

Exploding The Phone

db346

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Title U.S. v. John Thomas Draper, CR-76-223, U.S. District Court

for the Northern District of California -- Collected legal

papers from 1976

Date 1976-02-20

Abstract Complaint, affidavits, indictment, pretrial minutes, judgment,

orders and motions.

Keywords John Thomas Draper; Captain Crunch

Source National Archives (Court Records)

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Complaint

United States District Court FOR THE

NORTHERN	DISTRICT	$_{ m OF}$	CALIFORNIA

Magistrate's Docket No. 3-76

Case No. 504-11W

UNITED STATES OF AMERICA

COMPLAINT for VIOLATION of

U.S.C. Title 18

JOHN THOMAS DRAPER

1343 - Fraud by Wire Section

OWEN E. WOODRUFF BEFORE _

Name of Magistrate

SAN FRANCISCO, CA
Address of Magistrate

The undersigned complainant being duly sworn states:

That on or about February 20

, 1976 , at City of Menlo Park, County

of San Mateo

in the

Northern

District of

California

JOHN THOMAS DRAPER

 $\operatorname{did}^{\scriptscriptstyle{(2)}}$ cause to be transmitted by wire communication in interstate commerce signals and sounds, by knowingly and without authority enter the long distance network of the telephone company through the use of a multi frequency signaling device and did then complete long distance toll free telephone calls, and thus fraudulently depriving said telephone company of revenues to which it was entitled.

And the complainant states that this complaint is based on the attached Affidavit.

And the complainant further states that he believes that

are material witnesses in relation to this charge.

FED: 1md

Federal Bureau of Investigation

Sworn to before me, and subscribed in my presence

(1) Insert name of accused.
(2) Insert statement of the essential facts constituting the offense charged.

FPI-LC 100M 11-73 7565

STATE AND NORTHERN DISTRICT OF CALIFORNIA)

CITY AND COUNTY OF SAN FRANCISCO

ss. AFFIDAVIT

The affiant being duly sworn deposes and says:

That he is a Special Agent of the Federal Bureau of Investigation and that in that capacity he has determined the following:

On February 23, 1976, the affiant talked personally with GEORGE ALEX, Security Supervisor, Office of the Director of Security, Pacific Telephone and Telegraph Company, 380 North First Street, San Jose, California, who advised as follows:

In accordance with existing regulations, Pacific Telephone Security on February 12, 1976, commenced monitoring "blue box" type calls from a pay telephone bearing Telephone Number 415-327-9462, which is located at 1933 Menalto, Menlo Park, California.

A "blue box" is a device which generates multifrequency tones and supervisory tones utilized within the telephone companies toll network and which are different from those tones generated by individual subscriber telephone equipment.

On February 20, 1976, a "blue box" call was monitored at approximately 5:47 p.m. to Palo Alto, California, Telephone Number 493-1031, Subscribed to in the name of ED BERDEMAN, 3153 South Court. This call was placed by a male caller who identified himself as JOHN and stayed on the line approximately three minutes.

On February 27, 1976, a "blue box" call was monitored at approximately 4:37 p.m. to Oakland, California,

Telephone Number 652-8080. This call was placed by a male caller who asked for BOB MARSH and identified himself as JOHN DRAPER.

RICHARD LYTLE

Special Agent

Federal Bureau of Investigation

SWORN AND SUBSCRIBED TO BEFORE ME

THIS FIRST DAY OF APRIL, 1976

ARRESTING OFFICER'S STATEMENT . BAIL

JOHN THOMAS DRAPER 33 DEFENDANT'S NAME AND AGE

Offense and Penalty FRAUD BY WIRE TITLE 18, SEC 1343 USC.

EMPLOYMENT CONSULTING ENGINEER

Is defendant employed? SELF-EMPLOYED

Where is defendant employed?

4. How long has he been employed at this job? 8 Mo. morty warm?

5. What is his salary per month?

If not employed, how long has he been unemployed?

RESIDENCE 2.

What is defendant's home address? 1905 MONTECITO APT 6, MT VIEW, CALIF. 1/2 - 2 1/2 yrs

How long has he lived at that address?

Is this address a house, an apartment or a hotel?

unmouned or dependent

FAMILY 3.

- Does defendant have a family? YES 1.
- List members of his family and where they live. HARRY DRAPER-FATHER TWAIN HARTE, CALIF MOTHER ALSO RESIDES WITH FATHER
- Does defendant support any member of his family? UNK.

PRIOR CONVICTIONS AND FLIGHT

List all convictions for criminal offenses, misdemeanors and felonies, and dates of conviction.

CONVICTED IN NOV, 1972 FOR THE SAME OFFENSE BEFORE UNITED STATES DISTRICT JUDGE ROBERT F. PECKHAM IN PALO ALTO, CALIF.

- Has defendant ever failed to appear at a court proceeding? 2.
- Has defendant ever avoided prosecution by flight? NO 3.
- Does defendant have a passport? THE NO
- Is defendant presently charged with any other criminal offenses?
- Is defendant presently on probation or parole? ON PROBATION UNTIL NOV 1977 AS A RESULT OF THE ABOVE CONVICTION.
- List any unusual factors in the nature or circumstances of the offense, e.g., weapon used, threats on witnesses, interstate or foreign travel involved, statements by defendant regarding appearance in court, etc. hold as of the time

REQUESTED BAIL \$5,000.00 CASH OR SURTY

A		-	
ADDEADANCE DOND UNITEDS	TATES	MAGISTRATE/COURT NUMBER	DATE BOND ISSUED
APPEARANCE BOND DISTRICT		5-76-107MB	4-2-76
PROSECUTING U.S. JUDICIAL DISTRICT		LOCATION OF DISTRICT (City and State	
Northern District of California		San Francisco, Califo	ornia
NAME OF MAGISTRATE/JUDGE ISSUING BOND (Show Title)		LOCATION OF ISSUING OFFICIAL (If di	fferent than above)
Nordin F. Blacker, U.S. Magistra	ıte	San Jose, California	
NAME OF DEFENDANT		ADDRESS OF DEFENDANT	a projection of the second
JOHN THOMAS DRAPER		1905 Montecito	April 6 969
		Mt. V.PW CA	9041
NAME(S) OF SURETY/SURETIES		ADDRESS(ES) OF SURETY/SURETIES	
, , , , , , , , , , , , , , , , , , ,			
	SED ON OWN	9130 4-22-76	San Log
We, the undersigned, jointly and severally, have read and unresentatives are able and bound to pay to the United States	understand th s of America	e conditions of this bond and swear/af the full amount of bond shown above ur	firm that we and our personal rep nless otherwise duly exonerated.
SIGNATURE(S) OF SURETY/SURETIES (If applicable)		Jain 1. Duper	
Signed and acknowledged before me on the date shown above bond authorizes the U.S. Marshal to release defendant from		SIGNATURE OF MAGISTRATE/JUDGE	Scular
	CONDI	TIONS	
The conditions of this bond are that the above defendant is	s to appear at	the date, time, and location indicated	before:

The U.S. Magistrate/Judge of the prosecuting District

The U.S. Magistrate/Judge of the removing District

And at such other places as the defendant may be required to appear, in accordance with any and all orders and directions relating to the defendant's appearance in the above referenced case as may be given or issued by the Magistrate or by the cognizant United States District Court or any other United States District Court to which the defendant may be removed or the cause transferred: That the defendant is not to depart the cognizant District, or the jurisdiction of any other United States District Court to which the defendant may be removed or the case transferred after he has appeared in such other District pursuant to the terms of this bond, except in accordance with such orders or warrants as may be issued by the Magistrate or the cognizant United States District Court or the United States District Court for such other District; that the defendant is to abide any judgment entered in such matter by surrendering himself to serve any sentence imposed and obeying any order or direction in connection with such judgment as the Court imposing it may prescribe.

