UNITED STATES DISTRICT COURT — CRIMINAL DOCKET

Barrow

Felony ☒ Minor Offense ☐ Other Misdemeanor ☐

JUDGE/MAGISTRATE: District 1085, Office 4

Assigned Trial: 8509

Disp./Sentence: 3-16-76

● U. S. vs. THORNBURGH, JOSEPH LYNN (28) (bond) defendant

4426 E. 68th St., Apt. 481
Tulsa 74136 PH: 492-9570

Day 2, Mo. 3, Yr. 76, Docket No. -CR-26, Def. 1

No. of Defdnts 1 *

m-1121

MAGR. CASE NO. 76-16M

I. CHARGES

U. S. CODE SECTION	OFFENSES	COUNTS
18:495	Counterfeiting and forgery ($1,000.00 and/or 10 years)	I
18:1702	Mail theft ($2,000.00 and/or 5 years)	II

Suppl. 12-1-76.

10-21 Deft.Add: 5212 S.Lewis,Apt.1024 Tulsa, Ok 74135 PH:749-3455

Surety: Internat'l Fid. 215 W.5th Tulsa,Ok 74103

ATTORNEYS

U.S. Attorney or Asst.: Ben F. Baker, Ass't.

Defense: X CJA, ☐ Ret, ☐ Waived, ☐ Self, ☐ None, ☐ Other, ☐ PD, ☐ CD
Kenneth L. Stainer, Mayo Building, Tulsa, Okla.
Thos. Moran, 5310 E. 31st, Suite 505, Tulsa, Ok, PH: 664-8390

BAIL ● RELEASE

☐ Denied
☐ Personal Recog.
☐ Unsecured Bond
☐ Conditional Release
AMT Set (000) $ 5
2-18-76 date
☐ 10% Deposit
☐ Surety Bond
☐ Collateral
☐ Bail Not Made
☐ Bail Status Changed (See Docket)
☐ 3rd Party Custody
☐ PSA
X C/S

II. KEY INTERVALS & DATES

1 **ARREST**: 2-17-76 or U.S. Custody Began on Above Charges 2-17-76; ☐ High Risk Defn. & Date Design'd; ☐ Prosecution Deferred

INDICTMENT ☐ / **Information** XX: 3-2-76; Waived ☐; Superseding ☐ Indict/Info ☐

2 **ARRAIGNMENT**: 3-2-76; 1st Plea 3-2-76; Final Plea 3-2-76

3 **TRIAL**: Trial Set For; ☐ Not Guilty, ☐ Nolo, XX Guilty, ☐ Not Guilty, ☐ Nolo, X Guilty; Voir Dire ☐; Trial Began ☐ J ☐ N J; Trial Ended

4 **SENTENCE**: Disposition; Suppl. 12-1-76 3-16-76; X Convicted ☐ On All Charges XX On Lesser* Offense(s); ☐ Acquitted; ☐ Dismissed: ☐ WOP; ☐ WP*; ☐ Nolled/Discontinued*

III. MAGISTRATE

		DATE	INITIAL/No.
Search Warrant	Issued		
	Return		
Summons	Issued		
	Served		
Arrest Warrant		2-13-76	MLB 850a
COMPLAINT		2-13-76	MLB 850a

INITIAL APPEARANCE 2-18-76 INITIAL/No. MLB 850a

PRELIMINARY EXAMINATION OR REMOVAL HEARING: Date Scheduled 2-25-76; Date Held ____; X Waived; ☐ Not Waived; ☐ Intervening Indictment

Tape No. 76-16M INITIAL/No. MLB 850a

OUTCOME: ☐ Dismissed; ☐ Held for District GJ; BOND ☐ Exonerated ☐ To Transferee District; X Held to Answer to U. S. District Court

AT: Tulsa, Oklahoma

Magistrate's Initials ▶ MLB

OFFENSE (In Complaint): Taking a letter containing U. S. Treasury check from an authorized mail depository and forging and uttering said check

* Show last names and suffix numbers of other defendants on same indictment/information

IV. MAGISTRATE & DISTRICT COURT DOCKET ENTRIES

DATE	PROCEEDINGS
1976	
2-18-76	Deft. appeared before MLB, Mag. and was advised of the charges. Bail was set at $5,000 C/S. Preliminary hearing was set for 2-25-76 at 1:30 P.M. Kenneth L. Stainer was appointed to represent deft. Deft. was released on $5,000 surety bond.
2-25	Deft. appeared before MLB, Mag. and by and through counsel waived preliminary hearing and was bound over to U. S. District Court. Deft. arrested eve. of 2-17-76.
2-27	Marshal's return on ser. of warrant of arrest filed ser. Deft. 2-18-76.
3-1	MO: Case set for Arraignment 3-2-76 at 2:00 p.m. (AEB-J)v
3-2	Case called for Arraignment & Plea. Deft. present & rep. Govt. rep. Deft. advised of charge; waives Indictment & waiver is signed & filed in Open Court. Information filed in Open Court, and read. Deft. is arraigned & enters a plea of GUILTY as to Count 2, and is adjudged GUILTY as charged in Count 2. At Govt.'s request, Court dismisses Ct.1. Order for Dismissal as to Count 1, filed in Open Court. Deft. waives jury & waiver is signed & filed in Open Court. Sentence is passed to MARCH 10, 1976, at 10:00 a.m. Deft. to stand on present bond. (AEB-J)v

