CRIMINAL DOCKET UNITED STATES DISTRICT COURT

conducting and holding all further proceedings. (Judge Boyd having been designated to hold court for this district Feb. 7 1964 thru -December 31, 1964. Copies to attorneys of record, transmittal leti		TI	TLE OF CASE				ATTORNEYS	1.35			
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Nashville, Tennessee Nashville, Tennessee Nashville, Tennessee Nashington, D. C. THREE (3) COUNTS For Defendant: Third Avenue No., Nashville 3, Tennessee Nacklin P. DAVIS, Jr., American Trust Bldg, American Trust Bldg, American Trust Bldg, Marshal DISS. THREE (3) COUNTS DATE FRAMERORY AMERICAN		7 T OC	BODN TD			KENNEIH HA	RWELL &	Scarr			
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Vashington, D. C. VIOLATION: Section 1503, THREE (3) COUNTS For Defendant: Title 18 U.S.C. (Did endeavor to JACK NORMAN, SR., Interest and impede due administration 215 Third Avenue, No., Interest and impede due administration 215 Third Avenue, No., Individual to contact prospective jurors MacKLIN P. DAVIS, Jr., American Trust Bldg., Amer		Nochrill	Tungii Dullulii	<u> </u>				100			
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Individual to contact prospective jurors with offer to pay said prospective jurors Nonics to vote for acquittal of defendant in this Nashville, Tenn. 57201 JS. 2 mailed Clerk JS. 3 mailed Marshal Violation Docket fee -24-68 Z. T. Osbbarn .r5000.00 Sec. DATE PROCEEDINGS Title -24-68 Treas CD 46 Sec. DATE PROCEEDINGS To be a conducted by both Judges, that both judges of this court have jointly rendered judgment in a collateral matter on the basis of the same acts alleged in the first count of the indictment in this case (Matter of Osborn, General Docket, November 20, 1962) and both recuse themselves from presiding in any further proceedings under this indictment. Copies to attorneys and to Mr. Osborn. ORDER entered that this case be assigned to Judge Marion S. Boyd fo conducting and holding all further proceedings (Judge Boyd having been designated to hold court for this district Feb. 7 1964 thru—becamber 31, 1964. Copies to attorneys of record, transmittel let MOTION to Dismiss Indictment Equally Dybained filed by Defendant; Certificate of Service and Memorandum in support, attached. 2/21/64 Exhibit Th fitted. (numerous News Paper pages).					*	Nashville	3. Ten	nessee			
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Illegally Impanelled; Certificate of Service, and Exhibits A thru G, attached. 2/21/64 Exhibit 'H' Siled. (numerous News Paper pages).	2/21/64	MOTION to Dis	miss Indictme	ent Be	cause Gra	nd Jury was	Improper	lv and			
G, attached. 2/21/64 Exhibit 'H' sited. (numerous News Paper pages).		Illegally Imr	anelled: Cert	ifice	te of Ser	vice, and Fo	chibits A	thru			
2/21/64 Exhibit 'H' sited. (numerous News Paper pages).		G, attached.						4 %			
	2/21/64		ited. (nume:	rous N	lews Paper	pages).	A 1. V. 2				
	26-64	Order entered	granting at	torne	y for the	United Stat	tes fifte	en days			