If the defendant appears as ordered and otherwise obeys and performs the foregoing conditions of this bond, then this bond is to be void, but if the defendant fails to obey or perform any of these conditions, payment to the amount of this bond shall be due forthwith. Forfeiture of this bond for any breach of its conditions may be declared by any United States District Court having cognizance of the above entitled matter at the time of such breach and if the bond is forfeited and if the forfeiture is not set aside or remitted, judgment may be entered upon motion in such United States District Court against each debtor jointly and severally for the amount above stated, together with interest and costs, and execution may be issued and payment secured as provided by the Federal Rules of Criminal Procedure and by other laws of the United States.

It is agreed and understood that this is a continuing bond which shall continue in full force and effect until such time as the signers are duly exonerated.

In the exercise of his discretion and pursuant to the provisions of 18 U.S.C. 3146, the issuing Judicial Officer imposes and incorporates into this bond the following conditions of release (use space below and, if necessary, reverse of No. 1 copy for adding conditions of release and/or justification by surety/sureties):

WARRANT OF ARREST UNITED STATES DISTRICT COURT

INSTRUCTIONS: Type or legibly print. Forward copies No. 1 through No. 3 intact to the U.S. Marshal or other authorized officer;

	E ARRESTED	DISTRICT OF ISSE	JE (Include City	and State)	MAGIST	ATE/CLERK DOCKET NO.
JOHN THOMAS	DRAPER	NORTHERN DISTRICT OF CALIFORNIA		5-7	6-107MB	
		REASON FO	R WARRANT			
Complaint	Indictment	Information Probation Violation		o o	THER (Specify)	
U.S.C TITLE SECTION	E	BRIEF DESCRIPTION	OF CHARGE(S)			BAIL (If applicable)
18 1343	Used a "blu					000,00 P. Poted NFB
ATE OF ISSUE	TITLE OF ISSUING OFFIC		SIGNATURE OF	ISSUING OFFI	13 C	
4-2-76	Nordin F. B	lacker		/	, ,	ule
	MARSHAL OR ANY OT			•		
You are the Un distric	rresting district to answe e hereby commanded to ar ited States District Court t at the location shown at d by the United States Di	rrest the above nam or (if applicable) pove to answer to c	ned person and before the Un	d bring this in ited States Ma	dividual forthy agistrate in the	vith before e issuing
						4
TAKE CUSTODY O JUDICIAL OFFICE APPEARANCE PE	AL IN THE DISTRICT OF DF THE ABOVE NAMED ER IN THE MANNER IND ER ORDERS AND DIRECT TO KEEP SAFELY THI	PERSON. IF AFT ICATED ABOVE, TIONS OF SUCH JU	ER BRINGING THE INDIVIDUDICIAL OFF	G THE PERSO UAL FAILS T ICER, THE U	ON BEFORE A O FURNISH E J.S. MARSHAL	NY APPLICABLE BAIL FOR IS AUTHORIZED
TAKE CUSTODY OF JUDICIAL OFFICE APPEARANCE PE AND COMMANDED	OF THE ABOVE NAMED ER IN THE MANNER IND ER ORDERS AND DIRECT TO KEEP SAFELY THI	PERSON. IF AFT ICATED ABOVE, TIONS OF SUCH JU S INDIVIDUAL UN	ER BRINGING THE INDIVID UDICIAL OFF ITIL DISCHAR	G THE PERSO UAL FAILS T TICER, THE L RGED IN DUE	ON BEFORE A O FURNISH E J.S. MARSHAL	NY APPLICABLE BAIL FOR IS AUTHORIZED
TAKE CUSTODY OF JUDICIAL OFFICE APPEARANCE PE AND COMMANDED Certify I executed the	OF THE ABOVE NAMED ER IN THE MANNER IND ER ORDERS AND DIRECT	PERSON. IF AFT ICATED ABOVE, TIONS OF SUCH JU S INDIVIDUAL UN RETU order directed here	THE INDIVIDUDICIAL OFFITIL DISCHAI	G THE PERSO UAL FAILS I ICER, THE U RGED IN DUE	ON BEFORE A TO FURNISH E J.S. MARSHAL COURSE OF	INY APPLICABLE SAIL FOR IS AUTHORIZED LAW.
TAKE CUSTODY OF JUDICIAL OFFICE APPEARANCE PE AND COMMANDED	OF THE ABOVE NAMED ER IN THE MANNER IND ER ORDERS AND DIRECT O TO KEEP SAFELY THI is warrant and such other	PERSON. IF AFT ICATED ABOVE, TIONS OF SUCH JU S INDIVIDUAL UN RETU order directed here tot U.S. Marshal)	THE INDIVIDUDICIAL OFFITIL DISCHAI	G THE PERSO UAL FAILS I ICER, THE U RGED IN DUE	ON BEFORE A TO FURNISH E J.S. MARSHAL COURSE OF	INY APPLICABLE SAIL FOR IS AUTHORIZED LAW.
TAKE CUSTODY OF JUDICIAL OFFICE APPEARANCE PE AND COMMANDED Certify I executed the ATE RECEIVED	DF THE ABOVE NAMED ER IN THE MANNER IND ER ORDERS AND DIRECT TO KEEP SAFELY THI is warrant and such other ARRESTING AGENCY (II re	PERSON. IF AFT ICATED ABOVE, TIONS OF SUCH JU S INDIVIDUAL UN RETU order directed here tot U.S. Marshal)	THE INDIVIDUDICIAL OFFITIL DISCHAR	G THE PERSO UAL FAILS I ICER, THE U RGED IN DUE	ON BEFORE A TO FURNISH E J.S. MARSHAL COURSE OF BENT (It not U.S.) Unexecuted	Marshal)

MA FORM 6 NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

CHAMBERS OF

NORDIN F. BLACKER UNITED STATES MAGISTRATE

isi west st. James street San Jose, California 95110 (403) 286-6228

Date: 41976
The undersigned acknowledges that he has been ordered by the above Magis-
trate to appear at the following place and for the following purpose:
PLACE PLACE
U.S. District Court, 450 Golden Gate Ave., San Francisco, California
U.S. District Court in
PURPOSE
Arraignment
Removal Hearing
Plea :
Preliminary Examination
On Notice
Other
at 9:30 a.m., on Thursday, the
22 day of And, 1976.
Defendant:
John To Onaper
case Number: 5-76-107 John Thomas Draper
Acknowledged before:
Mrs F. Blul
NURDIN F. BLACKER,

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA	Magistrate's Docket 5-76-10 /
vs. (AFFIDAVIT FOR ORDER OF
JOHN THOMAS DRAPER	TEMPORARY COMMITMENT
Before, NORDIN F. BLACKER, U. California.	.S. Magistrate, at San Jose,
The undersigned affiant being	g duly sworn, states:
That he is a Special Agent of tion; that he is informed and believes information and belief alleges, that or	f the Federal Bureau of Investiga- s, and on the basis of such n or about APRIL 1, 1976
at SAN FRANCISCO, CALIF in the	NORTHERN District
of CALIFORNIA :	
[X] A complaint was filed be:	foreU.S. MAGISTRATE O.WOODRUFF
[] An information was filed	before
[] An indictment was returned	ed by the United States Grand Jury,
charging the above named defendant with	
U,S. Code Section(s) "BLUE BOX" TO COMMIT FRAUD BY WIRE	, in that he allegedly USED A
That affiant is further information and belief alleges charges and is now outstanding; your united States Attorney prosecuting such to forward the said warrant and a certain, or indictment to this District of tion of the matter.	affiant further states that the h charges will be forthwith requested ified copy of the complaint, informa-
That affiant is further info	rmed and believes, and on the basis
of such information and belief alleges	that bail has been SET
in the sum of \$ 5,000.00 CASH OR SURTY.	
WHEREFORE, the undersigned reordered temporarily committed, subject of said process papers.	equests that defendant herein be to bail or release, pending receipt
	DONALD. K. BERRY
	Special Agent, F.B.I.
Sworn to before me and subscribed in my presence this 2nd day of APRIL , 19 76.	Date of Offense: FEB. 20, 1976
• • •	
NORDIN F. BLACKER, United States	Place of Offense: MENLO PARK, CALIF
Magistrate, at San Jose, California	
(Seal)	

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA	Magistrate's Docket 5-76-107
JOHN THOMAS DRAPER	AFFIDAVIT FOR ORDER OF D TEMPORARY COMMITMENT APR 5 1976
Before, NORDIN F. BLACKER, U. California.	NORDIN F. BLACKER S. Magistrate, at Spins Magistrate
The undersigned affiant being	duly sworn, states:
That he is a Special Agent of tion; that he is informed and believes information and belief alleges, that on	
at SAN FRANCISCO, CALIF in the	NORTHERN District
of CALIFORNIA :	
	ore U.S. MAGISTRATE O.WOODRUFF .
[] An information was filed	
	ed by the United States Grand Jury,
charging the above named defendant with	
T 31, 3	, in that he allegedly USED A
DEGE BOX TO COMMIT FRAUD BY WIRE	
That affiant is further information of such information and belief alleges, charges and is now outstanding; your a United States Attorney prosecuting such to forward the said warrant and a certition, or indictment to this District or tion of the matter.	affiant further states that the charges will be forthwith requested fied copy of the complaint, informa-
That affiant is further infor	emed and believes, and on the basis
of such information and belief alleges	,
in the sum of \$ 5,000.00 CASH OR SURTY.	
	equests that defendant herein be to bail or release, pending receipt Donald Kany DONALDK. BERRY
	The state of the s
Sworn to before me and subscribed in my presence this 2nd day of APRIL , 19 76.	Special Agent, F.B.I. Date of Offense: FEB. 20,1976
NORDIN F. BLACKER, United States Magistrate, at San Jose, California	Place of Offense: MENLO PARK, CALIF
(Seal)	

HRFE COUNT THDICTMENT	
NITED STATES V. JOHN THOMAS DRAPER	Agent . RICHARD LYTLE
VIOLATION: Title 12, U.S.C., Section 1343 - Fraud by Wire	Agency FBI
PENALTY: Shall be imprisoned not more than 5 years, and/or fined not more than 1,000, for each count.	Process (Check One) Summons
	Bail (Amt.) \$5,000 P/R
	No Process* XXXX
*Where defendant previously apprehende summons required since Magistrate automatic arraignment date.	eally has scheduled his
Other Information. Defendant to a	ppear for Preliminary Hearing

Other Information: Defendant to appear for Preliminary Hearing on April 22, 1976 in San Jose, California.

R 76 223

RFP

No	
UNITED STATES DISTRICT NORTHERN District of CALLY CRIMINAL Division	ORMIA
THE UNITED STATES OF AM	ERICA
INDICTMENT VIOLATION: Title 18, U.S.C., Section 1343 - Fraud by Wire	
A true bill, Lenson C.	Lav Foreman.
Filed in open court this, A.D. 19	day Clerk.
Bail, \$ 5,000 P/R	<u> </u>

',

JAMES L. BROWNING, JR. United States Attorney

Attorney for Plaintiff



IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

V.

JOHN THOMAS DRAPER,

Defendant.

CRIMINAL NO.

VIOLATION: Title 18, U.S.C., Section 1343 - Fraud by Wire

INDICTMENT

The Grand Jury charges: T H A T

- 1) During the times pertinent to this Indictment, the Defendant, John Thomas Draper, devised and intended to devise a scheme and artifice to defraud the Pacific Telephone and Telegraph Company of revenue for the use of its long distance telephone service and facilities.
- 2) It was a part of said scheme and artifice to defraud that the Defendant would have and use an electronic multi-frequency signaling device, capable of producing certain sounds and signals, for the purpose of unlawfully securing unauthorized long distance telephone service, concealing the existence of such long distance telephone communications and for avoiding the payment of any charges therefor.

/ / /

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3) On or about the dates hereinafter set forth in the respective counts of this Indictment, in the State and Northern District of California,

JOHN THOMAS DRAPER,

Defendant herein, did willfully and knowingly, for the purpose of executing the above described scheme and artifice to defraud, cause to be transmitted by wire communication in interstate commerce signals and sounds, which allowed completion of toll free long distance telephone calls in the following instances, each such instance being a separate count of this Indictment and a separate violation of Title 18, United States Code, Section 1343:

COUNT ONE: From Menlo Park, California to Bethlehem, Pennsylvania on February 20, 1976;

COUNT TWO: From Menlo Park, California, to Bethlehem,

Pennsylvania on February 20, 1976; and

COUNT THREE: From Menlo Park, California to Bethlehem, Pennsylvania on February 20, 1976.

