



# ***Exploding The Phone***

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Title           **United States v. John Thomas Draper, United States District Court for the Northern District of California, No. CR-72-973 RFP (SJ), Judgment**

Date            1972-11-29

Abstract        Judgment finding Draper guilty of one count of 18 USC 1343, giving him a suspended sentence, \$1000 fine, and five years probation. "Defendant shall refrain from illegal use of the telephone or other such electronic devices for fraudulent means."

Keywords       John Thomas Draper; John T. Draper; John Draper; Captain Crunch

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**United States District Court**  
FOR THE

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

JOHN THOMAS DRAPER

ENTERED IN CRIMINAL DOCKET 12/4/72

No. CR-72-973 RFP (SJ)

On this 29th, day of November, 1972, came the attorney for the government and the defendant appeared in person, and<sup>1</sup> by counsel.

nolo contendere

It IS ADJUDGED that the defendant upon his plea of ~~guilty~~, and the Court being satisfied there is a factual basis for the plea,

has been convicted of the offense of fraud by wire, in violation of Title 18, Section 1343, United States Code,

Indictment,

as charged<sup>2</sup> in count one (1) of the and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court,

It IS ADJUDGED that the defendant is guilty as charged and convicted.

It IS ADJUDGED that<sup>3</sup> the imposition of sentence is suspended and the defendant is hereby placed on probation for a period of FIVE (5) years, a condition of probation being that the defendant pay a fine to the United States in the sum of one thousand dollars and no/100 cents (\$1,000.00). The total sum to be paid through the Federal Probation Officer in such installments to be determined by the Probation Officer.

IT IS FURTHER ORDERED that defendant shall refrain from illegal use of the telephone or other such electronics devices for fraudulent means.

IT IS FURTHER ORDERED that counts 2, 3, 4, 5, 6 and 7 of the Indictment herein be, and are hereby, dismissed.

It IS FURTHER ORDERED that during the period of probation the defendant shall conduct himself as a law-abiding, industrious citizen and observe such conditions of probation as the Court may prescribe. Otherwise the defendant may be brought before the court for a violation of the court's orders.

It IS FURTHER ORDERED that the clerk deliver three certified copies of this judgment and order to the probation officer of this court, one of which shall be delivered to the defendant by the probation officer.

Judgment & Order of Probation filed  
this 29th. day of November, 1972

*Robert J. Peltz*  
United States District Judge.

CHARLES ULFERS,

By: *[Signature]* Deputy Clerk.

<sup>1</sup> Insert "by [name of counsel], counsel" or "without counsel; the court advised the defendant of his right to counsel and asked him whether he desired to have counsel appointed by the court, and the defendant thereupon stated that he waived the right to the assistance of counsel."

<sup>2</sup> Insert (1) "guilty, and the court being satisfied there is a factual basis for the plea," (2) "not guilty, and a verdict of guilty," (3) "not guilty, and a finding of guilty," or (4) "nolo contendere," as the case may be.

<sup>3</sup> Insert "in count(s) number" " if required.

<sup>4</sup> If sentence is imposed but execution suspended, and probation ordered, enter here (1) sentence or sentences, specifying counts if any, (2) whether sentences are to run concurrently or consecutively, and if consecutively, when each term is to begin with reference to termination of preceding term or to any outstanding or unserved sentence, (3) whether defendant is to be further imprisoned until payment of fine or fines and costs, or until he is otherwise discharged provided by law, (4) the facts regarding the suspension of the sentence or sentences and (5) the period of probation.

If sentence is suspended and probation ordered, enter here the following: "The imposition of sentence is hereby suspended and the defendant is placed on probation for a period of years from this date."

*Copies to: USA - USM - Prob*