CRIMINAL DOCKET - U.S. District Court

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

JUDGE/MAGISTRATE: Assigned 1085 | District 4 | Office 8509 | Disp./Sentence 3-22-77

U.S. vs. JAMES, BILLY RAY 42 Bond
P.O. Box 381 (918-788-3466 or 788-9815)
Welch, Ok. 74369
(LAST, FIRST, MIDDLE) JUVENILE ☐

Case Filed Mo. 02 Day 24
No. of Def's * 1

77-00023 - 1
Yr. | Docket No. | Def.

U.S. MAG. CASE NO. 77-0013M-01

U.S. TITLE/SECTION — OFFENSES CHARGED — ORIGINAL COUNTS

18:471, 472, 473 Forged counterfeit obligations I
" " " II
" " " III

(15 yrs and/or $5,000 ea. count) 1+2

10 yrs +/or $5,000 ea ct 3

Cts 2+3 dismissed on 3-8-77.

SUPERSEDING COUNTS

BAIL • RELEASE

☐ Denied ☐ AMT Set $ 10 000 ☐ Fugitive ☐ Pers. Recog. ☐ PSA

Date 2-11-77

conditions: X 10% Deposit ☐ Surety Bond ☐ Collateral ☐ 3rd Prty Cust ☐ Other

X Bail Not Made
X Status Changed (See Docket)

II. KEY DATES & INTERVALS

ARREST or	1 INDICTMENT ☐	2 ARRAIGNMENT	3 TRIAL	4 SENTENCE
U.S. Custody Began 2-11-77	High Risk Date	Information X 2-24-77	Trial Set For	Disposition of Charges 3-22-77
Summons Served	Indict. Waived ☐	02-24-77 1st Plea	Voir Dire ☐	X Convicted ☐ On All Charges
First Appearance 2-11-77	In Charging District	2-24-77 Final Plea	X NG ☐ G ☐ NOL	☐ Acquitted X On Lesser * Offense(s)
	Superseding ☐ Indict/Info ☐	3-8-77	G. Plea W/Drawn	X Dismissed: ☐ WOP: ☐ WP
			☐ NG ☐ G X NOL	X On Governm'ts Motion re cts 2 & 3.

Trial Began ☐ J ☐ N ☐ J
Trial Ended

MAGISTRATE

	DATE	INITIAL/NO.
Search Warrant Issued		
Search Warrant Return		
Summons Issued		
Summons Served		
Arrest Warrant Issued	2-11-77	CFB/89JZ
COMPLAINT ▶	2-11-77	CFB/89JZ
OFFENSE (In Complaint)	Passing, uttering and falsely making counterfeited obligations of the United States	

INITIAL APPEARANCE DATE ▶ 2-11-77 INITIAL/NO. CFB/89JZ

PRELIMINARY EXAMINATION OR ☐ REMOVAL HEARING — Date Scheduled ▶ 2-17-77 — Date Held ▶ 2-17-77 CFB/89JZ

☐ WAIVED X NOT WAIVED ☐ INTERVENING INDICTMENT

Tape Number 77-0013M-01

OUTCOME: ☐ DISMISSED X HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT ☐ HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW:

U.S. Attorney or Asst.

Ben F. Baker

ATTORNEYS Defense: X CJA, ☐ Ret: ☐ Waived, ☐ Self, ☐ None / Other: ☐ PD, ☐ CD

Don McCorkell, Jr. PH: 583-2626
1700 Fourth Nat'l. Bank Bldg.
Tulsa, OK 74119

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

1977

DATE	(DOCUMENT NO.) PROCEEDINGS	EXCLUDABLE DELAY (a) (b) (c) (d)
2-17	Defendant released on $10,000 - 10% cash bond. (CFB-Mag.) kt	
2-18	Appearance bond ($10,000 - 10%), filed. rm	
2-18	Order, filed, specifying methods and conditions of release. (CFB-Mag) rm	
2-18	MO: Case set for arraignment and plea for Thursday, 2/24/77 at 10 a.m. Def. is granted 10 days to file motions; govt. 5 days thereafter to respond. (AEB-J) rm phoned and notices	
2-24	Case called for arraignment. Deft. present & rep. Govt. rep. by Snoke for Baker. Deft. acknow. receipt of Information, is advised of charge is arraigned & enters plea of NOT GUILTY to Cts. 1,2 & 3. Deft. waives indictment; waiver signed &- filed in open court. Infor. filed in open court. Infor. read. Deft. given til 3-2-77 to file motions; Govt. 5 days to respond. Case set for trial 3-14-77, at 9:30 A.M. Bond cont'd. (AEB-J) b	
2-24-	Information, filed. b	
2-28	MO: Case set for jury trial on 3-14-77, 9:30 A.M. (AEB-J) jj nts. by cert. mld. w/affidavit	

FORM AO-256

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

DATE	IV. PROCEEDINGS (continued) (DOCUMENT NO.) PAGE TWO	V. EXCLUDABLE DELAY Interval Section (a)	Start Date End Date (b)	Ltr. Code (c)	Total Days (d)
3-3-77	MO: Case set for change of plea on 3-8-77, at 10:00 A.m.(AEB-J)b nts mld				
3-8	Case called for change of plea. Deft. present & rep. Govt. rep. Deft. placed under oath. Govt. requests Ct. proceed on Ct. 1 only. Deft. w/draws plea of Not Guilty & enters plea of Nolo contendere to Ct. 1. Govt. objects. Ct. allows nolo plea & deft. is adjudged convicted as charged to Ct. 1. Deft. waives Jury waiver signed & filed in open court. Information read. Govt. recommends dismissal of Cts. 2 & 3. Ct. allows. Order for Dismissal of Cts. 2 & 3 signed & filed in open ct. Sentencing set on 3-22-77, at 10:00 A.M. Ct. orders pre-sent. report. Bond continued.(AEB-J)b				
3-8	Order for Dismissal of Cts. 2 & 3, filed.(AEB-J)b				
3-22	Case called for sentencing. Deft. present & rep. Govt. represented. Deft. & counsel asked if they have anything to say before sentence is pronounced: Judgment & Sentence - BILLY RAY JAMES Atty. Gen. - Thirty-six (36) months as to Ct. One (1) on condition that deft. be confined in jail type institution for period of three (3) months; the execution of the remainder of sentence of imprisonment is hereby suspended & deft. is placed on probation for thirty-three (33) months. Bond exonerated. Deft. remanded to USM. (AEB-J)k				
3-22	Judgment & Commitment, filed & entered. (AEB-J)k				
3-22	Two cert. copies of J&C to USM.k				
3-22	Two cert. copies of J&C to US Probation.k				
3-29	USM return on J&C, filed. Executed by delivering deft. on 3-22-77 to Tulsa County Jail, and by delivering him on 3-28-77 to Tulsa Co. Jail.k				
3-31	Application for an order directing the release cash bond posted by the Deft. fld. O to J. ho				
4-4	Order, filed, directing disbursement of $1000 cash bond to Betty J. James. (AEB-J)g				
5-19	Order, fld. that the mot. for modification of sentence of Billy Ray James be overruled. (AEB-J) cps mld. by Dene. ho				
1-15-80	ORDER terminating order of probation entered 3-22-77, and discharging Billy Ray James from probation. (HDC-J)g				

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