A True Bill.
FOREMAN C. Law

United States Attorney

AUSA: FED

Approved as to Form:

United Distres Bistrict Courts

NORTHERN DISTRICT OF CALIFORNIA

Magistrate's Docket No. 3-76 Case No. 504-11W UNITED STATES OF AMERICA COMPLAINT for VIOLATION of U.S.C. Title 18 JOHN THOMAS DRAPER BEFORE OWEN E. WOODRUFF The undersigned complainant being duly sworn states: That on or about February 20 , 1976 , at City of Menlo Park, County in the of San Mateo District of Northern California JOHN THOMAS DRAPER did(2) cause to be transmitted by wire communication in interstate commerce signals and sounds, by knowingly and without authority enter the long distance network of the telephone company through the use of a multi frequency signaling device and did then complete long distance toll free telephone calls, and thus fraudulently depriving said telephone company of revenues to which it was entitled. And the complainant states that this complaint is based on the attached Affidavit. And the complainant further states that he believes that

are material witnesses in relation to this charge.

FED: 1md

J. RICHARD LYTLE, Spectral Agent Federal Bureau of Investigation

Official Titla.

Sworn to before me, and subscribed in my presence, ______, 19_____

United States Magistrate.

(1) Insert name of accused.
(2) Insert statement of the essential facts constitution the offense chiraced.

FPI-LC 100M 11-73 7565

The affiant being duly sworn deposes and says:

That he is a Special Agent of the Federal Bureau of Investigation and that in that capacity he has determined the following:

On February 23, 1976, the affiant talked personally with GEORGE ALEX, Security Supervisor, Office of the Director of Security, Pacific Telephone and Telegraph Company, 380 North First Street, San Jose, California, who advised as follows:

In accordance with existing regulations, Pacific Telephone Security on February 12, 1976, commenced monitoring "blue box" type calls from a pay telephone bearing Telephone Number 415-327-9462, which is located at 1933 Menalto, Menlo Park, California.

A "blue box" is a device which generates multifrequency tones and supervisory tones utilized within the telephone companies toll network and which are different from those tones generated by individual subscriber telephone equipment.

On February 20, 1976, a "blue box" call was monitored at approximately 5:47 p.m. to Palo Alto, California, Telephone Number 493-1031, Subscribed to in the name of ED BERDEMAN, 3153 South Court. This call was placed by a male caller who identified himself as JOHN and stayed on the line approximately three minutes.

On February 27, 1976, a "blue box" call was monitored at approximately 4:37 p.m. to Oakland, California,

Telephone Number 652-8080. This call was placed by a male caller who asked for BOB MARSH and identified himself as JOHN DRAPER.

J. RICHARD LYTLE Special Agent Federal Bureau of Investigation

SWORN AND SUBSCRIBED TO BEFORE ME THIS FIRST DAY OF APRIL, 1976

UNITED STATES DISTRICT COUPT RTHERN DISTRICT OF CALIFO HA

CRIMINAL PRE TRIAL MINUTES

DATE 4/22/76

EFENDANT U.S. ATTORNEY JUDGE CASE NO. WRAPER DAV15 JOHN T. EDWARD BLACKER CR. 76-223-Su $N \in \mathcal{F}_{+}$ EPORTER COURTROOM CLERK PROBATION OFFICER CUSTODY 50N4 SCARDINA NONE ンピ N/ TORNEY FOR DEFENDANT RETAINED INTERPERTER 1 HOMAS APPOINTED ADDRESS PHONE (Enter number from below) REASON FOR HEARING RESULTS OF HEARING Dermission walemne) 5/7/76 CASE CONTINUED TO FOR CASE CONTINUED TO FOR CASE CONTINUED TO FOR CATEGORY OF EXCLUDABLE DELAY (Enter letter from reverse side) JUDGMENT Filing of superseding 25. Referred to 10. Arraignment indictment probation officer 2.. Plea Filing of superseding 11. 26. Jury trial information 3. Plea of not guilty 27. Court trial Waived indictment 4. Plea of guilty 12. Pretrial conference 28. 5. Plea of nolo contendere 13. Waived jury 29. Motion to reduce bail Withdrew plea Deft's application for 14. permission to enter Referred to magist Change of plea 15. plea of guilty for bail hearing Deft. signed waiver of Motions 16. 31. Judgment preparation of presen-Motion to dismiss tence investigation and 17. 32. Dismissal report 18. Motion to suppress 33. Remanded to custod Deft. signed approval to Bill of particulars institute a presentence 19. 34. Other investigation before Discovery 20. conviction or plea of 35. Granted guilty 21. Motion for new trial 36. Denied Deft. signed consent to Court's inspection of 22. Set for trial. Granted in part/ 37. I resentence report prior denied in part. to plea of quilty, holo contendere, or finding of Set for pretrial 23. 38. Submitted Vacate trial date quilt 24.

MICHAEL KENNEDY	
Attorney at Law	
2424 Pine Street	
San Francisco, CA	94115
(415)563-7704	

Attorney for Defendant

FILED

MAY 6 1976

NORDIN F. BLACKER U. S. Magistrate



IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

NO. 76-223 SW

ORDER GRANTING PERMISSION
TO LEAVE NORTHERN DISTRICT

JOHN THOMAS DRAPER,

Defendant.

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED:

That defendant John Draper shall have permission to leave the Northern District of California and to go to Tuolome County in order to visit his parents on any weekend while this action is pending.

Dated:

