
5-5-75	Marshal's return on WHCAP, filed. Served Sheriff of Tulsa Co., took custody of def., delivered him to USDC & return to Tulsa Co. on 4/29/75.

DATE	PROCEEDINGS
5-28-75	Petition for writ of H/C ad prosequendum, filed. hm
5-29-75	Order granting writ of H/C ad prosequendum, filed. (HDC-J)hm
5-29-75	Writ issued. hm
6-2-75	Case called for jury trial. Deft. present and represented; govt. represented. Deft. withdraws plea of not guilty on Cts. 1,2&3 and enters plea of GUILTY as to Cts. 1,2&3. Jury waiver signed and filed in open court. Indictment read. Deft. adjudged GUILTY as to Cts. 1,2 & 3. Upon govt's motion, Cts. 4,5&6 are dismissed. Order for dismissal of Cts. 4,5&6 signed and filed in open court. Sentence set 6-5-75 at 1:30 p.m. (HDC-J)hm
6-2-75	Order for dismissal as to Cts. 4,5&6, filed and entered. (HDC-J)hm
6-2-75	Ordered that sentence is continued to 6-18-75 at 1:30 p.m. (HDC-J)hm
6-18-75	Writ/HCAP, ret. & filed: deft. on bond and appeared in court on 6-2-75. g
6-18-75	Case called for sentence. Deft. present and represented; govt. represented. Deft. & counsel asked if they care to say anything before sentence is pronounced.
	Judgment and Sentence - JAMES DURANT, JR. (Age 24)
	Count One - Atty. Gen. - Two and one-half (2½) Years
	Count Two - Atty. Gen. - Two and one-half (2½) Years
	Count Three - Atty. Gen. - Two and one-half (2½) Years
	IT IS ADJUDGED that the sentence imposed in Counts 2 & 3 shall run concurrently with the sentence in Count One.
	Deft. remanded to custody of the U.S. Marshal. (HDC-J)hm
6-18-75	Judgment and Commitment order, filed and entered. (HDC-J)hm
6-18-75	Two c/c of J&C delivered to U.S. Marshal. hm
7-18-75	Applic. for withdrawal as atty. of record, filed. hm
7-29-75	J&C, ret. & filed: deft. James Durant, Jr. delivered to Fed. Reformatory, El Reno, Ok. on 7-7-75. g

UNITED STATES MAGISTRATE

NORTHERN DISTRICT OF OKLAHOMA

RECORD OF PROCEEDINGS IN CRIMINAL CASES

75-CR-42

BEFORE Claudine S. Barnes U. S. Courthouse, Tulsa, Oklahoma
(Name of magistrate) (Address)

MAGISTRATE'S
DOCKET NO. 75 CASE No. 28M
THE UNITED STATES
vs.
JAMES DURANT, JR.

Complaint filed on Feb. 21, 1975, by Donald R. Leonard
Official title Special Agent, U.S.S.S., charging violation of
United States Code, Title 18, Section 1708 & 1709, on Nov. 1
1973, at Tulsa, Okla. in the
division of the Northern district of Oklahoma
as follows: Did unlawfully have in his possession
stolen checks; and did falsely make and forge
endorsements thereon

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date Feb. 21, 1975 Warrant/Summons for James Durant, Jr.
to (name and title of officer) U. S. Marshals Service or any authorized officer (Name of defendant)
Substance of return

Date Warrant/Summons for
to (name and title of officer)
Substance of return

FILED

APR 17 1975

Jack C. Silver, Clerk

U.S. DISTRICT COURT

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO MAGISTRATE:

Date April 3, 1975 Arrested by { on warrant of Claudine S. Barnes
(Name of issuing officer)
without warrant.
Appearances { for United States Ben F. Baker (Name) Tulsa, Oklahoma (Address)
for accused None (Name) (Address)

Proceedings taken Defendant appeared before the undersigned Magistrate and was advised of his right to counsel. Defendant waived counsel for this hearing and if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived," stated he would attempt to retain counsel to represent him at all future proceedings. Defendant was informed of the charges filed against him as contained in Complaint, of his right to bail and right to a preliminary hearing. Bail was set at \$5,000 personal and one of the conditions of the release was that he be placed in the custody of his mother, Versie Durant. Preliminary hearing was set for April 21, 1975 at 2 P.M.

Outcome Defendant released upon execution of personal bond

Bail fixed April 3, 1975 Amount, \$ 5,000.00 Bonded April 3, 1975, by cash deposited by (name) Address transmitted to clerk of district court [or] by surety (name) Address (name) Address, who justified by affidavit dated , 19 , [or] committed to on , 19

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 _____ Appearances for _____

United States (Name) _____
 (Address) _____
 Accused (Name) _____
 (Address) _____

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

_____, _____
 _____, _____
 _____, _____
 _____, _____

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

INDICTED BY GRAND JURY ON APRIL 15, 1975.

Outcome _____
 Bail fixed _____, 19 ____ Amount, \$ _____ Bonded _____, 19 ____, by cash
 deposited by (name) _____ Address _____
 transmitted to clerk of district court _____, 19 ____
 [or] by surety (names) _____ Address _____
 and _____ Address _____
 who justified by affidavit _____, 19 ____ Committed to _____
 on _____, 19 ____

Certified to be a correct transcript.

Made this 16th day of April, 19 75

Transmitted to Clerk of United States District Court for the _____ Northern
 district of Oklahoma, April 16, 1975

Claudio S. Barnes

United States Magistrate.