

III. MAGISTRATE

IV.
MAGISTRATE
& DISTRICT
COURT
DOCKET
ENTRIES

OPPOSITE THE APPLICABLE DOCKET ENTRIES IN SECTION IV SHOW, IN SECTION V, ANY OCCURRENCE OF EXCLUDABLE DELAY PER 18 USC §3161(h) – “SPEEDY TRIAL ACT”.

DATE	IV. PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
	4-19-76 at 12:00 noon. (HDC-J)hm				
4-16-76	Magistrate's information sheet, waiver of counsel and financial affidavit, filed. hm				
4-19	before Judge Cook. Case called for arraignment and plea. Deft. present and represented; govt. represented. Paul McTighe allowed to represent deft. at arraignment only, in place of Mr. Anderson. Deft. acknowledges receipt of indictment, arraigned and enters a plea of NOT GUILTY. Deft. given 10 days to file motions; govt. 5 days thereafter to respond. Case to be set for jury trial before Judge Barrow. Deft. remanded to custody of U.S. Marshal. (HDC-J)hm				
4-19	MO: Case set for Jury trial on 5-24-76, at 10:00 A.M. (AEB-J)b nts mld w/affid.				
4-21	Report of proceedings under R. 40, & order entered thereon, fld. Order executed by delivering Deft. Leach to Tulsa Co. Jail from Dallas Co. Jail on 4-16-76. v				
4-23	Return on Writ of HCAP, fld. Returned unexecuted, Deft. in Dallas County Jail. v				
4-23	Return on Warrant of Arrest of Deft., fld. Executed by arresting deft. on 4-13-76. v				
4-29	Motion for Review of Conditions of Release, filed. t o J				
4-29	Brief in Support of Deft's Mot. for Review of Conds. of Release, filed. t cps to Dene				
5-4	Case set for hearing on Deft's motion for review of conditions of release on 5-11-76, at 10:00 A.M. (AEB-J)b nts mld				
5-7	MO: Case stricken from docket of 5-11-76, to be re-set (AEB-J)b nts by phone				
5-14	MO: Case set for hearing on Deft's motion for review of conditions of release on 5-18-76, at 10:00 A.M. (AEB-J)b nts mld				
5-17	Deft's application for issuance of subpoena & Order to pay fees of witness at Govt. expense, filed. b O to J				
5-18	Case called for hearing Deft's motion for review of conditions of release, & on Deft's applic. for issuance of subpoena & Order to pay fees of witness at Govt's expense. Deft. present & represented. Govt. represented. Ct. allows release on \$1,500 10% bond. Deft. advised of right to ex parte hearing on applic. for issuance of subpoena. Deft. has no obj. to Govt. being present. Govt. advises they have also subpoenaed witness in question. Govt. requests case be passed to next jury dkt. because of lack in finding witnesses. Deft. Co. agrees. Deft. allowed to subpoena witness at expense of Govt. (AEB-J)b				
5-19	Order, filed, directing issuance of subpoena and payment of deft. witness fees at Government expense. (AEB-J)k cps mld				
5-19	Order For Dismissal of indictment, filed & entered. (AEB-J)b cps mld				
		(a)	(b)	(c)	(d)
	Interval (per Section II)		Start Date End Date	Ltr. Code	Total Days

LETTER CODES

For Identifying
Periods of Exclud-
able Delay Per 18
U.S.C. 3161(h)A. Examination or
hearing for
mental or
physical in-
capacity (18
U.S.C. 4244).B. NARA Exami-
nation (28
U.S.C. 2902).C. State or Federal
trials on other
charges.D. Interlocutory
Appeals.E. Hearings on
pretrial motions.F. Transfers from
other districts
(per F.R.Cr.P.
Rules 20, 21
& 40).G. Defendant Motion
is actually
under advise-
ment. Period of
up to 30 days
is excludable
per
3161(h)(1)(G).H. Miscellaneous
Proceedings:
Probation or
Parole revoca-
tion, Deporta-
tion, Extradition.I. Prosecution de-
ferred by
mutual agree-
ment.M. Unavailability
of defendant
or essential
witness.N. Period of men-
tal or physical
incompetence
of defendant to
stand trial.O. Period of
NARA Com-
mitment or
Treatment.P. Superseding
indictment
and/or new
charges.R. Defendant
awaiting trial
of Co-defen-
dant when no
severance has
been granted.T. Continuances
Granted per
3161(h)(8)
(i.e. ends of
justice or com-
plexity of case
outweighs de-
fendants' in-
terests).U. Time between
guilty plea and
plea with-
drawal.V. Time while
moving prisoner
from state insti-
tutions per
transfer/
detainer pro-
cedure.W. Grand Jury in-
dictment ex-
tended per
3161 (b).Y. Any delay ex-
cluded by court
order for reasons
not included
above.

D. C. 109A

CRIMINAL DOCKET LEACH, JAMES EDWARD

DATE	PROCEEDINGS
5-21-76	Subpoenae, ret. & filed: served Kathy Wallace on 5-14-76; Carla Schoelen Hogan, Carolyn Maxwell, Tommy Howard, Steve Eyfield & Randy Sullivan on 5-17-76; Stan Pullem on 5-19-76; unserved on Carolyn M. Maxwell, Lester Drennen, Jr., Thomas Lawrence Lewis. g
5-21-76	USM service of Order of Dismissal, filed: executed by releasing James Edward Leach from Tulsa County Jail on 5-20-76. g
6-2-76	Subpoenae, ret. & filed: served Mrs. Marvette E. Oliver and Lester Oran Drennan, Jr. on 5-19-76. g

DATE

PROCEEDINGS