UNITED STATES MAGISTRATE

t2. Waived indictment

UNITED ST TES DISTRICT COURT NORTHER, DISTRICT OF CALIFORNIA CRIMINAL PRETRIAL MINUTES

\mathcal{I}_{3}	.,	,		. 7/	
DATE	2 -	1	/	-16	

DEFENDANT	U.S. ATTORNEY	JUDGE . CASE NO.
John Draper	Dallar	SPENCER WILLIAMS 176-223
REPORTER	COURTROOM CLERK	PROBATION OFFICER CUSTODY
WM. JOHNSTON	PASCAL REDBURN	(P) N/P.
ATTORNEY FOR DEFENDANT	Steele	INTERPERTER
ADDRESS	PHONE	RETAINED APPOINTED
	(Enter number from)	below)
REASON FOR HEARING (2	2)	
TON TIGHT	5	· ·
DOUGH OF ATTENDENCE	/1	/
RESULT OF HEARING		
) R 7/ h	
CASE CONTINUED TO 6-	29-16 FOR 4	-6 in San Jose
CASE CONTINUED TO	FOR	V
CASE CONTINUED TO	FOR	
CATEGORY OF EXCLUDABLE D	ELAY (Enter letter from r	everse side)
JUDGMENT		
proceedings and the state of th		
	13. Waived jury	30. Referred to
l. Arraignment		magistrate for
2. Plea	14. Withdrew plea	
3. Plea of not guilty	15. Change of plea	a 31. Judgment
4. Plea of guilty	l6. Deft's Motion dismiss	to 32. Dismissal
5. Plea of nolo contende		miss 33. Remanded to custod
6. Deft's application fo	or 18. Motion to supp	press 34. Other (Specify)
permission to enter plea of quilty	19. Bill of partic	culars 35. Granted
7. Deft's signed waiver preparation of presen	of	36. Denied
tence report	_	
8. Deft's signed approvato institute a present	ntence	Denied in part
investigation before conviction or plea of	22./ Set for trial	38. Submitted
guilty 9. Deft's signed consent	23. Set for pretri	ial 39. Motion to sever
Court's inspection of	E 24. Vacate trial d	date
presentence report pr to plea of guilty, nol	lo 25. Referred to	40. Motion to revoke probation
<pre>contendere,or finding quilt</pre>	y of probation offi	icer 41. Motion to dismiss
-	[26] Jury trial	remaining count(s)
.O. Filing of superseding indictment	27. Court trial	42. Motions (Specify)
1. Filing of superseding	g 28. Pretrial confe	erence
information	29. Motion to redu	uce bail

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FILED

Jun 28 12 44 PM '76

WILLIAM L. WHITTAKER OLERK U.S. DISTRICT COURT NO. DIST. OF CA., S.J.

U/1

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

JOHN THOMAS DRAPER,

Defendant.

RFP

NO. CR-76-223-S₩-SJ

ORDER OF RE-ASSIGNMENT

Good cause appearing,

IT IS HEREBY ORDERED that the above-entitled action be re-assigned to the criminal calendar of the Honorable Robert F. Peckham.

DATED: 6-22-76

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT JUDGE

Chief Judge, U. S. District Court

GPO: 1971 O - 427-736

UNITED STATES DISTRICT CO RT NORTHERN DISTRICT OF CALIFORNIA

ORTER

PHONE

JUDGMENT

2.

(4,

5.

Plea

report

guilty

quilt

contendere, or finding of

CRIMINAL PRE TRIAL MINUTES JUN 2 8 1976 DATE EFENDANT JRapeR U.S. ATTORNEY JUDGE CASE NO 76-223 / Thomas MODERT F CLERK PROBATION OFFICER CUSTODY avia non FOR DEFENDANT INTERPERTER RETAINED APPOINTED PAGE 864-5100 number from below) REASON FOR HEARING 38 RESULTS OF HEARING CASE CONTINUED TO Lug. 23 1976 @ 113 - AM FOR CASE CONTINUED TO FOR FOR CASE CONTINUED TO CATEGORY OF EXCLUDABLE DELAY (Enter letter from reverse side) Referred to 10. Filing of superseding Arraignment indictment probation officer Filing of superseding 26. Jury trial information Plea of not guilty 27. Court trial Waived indictment Plea of guilty to et / 12. 28. Pretrial confer 13. Waived jury Plea of nolo contendere 29. Motion to reduce Withdrew plea bail 14. Deft's application for pennission to enter 30. Referred to magis 15. Change of plea plea of guilty for bail hearing 16. Motions Deft. signed waiver of **(**31. Judgment preparation of presention to dismissely 217 (17) tence investigation and 32. Dismissal 18. Motion to suppress 33. Remanded to custo Deft. signed approval to Bill of particulars institute a presentence 19. 34. Other . investigation before 20. Discovery conviction for plea of 35. Granted Motion for new trial 21. 36. Denied Daft. signed consent to 22. Set for trial Court's inspection of 37. Granted in part/ presentance report prior denied in part. 23. Set for pretrial to plea of guilty, nolo

Vacate trial date

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Submitted

UNITED STATES DISTRICT CORRECT NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL PRE TRIAL MINUTES

AUG 23 1976 DATE U.S. FENDANT ATTORNEY JUDGE CASE NO. 16-223 onnis M ROBERT F. PECKHAM TER PROBATION OFFICER CUSTODY non NTERPERTER FOR DEFENDAN RETAINED APPOINTED IDDRESS MONE (Enter number from below) REASON FOR HEARING 35 RESULTS OF HEARING FOR :ASE CONTINUED TO CASE CONTINUED TO FOR FOR CASE CONTINUED TO CATEGORY OF EXCLUDABLE DELAY (Enter letter from reverse side) 132 **FUDGMENT** 25. 10. Filing of superseding Referred to Arraignment probation officer indictment 2. Plea Filing of superseding 26. Jury trial information Plea of not guilty 27. Court trial Waived indictment 12. Plea of guilty 28. Pretrial confer Waived jury 13. Plea of nolo contendere 29. Motion to reduce 14. Withdrew plea bail Deft's application for permission to enter 15. Change of plea 30. Referred to magist plea of guilty for bail hearing 16. Motions Deft. signed waiver of (3<u>1</u>). Judgment on ct. 1 preparation of presen-(17)Notion to dismiss tence investigation and 32. Dismissal cts. 2 and 3. report 18. Motion to suppress Remanded to custo 33. Doft, signed approval to Bill of particulars 19. institute a presentence D. Other Mo for (31) investigation before 20. Discovery 35) conviction for plea of Granted To Sept guilty Motion for new trial 21. 36. Danied Daft. signed consent to 22. Set for trial Court's inspection of 37. Granted in part/ presentence report prior denied in part. 23. Set for pretrial. to plea of quilty, nolo contendente, or finding of

Vacate trial date

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Submitted

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United States District Court 23 5 30

FOR THE

NORTHERN District of CALIFORNIA

WILLIAM L. WHITTAKER
CLERK
U.S. DISTRICT COURT
NO. DIST. OF GA., S.J.

THE U	UNITED	STATES
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vs.

JOHN THOMAS DRAPER

Division San Jose

973 SF

Docket No. CR 72-6 RFP (A)

COMES NOW_Robert_MCoffey			
presenting an official report upon the conduct and			
who was placed on probation by the HonorableRo			
sitting in the court at $San_Jose_{}$, on the 2			
who fixed the period of probation supervision at $_{-}$ E	ive (5) Years	, and impos	sed the
general terms and conditions of probation theretofo			
ditions and terms as follows: The imposition of	sentence was suspe	nded and the defen	dant was
placed on probation for a period of five	(5) years, a condit	ion of probation b	eing
that the defendant pay a fine of \$1,000.0	0 through the proba	tion officer and i	t
was further ordered that the defendant sh	ould refrain from i	llegal use of the	
telephone or other electronics devices for	r fraudulent means.		

