CRIMINAL DOCKET - U.S. District Court

PETTY OFFENSE PO ☐
OTHER MINOR OFFENSE MO ☐
OTHER MISDEMEANOR Mis ☐
FELONY Fel X

JUDGE/MAGISTRATE: Assigned 1085 4 8509
District Office Disp./Sentence 5-31-77

U.S. vs. SMITH, JIMMIE DEAN
P.O. Box 914 Trailer Park 51
Jenks, OK 74037 & Lot 38, S.Sprgs.OK
(LAST, FIRST, MIDDLE) PH:299-5720

JUVENILE ☐

Case Filed Mo. 02 Day 03
No. of Def's * 01

77 - 00015 - 01
Yr. Docket No. Def.

U.S. MAG. CASE NO.

U.S. TITLE/SECTION	OFFENSES CHARGED	ORIGINAL COUNTS
18:922(a)(6)	False statement to acquire firearm	1
18:922(h)	Rec'd firearm which had been transported in interstate commerce	2

5 yrs 4 on $5,000 as to each ct

ct. 2 - dismissed 5-9-77

SUPERSEDING COUNTS

BAIL • RELEASE
☐ Denied AMT Set $ 10,000
☐ Fugitive ☐ Pers. Recog. ☐ PSA
Date 2-3-77
☐ Bail Not Made ☐ Status Changed (See Docket)
conditions
☐ 10% Deposit XX Surety Bond /C
☐ Collateral ☐ 3rd Prty Cust ☐ Other

II. KEY DATES & INTERVALS

ARREST or 1 INDICTMENT X 2 ARRAIGNMENT 3 TRIAL 4 SENTENCE

U.S. Custody Began
Summons Served
First Appearance 4-7-77
High Risk Date
Indict. Waived ☐
In Charging District
Information ☐ 2-3-77
Superseding ☐ Indict/Info ☐
4-7-77
1st Plea 4-7-77
Final Plea 5-9-77
Trial Set For
X NG ☐ G ☐ NOL
G. Plea W/Drawn
☐ NG X G ☐ NOL
Voir Dire ☐
Trial Began ☐ J N ☐ J
Trial Ended
Disposition of Charges
5-31-77
X Convicted ☐ Acquitted X Dismissed: ☐ WOP: ☐ WP
X On All Charges X On Lesser * Offense(s)
X On Governm'ts Motion /ct 2.

MAGISTRATE

	DATE	INITIAL/NO.		INITIAL/NO.	OUTCOME:
Search Warrant Issued / Return			INITIAL APPEARANCE DATE ▶		☐ DISMISSED
Summons Issued / Served			PRELIMINARY EXAMINATION OR REMOVAL HEARING — Date Scheduled ▶ / Date Held ▶		☐ HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
Arrest Warrant Issued			☐ WAIVED ☐ NOT WAIVED	Tape Number	☐ HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW:
COMPLAINT ▶			☐ INTERVENING INDICTMENT		
OFFENSE (In Complaint)					

U.S. Attorney or Asst.
Ben F. Baker, Asst. U.S. Attorney

ATTORNEYS Defense: X CJA, ☐ Ret; ☐ Waived, ☐ Self, ☐ None / Other, ☐ PD, ☐ CD
Phil Frazier
1424 Terrace Drive
Tulsa, OK 74104
PH:939-2445

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

DATE 1977	(DOCUMENT NO.) PROCEEDINGS	EXCLUDABLE DELAY (a)	(b)	(c)	(d)
2-3	Record vote of the Grand Jury Concurring, fld. in Open Court. v				
2-3	Indictment, fld. in Open Court. Bond set at $10,000.00, C/S. (Allen E. Barrow, Chief U.S. Dist. Judge)v	2	2-3-77	M	
2-4	Warrant issued. v				
3-30	Rec'd Mag. papers from Western Dist. of Mo.(Ks.City), filed. b				
4-4-	MO: Case set for arraignment & Plea on 4-7-77, at 10:00 A.M. (AEB-J)b nts mld				
4-7	Information sheet & fin. affid. added to file. b				
4-7	Case called for arraignment & plea. Deft. pres. & rep. Govt. rep. Deft. acknow. receipt of indict., is advised of charge & is arraigned. Deft. enters plea of NOT GUILTY to Cts. 1 & 2. Deft. waives jury trial; waiver signed & filed in open court. Deft. given 10 days to file motions; Govt. 5 days to respond. Case set for Non-Jury trial on 5-9-77, at 9:30 A.M. Deft. requests bond reduction to $5,000 C/S. Ct. reduces bond to $5,000 C/S, Deft. remanded to USM.(AEB-J)b	2	4-7-77	M	64
4-11	Waiver of preliminary hrg. before U.S. Mag., fld. v				

FORM AO-256

OPPOSITE THE APPLICABLE DOCKET ENTRIES SHOW, IN SECTION V, ANY OCCURENCE OF EXCLUDABLE DELAY PER 18 USC § 3161(h)

DATE '77	Deft. Smith (DOCUMENT NO.) IV. PROCEEDINGS (continued) PAGE TWO	V. EXCLUDABLE DELAY Interval Section II (a)	Start Date End Date (b)	Ltr. Code (c)	Total Days (d)
4-12	Return on Warrant for Arrest of Deft., rec'd and executed on 3-25-77 in Kansas City, MO, fld. v				
4-14	Order, fld. authorizing USM in his custody, with Tulsa County Sheriff remove Jimmy Dean Smith from Tulsa County Jail & take him to areas w/in the state to assist State authorities. If he changes his mind he is to be returned to Tulsa County Jail. (AEB-J) cert. cps. to USM. ho cps mld				
4-14	Return on Warrant of Removal on Indictment, fld. Rec'd 4-5-77 and executed by taking custody of Deft. Smith at FCI, El Reno, OK, and transporting him to Tulsa Co. Jail on 4-5-77. v				
4-26	MO: Case set for Non-Jury trial on 5-9-77, at 9:30 A.M.(AEB-J)b nts mld				
5-9	Case called for Non-Jury trial. Deft. present & rep. Govt. rep. Deft. announces desire to change plea. Deft. placed under oath. Govt. recommends Ct. proceed on Ct. 1 only. Deft. w/draws plea of Not Guilty & enters plea of GUILTY to Ct. 1 & is adjudged GUILTY as charged to Ct. 1. Indict. read. Govt. recommends dismissal of Ct. 2. Ct. accepts plea agreement. Sentencing set on 5-31-77, at 10:00 A.M. Deft. remanded to USM. Govt. to prepare Order for Dismissal on Ct. 2.(AEB-J)b				
5-9	Return on USM service of Order to take deft. to areas w/in State of OK for voluntary assistance to State authorities, filed. Executed by taking deft. into custody at Tulsa, OK on 4-14-77 at Tulsa Co. Jail & transporting him to an area North West of Collinsville, OK, and by returning him to the Tulsa County Jail.k				
5-9	Order for Dismissal of Count II, fld. & entered. (AEB-J)v -cps. mld.				
5-31	Case called for sentencing. Deft. present & rep. Govt. rep. Deft. & co. asked if they have anything to say before sentence is pronounced: Judgment & Sentence - Jimmie Dean Smith Atty. Gen. - Two (2) years. Deft. remanded to USM.(AEB-J)b				
5-31	Judgment & Commitment, filed & entered.(AEB-J)b				
5-31	Two c/c of J & C to USM. b				

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 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.

W. Grand Jury indictment extended per 3161 (b).

FINE AND RESTITUTION PAYMENTS

DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER