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Bibliographic Cover Sheet

Title           **Phone Use Jury Says Man Guilty**

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Abstract       Roy D. Garner found guilty of blue box fraud in federal court.  
Co-conspirator James David Oakley plead guilty. Garner is also one  
of four men charged with a card-cheating scheme used to win  
\$116,000.

Keywords     Roy D. Garner; James David Oakley; Sparks, NV; blue box

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The lawyer for a suspended Reno policeman asked Thursday that charges involving stolen property be dropped.

Daniel Olguin, attorney for James Darnell, claimed two indictments against the nine-year police veteran were faulty.

The indictments returned last year charge Darnell with two counts of receiving stolen property, attempting to possess stolen property and possession of stolen property; embezzlement and grand larceny.

In a hearing before Washoe Dist. Judge Peter Breen, Olguin asked all charges be dropped.

Darnell's actions upon receiving two shotguns and a handgun from an admitted burglar indicated he did not intend to retain possession of the guns, Olguin argued.

Upon returning to the police station, Darnell told another officer that he had what he believed to be stolen guns, Olguin said.

The guns had been taken from the police evidence locker and used in a situation engineered by Police Chief James Parker, Olguin said. A man charged with burglary of the weapons contacted Darnell to sell them to him, he said.

The man met Earnell at a motel and transferred the guns, with the officer promising to pay at a later time. The conversation between Darnell and the man was recorded, Olguin said.

The guns were in the custody of the police and not legally stolen at the time, Olguin argued.

He had a similar argument concerning the second indictment involving some supposedly stolen loudspeakers.

There was no evidence in the grand jury transcripts which was sufficient to prove the speakers were actually stolen, Olguin said.

Assistant Dist. Atty. Gen. Dunlap admitted a technical difficulty in the indictment involving the speakers. He said further investigation of the speakers had come from a burglary of George Dilworth High School and not of a Steeple club as the indictment had indicated.

That was a simple problem, however, Dunlap said and could affect the charges.

Dunlap successfully persuaded Olguin from presenting Park and other police officers as witnesses at the hearing.

Judge Breen ruled the purpose of the hearing was simply to test the transcripts through the information, the transcripts and no evidence could be presented.

There is sufficient evidence to support the charges, Dunlap argued.

Breen, following a two-hour hearing, said he would notify the attorney for Darnell within seven days of his decision.

One of the defendants in the Harrah's cheating case has been found guilty of charges that he used a "blue box" to cheat the phone company, on long distance

A federal grand jury in Reno Thursday indicted three men on armed robbery charges in connection with the \$1 million robbery of First National Bank last September.

Curtis Ray Michelson, Edward Thomas Malone and Floyd Clayton Forsberg were charged with taking \$1,044,000 "by force and violence and by intimidation" from the bank in the heart of Reno's casino row.

The indictment also charges they put the lives of eight bank employees in danger.

Three men took the cash which was destined for Harrah's casino in a coordinated raid about an hour after time as a Shriner's parade marched down Virginia Street outside the bank.

Police found a van they said the robbers used in their getaway just six blocks from the bank.

Malone, 49, was convicted Tuesday of armed robbery in possession of a stolen gun by a federal judge in Los Angeles.

At the time of the heist, the FBI was

No criminal charges will be filed against the man sheriff's deputies said was with Charles Glosen the night he was killed, according to Assistant Dist. Atty. Cal Dunlap.

George H. Banks, 50, of 810 Montello St., was arrested Feb. 9 after Glosen had been shot and killed by a narcotics officer later identified as Homer Lee Barnes.

Deputies at the time said Banks had accompanied Glosen to Lemmon Valley, Banks was arrested in a nearby I booked for investigation of conspiracy to sell a controlled substance and attempted robbery.

Dunlap said there was insufficient evidence to support the charges. A criminal complaint will be filed. Banks was free on bail, Dunlap said.

The shooting of Glosen has resulted in a coroner's jury finding that the death was manslaughter and has sparked controversy over the subsequent investigation.

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