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: (If short insert here; if lengthy write on separate sheet and attach)

It is alleged that the defendant is violation of the court's special condition to "refrain from illegal use of the telephone or other electronics devices for "fraudulent means" and probation condition #(1) "You shall refrain from violation of any law (federal, state and local).", by his conviction on 6-28-76 in U.S. District Court to one felony count of Fraud by Wire, Title 18 USC Sec. 1343

PRAYING THAT THE COURT WILL ORDER A summons issue for the defendant's appearance before the Court to show cause why his probation should not be revoked. Deff appeared 8-23-76 before RFP + Sentended

ORDER OF COURT

Considered and ordered this_____day of___AUG_23_1976_19___and ordered filed and made a part of the records in the above

U.S. District Judge

Respectfully Cobirt M

Robert M.

Probation Officer

Place San Jose, California

Date 8-20-76

FPI-MI-7-3-74-25M-2394

United States of	America vs.		District Court for
.)	L		ICT OF CALIFORNIA
DEFENDANT	JOHN THOMAS DRAPER	CR	-76-223 RFP (SJ)
	JUDGMENT AND PROBATI	ON/COMMITMEN	T ORDER A0:245 (6/74)
	In the presence of the attorney for the government the defendant appeared in person on this date		MONTH DAY YEAR August 23rd. 1976
COUNSEL	WITHOUT COUNSEL However the court adv	rised defendant of right to counsel a by the court and the defendant thereupo	nd asked whether defendant desired to
	WITH COUNSEL		
PLEA	GUILTY, and the court being satisfied that there is a factual basis for the plea,	NOLO CONTENDERE,	NOT GUILTY
	There being a finding/verdict of \\ \(\ \) GUILTY.	TY. Defendant is discharged	
	GUILTY.		9
	Defendant has been convicted as charged of the offens	e(s) of fraud by wire,	in violation of
FINDING & JUDGMENT	Title 18, Section 1343, Unite	o softefa militaria de la composició de sistema. Actualistica de la composició de la compos	
3 (A. 1978)	in the particular and proper framework control for the Artist of the affects	The separate in the contract of the contract o	THE CONTRACTOR OF THE CONTRACT
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SENTENCE OR PROBATION ORDER	The court asked whether defendant had anything to say why was shown, or appeared to the court, the court adjudged the hereby committed to the custody of the Attorney General or THREE (3) YEARS, and the Court justice, and the best interest defendant will be served there in a jail-type institution for the remainder of the sentence placed on probation for a personal IT IS FURTHER ADJUDGED that could include the court indictment herein be, and are	his authorized representative for imprise to being satisfied the public as we by, that the defender a term of FOUR (4) be suspended and the iod of FIVE (5) YEAR ounts two (2) and the hereby, dismissed.	ricted and ordered that: The defendant is comment for a period of at the ends of ell as the ant be imprisoned MONTHS, and that e defendant is S. ree (3) of the
CONDITIONS OF	18%, He . 16 13	na jeugusta and commune.	D D LAK 3.00 R
PROBATION			"T) (C) = 1 *C
	The particular of the control of the	and the second s	11D
ADDITIONAL			
CONDITIONS OF PROBATION	In addition to the special conditions of probation imposed a reverse side of this judgment be imposed. The Court may chany time during the probation period or within a maximum probation for a violation occurring during the probation period.	ange the conditions of probation, reduc	e or extend the period of probation, and at
	The court orders commitment to the custody of the A	Attorney General and recommends,	
COMMITMENT RECOMMEN- DATION			It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.
	Mari San Marianca		
SIGNED BY	istrate	icha	
	HONORABLE ROBERT F. PECK	HAM Date August 23, 1976	

IN THE UNITED STATES DISTRICT COURT FOR THE 23 2 43 PM '76

NORTHERN DISTRICT OF CALIFORNIA

WILLIAM L. WHITTAKER CLERK U.S. DISTRICT COURT NO. DIST. OF CA., S.J.

UNITED STATES OF AMERICA

DRapor }

VOLUNTARY

Defendant herein, having requested permission to report, at defendant's own expense, to the Federal Institution designated for service of defendant's sentence,

It is hereby ordered that:

until September 20, 1976 Stay of execution is granted for a period fourteen (14) days, during which period defendant shall remain

at large on defendant's present cognizance.

- 2. Defendant shall immediately report to the United States Marshal's Office, Room 20006, 450 Golden Gate Avenue, San Francisco, for further instructions, which defendant shall follow precisely and without deviation.
- 3. Defendant shall report to the institution designated by the Attorney General on or before 4:00 p.m. on September 201976
- Any failure by defendant to obey all requirements of this order shall be punishable as a contempt.
- If, for any reason, defendant shall fail to report at the times and places required herein, defendant shall appear in this Court at 10:00 a.m. on the first Court day following the date of such required reporting.

Failure to appear shall constitute a separate offense, violation of Section 3150 of Title 18, U. S. Code, punishable by additional imprisonment of up to five years.

Dated:	AUG 23 1976			
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United States District Judge

In the presence of the attorney for the government the defendant appeared in person on this date WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desire have counsel appointed by the court and the defendant thereupon waived assistance of counsel. WITH COUNSEL THOMAS STERLE, ESQ. (Name of counsel) PLEA GUILTY, and the court being satisfied that NOLO CONTENDERE, NOT GUILTY there is a factual basis for the plea, There being a finding/verdict of GUILTY. Defendant is discharged Defendant has been convicted as charged of the offense(s) of	In the presence of the attorney for the government the defendant appeared in person on this date COUNSEL WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether have counsel appointed by the court and the defendant thereupon waived assistance WITH COUNSEL THOMAS STEELE, ESQ. (Name of counsel) PLEA GUILTY, and the court being satisfied that here is a factual basis for the plea, NOT GUILTY. Defendant is discharged There being a finding/verdict of GUILTY. Defendant has been convicted as charged of the offense(s) of FINDING & JURGMENT, As a defendant heretofore having been sentenced to a weeried	DAY YEA 3rd. 1976 defendant desired of counsel.
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UNITED STATES DISTRICT C RT NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL PRE TRIAL MINUTES

			4	DATE	AUG 23 1976
	Thomas De	U.S. ATTORNEY NNIS Nennes COURTROOM CES	ROBERT F.	PECKHAM N OFFICER	CASE NO. 72-973RFP(S) CUSTODY (
ADDE PHON	RNEY FOR DEFENDANT	Lavier nu	RETAINED APPOINTE	Ď	NEM 1
REAS	on for hearing 34	Doff ac	mer from below, or Right to	Extion or	21
	-	estation or	- 1 1 1 1	2/1	
RESU	TLTS OF HEARING	Probation	de H. has vie and Reus hes		1
CASE	CONTINUED TO		FOR		
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CASE	CONTINUED TO		FOR		
JUDG	institution,	lessance su dox five (v ee imposed,		RUN PS.	or probation
1.	Ord: (Xeco	10. Fig.	ing of superseding	25.	Referred to probation office
2. 3.	Plea of not guilty		ing of superseding ormation		Jury trial
4.	Plea of guilty	12. Wai	ved indictment	27.	Court trial Pretrial confer
5.	Plea of nolo contendere	13. Wai	ved jury		Motion to reduce
6.	Deft's application for permission to enter plea of guilty		ndrew plea nge of plea	30.	bail Referred to magifor bail hearing
7.	Deft. signed waiver of preparation of presen-		ions	31.	Judgment
	tence investigation and report		ion to dismiss ion to suppress	32.	Dismissal
8.	Deft. signed approval to institute a presentence investigation before conviction or plea of	o 19. Bil	l of particulars	(34)	Remanded to cust Other PROBATION Granted
	guilty		ion for new trial	36.	Denied
9.	Deft. signed consent to Court's inspection of resentance report price to plea of quilty, note	22. Set or o 23. Set	for trial for pretrial	37,	Granted in part, denied in part.
	contendere, or finding	01. 24. Vac	ate trial date -	38.	Submitted