V. Excludable Delay

(a)	(b)	(c)	(d)

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)
3-9	MO: Case passed for sentencing from 3-10-76, to 3-16-76, at 10:00 A.M.(AEB-J)b amended ntc by cert ml				
3-16	Case called for sentencing. Deft. present & represented. Govt. represented. Deft. & co. asked if they have anything to say before sentence is pronounced. Judgment & Sentence - Joseph Lynn Thornburgh Ct.2-Impos. of sentence is suspended & deft. is placed on probation for period of three (3) years. Condition of probation is that Deft. make resitution to U. S. Treasury in amt. of $338.00, payable to the Ct. Clk. w/in 1 year; not assoc. w/known criminals & avoid criminal activity. Bond exonerated.(AEB-J)b				
3-16	Judgment & Ord. of Probation, filed & entered.(AEB-J)b				
3-16	Two c/c of J & Ord. of Prob. to probation. b				
10-14-76	Application of probation for issuance of bench warrant for defendant Joseph Lynn Thornburgh w/order granting same, filed.s				
10-14-76	Bench warrant issued.s				
10-21	Deft. voluntarily appeared before U.S. Mag. Bradford; waived preliminary hearing before Magistrate; bail was fixed at $5,000 C/S. b				
10-21	Appearance bond in amt. of $5,000 (surety)w/order specifying methods & conditions of release, filed. b				
10-22	Case set for revocation of probation hearing on 11-3-76, at 10:00 A.M.(AEB-J)b nts mld				
10-21	Joseph Lynn Thornburgh's waiver of preliminary hearing before U. S. Mag., filed.s				
10-27-76	W/Arrest of Probationer, ret. & filed: Thornburgh arrested at Tulsa, Ok. on 10-21-76. g				
11-3-76	Case called for hearing on revocation of probation. Deft. present & represented by Thomas Moran, retained co. Govt. rep. Probation officer Rod Baker makes report to Ct. Deft. makes statement. Ct. revokes probation.Deft. & co. asked if they have anything to say before sent. is pronounced: Revocation of Prob. - Joseph Lynn Thornburgh Atty. Gen.-Eighteen (18) months. Upon deft's request that Ct. defer sent for 60 days, Ct. sets bond at $10,000 C/S. Sent. will be deferred for 60 days if Deft. makes bond. If bond not made Deft. is to begin serving sent. If bond is made deft. may travel to Dallas & Ok. City concerning job only. Deft. remanded to USM.Bond exonerated.(AEB-J)b				
11-3	Revocation of Probation, filed & entered(AEB-J)b				
11-3	Two c/c of Rev. of Prob. to USM. b				
11-3	Two c/c of Rev. of Prob. to probation. b				
11-24	J&C, ret. & filed: deft. delivered to FCI, El Reno, Ok. on 11-22-76. g				
2-14-77	Mot. of Deft. Thornburgh to reduce or correct sent. pursuant to Rule 35, FRCP, fld. Copy to Dene & U.S. Atty. v				
2-15-77	Order, filed, overruling motion for modification of sentence. (AEB-J)g cp mld.				

	(a)	(b)	(c)	(d)
	Interval (per Section II)	Start Date / End Date	Ltr. Code	Total Days

LETTER CODES
For Identifying Periods of Excludable Delay Per 18 U.S.C. 3161(h)

A. Examination or hearing for mental or physical incapacity (18 U.S.C. 4244).
B. NARA Examination (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's Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h)(1)(G).
H. Miscellaneous Proceedings: Probation or Parole revocation, Deportation, Extradition.
I. Prosecution deferred by mutual agreement.
M. Unavailability of defendant or essential witness.
N. Period of mental or physical incompetence of defendant to stand trial.
O. Period of NARA Commitment or Treatment.
P. Superseding indictment and/or new charges.
R. Defendant awaiting trial of Co-defendant when no severance has been granted.
T. Continuances Granted per 3161(h)(8) (i.e. ends of justice or complexity of case outweighs defendants' interests).
U. Time between guilty plea and plea withdrawal.
V. Time while moving prisoner from state institutions per transfer/detainer procedure.
W. Grand Jury indictment extended per 3161 (b).
Y. Any delay excluded by court order for reasons not included above.