FILED

IN THE UNITED STATES DISTANCE COURT FOR CAUSE 2 43 PM '76

NORTHERN DISTRICT OF WATATORNHATAKER WILLIAM L. WHITTAKER
CLERK
CLERK
U.S. DISTRICT COURT
W.S. DISTRICT COURT
NO. DIST. OF CA., S.J. NO. DIST. OF CA., S.J.

vs.

Ashn Thomas Deapor

NO. CATCOLOGICATION OF THE CONTARY SURRENDER ORDER Close

Defendant herein, having requested permission to report, at defendant's own expense, to the Federal Institution designated for service of defendant's sentence,

It is hereby ordered that:

- 1. Stay of execution is granted for a period of fourteen (14) days, during which period defendant shall remain at large on defendant's present cognizance.
- 2. Defendant shall immediately report to the United States Marshal's Office, Room 20006, 450 Golden Gate Avenue, San Francisco, for further instructions, which defendant shall follow precisely and without deviation.
- 3. Defendant shall report to the institution designated by the Attorney General on or before 4:00 p.m. on September 201976
- 4. Any failure by defendant to obey all requirements of this order shall be punishable as a contempt.
- 5. If, for any reason, defendant shall fail to report at the times and places required herein, defendant shall appear in this Court at 10:00 a.m. on the first Court day following the date of such required reporting.

Failure to appear shall constitute a separate offense, violation of Section 3150 of Title 18, U. S. Code, punishable by additional imprisonment of up to five years.

Dated:	AUG 23 1976	
		The file of the second
•		Sound Touchham
•		United States District Judge

			on Fancisso
			on Jancesso Osse District Court for
Inited States o	f America vs.		
DEFENDANT	<u> </u>	L NORTHERN DIST	TRICT OF CALIFORNIA
neteunvui	JOHN THOMAS DRAPER	. (R-72-973 REP
	CORRECT	E D	71 12 775 1121
	JUDGMENT AND PROBATION	N/COMMITMEN	T ORDER A0-245 (6/74)
	In the presence of the attorney for the government	1	MONTH DAY YEAR
	the defendant appeared in person on this date		August 26th. 1976
COUNSEL	1	-	nd asked whether defendant desired to
	THOMAS STEELE,	e court and the defendant thereupo ${ t ESQ}$. ,	n waived assistance of counsel.
		(Name of counsel)	
PLEA	GUILTY, and the court being satisfied that there is a factual basis for the plea,	NOLO CONTENDERE,	NOT GUILTY
	NOT GUILTY	. Defendant is discharged	
	There being a finding/verdict of GUILTY.	. Defendant is discharged	
	Defendant has been convicted as charged of the offense(s)	of	·
FINDING &	The defendant heretofore having	; been sentenced to	
as TUDGMENT or shall: • of licer of	Carpropations and move being founded.	n · vlolation-ioi · thi On whe revoked the	atempropation,
	nech afficer; - and maintain reaconside built;	ested on que desirent by a lawrectores. Oreste endy estates estating por suc	ACKERAL (2) AND
1971 H. 1843 .		arm k dately ye if probations offered. Heave the judgmal mixture withour p	to the second second
222.2 ga - 199 0 - 1	tely of any change in your price of revitance; But you great by Brithing to be a change of the self and the self of the self o	cibama assilia autudom nuov vit gment should not be pronounced l	MOITAHONS Secause no sufficient cause to the contrary
ob the box	was, shown, of appeared to the court, the court adjudged the de- hereby committed to the custody of the Attorney General or his a	fandant _r guilty _l asichärged and con)	victed and ofdered that: The defendant is
	THREE (3) YEARS, and the Court justice, and the best interest		
SENTENCE	defendant will be served thereb	y, that the defend	dant be imprisoned
OR PROBATION	in a jail-type institution for the remainder $\emptyset \mathcal{I} \mathcal{I}$ of the senten	ice be suspended,	to run concurrently
ORDER	with sentence imposed in CR-76-	223 RFP (SJ).	
145	and the second statement in the second section of the second seco	. The state of the	a kija geriasa katika ettik (Tili Andatika) (Tili Andatika) (Tili Andatika) (Tili Andatika) (Tili Andatika) (Ti
SPECIAL	,		NO. ILL
CONDITIONS OF	iment as follows:	thin Judgment and Commi	IM DIE ONE SON TO AREA
PROBATION .	0)	red on	now and the same
		appeal on	Defindingt notice
	Entered in Criminal Docket	<u>8/26</u> mote	Deltada Release
	19.76		Mandate issued o
ADDITIONAL CONDITIONS	In addition to the special conditions of probation imposed above	e. it is herebylordered that the gen	erak conditions of dicollation set out on the
OF	reverse side of this judgment be imposed. The Court may change any time during the probation period or within a maximum probation for a violation occurring during the probation period.	the conditions of probation, reduce	or extend the period of probation, and al
PROBATION -			
·	noth him Jodgment and Commitment.	mey General and recommends, with a certified copy of the	11113 biddied that the Clerk deliver
COMMITMENT			a certified copy of this judgment and commitment to the U.S. Mar-
RECOMMEN- Dation			shal or other qualified officer.
	United States horshul		
SIGNED BY	/ \	111	
U.S. Dist	erekuludga 1 kg g g g g g g g g g g g g g g g g g		
U.S. Mag	WONOR POLE POPER TO DECIVIA	<u>т</u>	. Att
	Date I. TECKUAL	August 26, 1976	Btei Ven a .

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FILED

IN THE UNITED STATES DISTRICT COURT FOR THE

SEP 1 5 1976

NORTHERN DISTRICT OF CALIFORNIA

WILLIAM L. WHITTAKER, <u>C</u>lerk

UNITED STATES OF AMERICA

vs.

JOHN THOMAS DRAPER

No. CR-76-223 RFP and

NO. CR-72-973 RFP (SJ)

A M E N D E D VOLUNTARY SURRENDER ORDER

Defendant herein, having regrested permission to report, at defendant's own expense, to the Federal Institution designated for service of defendant's sentence,

It is hereby ordered that:

until October 4th. 1976,

- 1. Stay of execution is granted #6#/6/period/6#
 fourtéen//14%/days, during which period defendant shall remain
 at large on defendant's present cognizance.
- 2. Defendant shall immediately report to the United States
 Marshal's Office, Room 20006, 450 Golden Gate Avenue, San Francisco,
 for further instructions, which defendant shall follow precisely
 and without deviation.
- 3. Defendant shall report to the institution designated by the Attorney General on or before 4:00 p.m. on October 4th. 1976
- 4. Any failure by defendant to obey all requirements of this order shall be punishable as a contempt.
- 5. If, for any reason, defendant shall fail to report at the times and places required herein, defendant shall appear in this Court at 10:00 a.m. on the first Court day following the date of such required reporting.

Failure to appear shall constitute a separate offense, violation of Section 3150 of Title 18, U. S. Code, punishable by additional imprisonment of up to five years.

Dated: September 14th. 1976

United States District Judge

Copies mailed to parties of Record

OKY

UNITED STATES DISTRICT COURT

FILED

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SEP 1 5 1976

WILLIAM 1. WHITTAKER, CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN THOMAS DRAPER,

Defendant.

CRIMINAL NO. CR-76-223 RFP (SJ)

AND

CRIMINAL NO. CR-72-973 RFP

ORDER

GOOD CAUSE APPEARING THEREFOR:

The defendant JOHN THOMAS DRAPER having been committed to the custody of the Attorney General, It is hereby recommended that the federal prison camp at Lompoc, California, be designated as the place of confinement.

DATED: September 15th. 1976

HONORABLE ROBERT F. PECKHAM

Chief United States District Judge

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FILED

IN THE UNITED STATES DISTRICT COURT FOR THE SEP 1 5 1976
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM L. WHITTAKER, CLERK

UNITED STATES OF AMERICA

vs.

JOHN THOMAS DRAPER

No. CR-76-223 RFP and

NO. CR-72-973 RFP

A M E N D E D

VOLUNTARY SURRENDER ORDER

Defendant herein, having requested permission to report, at defendant's own expense, to the Federal Institution designated for service of defendant's sentence,

It is hereby ordered that: until October 4th. 1976,

- 1. Stay of execution is granted #6#/6/6#166/6#
 foofteen//14%/days, during which period defendant shall remain at large on defendant's present cognizance.
- 2. Defendant shall immediately report to the United States Marshal's Office, Room 20006, 450 Golden Gate Avenue, San Francisco, for further instructions, which defendant shall follow precisely and without deviation.
- 3. Defendant shall report to the institution designated by the Attorney General on or before 4:00 p.m. on October 4th. 1976
- 4. Any failure by defendant to obey all requirements of this order shall be punishable as a contempt.
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Failure to appear shall constitute a separate offense, violation of Section 3150 of Title 18, U. S. Code, punishable by additional imprisonment of up to five years.

Dated: September 14th. 1976

United States District Judge

SEP 13 1976
Copies mailed to parties
of Record

OK X

UNITED STATES DISTRICT COURT

FILED

FOR THE NORTHERN DISTRICT OF CALIFORNIA

* * * * * *

SEP 1 5 1976

WILLIAM L. WHITTAKER, CLERK

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JOHN THOMAS DRAPER,

Defendant.

CRIMINAL NO. <u>CR-76-223 RFP (SJ</u>) ✓

A N D

CRIMINAL NO. CR-72-973 RFP (SJ)

O R D E R

GOOD CAUSE APPEARING THEREFOR:

The defendant JOHN THOMAS DRAPER having been committed to the custody of the Attorney General, It is hereby recommended that the federal prison camp at Lompoc, California, be designated as the place of confinement.

DATED: September 15th. 1976

HONORABLE ROBERT F. PECKHAM

Chief United States District Judge

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_					_	1	57 CA., S.J.			
			DEFENDA	ANT(S)	COUNTS	DISTRICT	ATTORNEY(S)			APP'T
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N I T	D0 C	Affid	avit	XX Complaint	☐ Warrant		☐ Indictment	Info	ormation	
Î A		2/20/	offense 76	Menlo Park,		ate)	DISTRICT OF OFFENSE (I	f different :	than above)	
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		ATE	CODE(S)	REMARKS (Describe action	briefly as neces	sary)				
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					IFICATION OF					
	crípt		this case to be a to the clerk of the			SIGNATURE	OF MAGISTRATE			

WARRANT OF ARREST UNITED STATES DISTRICT COURT

INSTRUCTIONS: Type or legibly print. Forward copies No. 1 through No. 3 intact to the U.S. Marshal or other authorized officer; retain No. 4 copy. If applicable, use No. 4 copy to withdraw warrant. After completion of return, U.S. Marshal will distribute copies No. 1 through No. 3 as appropriate.

NAME OF PERSON TO BE					
or reason to be	ARRESTED		E (Include City an RN DISTRIC ALIFORNIA	•	MAGISTRATE/CLERK DOCKET NO
		REASON FOR	WARRANT		
Complaint	Indictment	Information	11 1	Probation /iolation	OTHER (Specify)
U.S.C TITLE SECTION	BRI	EF DESCRIPTION C	F CHARGE(S)		BAIL (If applicable)
			••		
ATE OF ISSUE	TITLE OF ISSUING OFFICIA	4:	SIGNATURE OF I	SSUING OFFICIA	L
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You are the Unite district a	est United States District Consting district to answer the street commanded to arrested States District Court or at the location shown above by the United States District	court or (if applicated of the above stated of the above name of (if applicable) we to answer to co	eable) before the charge(s) in the ed person and before the Unite	e nearest Unit indictment or oring this indiv ed States Magi	ted States Magistrate information. vidual forthwith before istrate in the issuing
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WARRANT OF ARREST UNITED STATES DISTRICT COURT

INSTRUCTIONS: Type or legibly print. Forward copies No. 1 through No. 3 intact to the U.S. Marshal or other authorized officer; retain No. 4 copy. If applicable, use No. 4 copy to withdraw warrant. After completion of return, U.S. Marshal will distribute

	PERSON TO BE A	RESTED	DISTRICT OF ISSI	JE (Include City and State)	MAGISTRATE/CLERK DOCKET NO
- · · · · · · · · · · · · · · · · · · ·			NORTHE	RN DISTRICT ALIFORNIA	
			REASON FO	R WARRANT	
	omplaint	Indictment	Informatio	n Probation Violation	OTHER (Specify)
U.S.C TITLE	SECTION	8	RIEF DESCRIPTION	OF CHARGE(S)	BAIL (If applicable)
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DATE OF	ISSUE	U. S. MAG		SIGNATURE OF ISSUING OFF	ICIAL
To:	ANY U.S. MA	RSHAL OR ANY OT	HER AUTHORIZ	ED OFFICER	
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