3	
DATE	PROCEEDINGS
cont'd	within which to file answers to the motions filed by the defendant.
Z	Further Ordering that the motions be set for hearing at 9:00 A.M.
>	April 15, 1964 in U. S. District Courtroom No. 1, Nashville, Tennessee.
	(Copy mailed to Mr. McLean).
/11/64	REPLY in Opposition to Defendant's Motion to Suppress Evidence Illegal-
	-1y Obtained, filed by the Government. Certificate of Service on
3/11/64	REPLY: in Opposition to Defendant's Motion to Dismiss the Indictment Bo-
	cause the Grand Jury was Improperly and Illegally Impanelled filed by
z / ¬ +- / = /.	the Plaintiff. Certificate of Service on.
5/25/64	MOTION for Inspection and Copying Documents Under Rule 16, and in Ad-
3/25/ 64	vance of Trial Under Rule 17(c) FRCP. filed. Certificate of Service on.
5/27/ 04	Memorandum of defendant, in support of MOTION for Production, Inspec-
1 12 12 1	tion and Copying, filed. Certificate of service (letter filed).
4/1/64	Memorandum, in opposition to motion for production, inspection and copy-
17/51	ing, filed by the Government. Certificate of Service attached.
/7/64	REPLY to Government's Response Respecting Illegality of Grand Jury,
/13/64	filed by defendant; Certificate of Service & affidavit attached.
/ 22/ 0	Subpoenas issued to: Robt. D. Vick; John Polk; David McMackin; Robt. P
	Seigler; Ms. Dymple Simpson; Parmenas Cox; F.A. Goodman; C.R. Byrn; W.C. Ashworth; Raymond Kea; A.D. Baynton; J. Gill Thompson; Mr. Williams; Mrs.
	Ruby Thompson; J.B. Marshall; Ben S. Kimbrough; Thomas L. Smith; Morris F.
	Dozier; Bess L.Adkisson; J.B.Bradley; A.C.Earls; Leroy Cook; M.B.Carr;
	Oneida Lyons, all to testify on behalf of deft. 15 April, 1964 - two
	copies to U. S. Marshal together with checks for fees (Osborn).
4/16/64	Above listed subpoenas returned executed - with exception of three-
5	Parmenas Cox; J. Gil Thompson & J. B. Bradley returned unexecuted. The
	checks which accompanied said subpoenas were returned, transmittal letter.
1/15/64	Hearing on various MOTIONS: Court finds:-
	on motion to dismiss, that the Grand Jury was legally drawn,
	that no showing was made of any prejudice on part of said
	Grand Jury against the defendant, or any other person, and
	in all respects defendant failed to sustain his burden of
	proof - according said motion to Dismiss is denied.
	With respect to Motion to Inspect and Copy Documents - the Government
	voluntarily agreed to fusnish same for inspection and copying, on the
	condition that said Records remain in custody of officials of the U.S at all times.
	Determination of the MOTION to Suppress Evidence il-
	legally obtained was deferred for determination at
	the trial of the general issue, with consent of coun-
	sel for the parties - with the understanding that the
	defendant waives no objection to the admission of the
	evidence referred to in said motion.
	Following disposition of motions, defendant waived formal arraignment;
	waived reading of the indictment and entered P.N.G. After consultations
	ORDER entered that the trial of this case be set for May 20, 1964 to be
	tried. Attested copies to U. S. Attorney and one to Jas. Neal. Special
	Assistant, in Washington D. C transmittal letter.
₿ ⇒ 25 – 64	Jury impaneled. Third count dismissed upon motion of the U.S. Attorney
	After hearing part of the proof, jury respited into custody of the U. S.
E-06-64	Marshal until 5-26-64: Defendant's Motion to suppress denied.
5 - 26 - 64	Jury respited until May 27, 1964.
5 -2 7 2 64	Jury respited until May 28, 1964.
5 - 28 - 64	Motion for Judgment of Acquittal filed by defendant. Defendant's Motion for Judgment of Acquittal denied at conclusion of

DATE	PROCEEDINGS
	Government's proof. Jury respited until May 29, 1964.
5-29-64	Defendant's Requested Jury Instructions I through 44 filed.
5-29-64	Defendant's motion for judgment of acquittal at conclusion of
	all proof denied.
	Jury verdict of guilty under the first count, and Not Guilty under
	the Second count. Defendant allowed 10 days within which to file
	motion for New Trial, and J. R. reserved under the let count pending
	nearing of motion for New Trial. Motion for New Trial set for hear-
	ing on June 19, 1964 at 10:00 A.M.
5-29-64	
6/8/64	
	on page 5. Attached (following said Certificate of Service)is
	MEMORANDUM in SUPPORT of the motion for New Trial
6-19-64	Order entered denying defendant's motion for New Trial.
<u>6-19-64</u>	Judgment and Commitment: Three and one-half (31/2) years, and pay a
	fine in the amount of \$5,000.00 with remain. Execution of sentence
· · · · · · · · · · · · · · · · · · ·	suspended pending termination of appeal upon the defendant executing
	an appearance bond in the amount of \$2.500.00, and upon executing a
6-19-64	\$5,000.00 Bond for payment of fine.
6-19-64	The state of the s
0-19-04	The did stay of
6-22-64	execution, filed.
6-24-64	
6/30/64	The second secon
	Trial and Sentence.
6/30/64	
· · · · · · · · · · · · · · · · · · ·	May 25 thru 29, 1964 - Volume I; II & III (PART 1-693 pages).
	O.R.C's transcript filed: Volume IV thru VII, (PART II - pages 694
	thru 1275).
6/30/64	O.C.R's transcript filed; Proceedings of April 15, 1964 before the
	Hon. Judge Marion S. Boyd (sitting by designation).
7 <u>-29-64</u>	Record on Appeal mailed to Clerk, United States Court of Appeals
L965	For the Sixth Circuit, Cincinnati, Ohio
L965 L1/19/65	D. S I OTOMB W
1/19/02	
1/19/65	service on the Brief in Support of said Second Motion for New Trial.
1/19/65	
1/19/65	Exhibit "B" filed - Affidavit of A. B. Grandoff, Jr.
1/19/65	
1/19/65	Exhibit "D" filed - Affidavit of Jay G. Stephenson.
1/19/65	
1/19/65	
1/19/65	Exhibit 'G' filed - Affidavit of Mys. Pophase Thomas
1/19/65	Exhibit "G" filed - Affidavit of Mrs. Barbara Thomas. Exhibit "H" filed - Affidavit of Kelley R. Hix.
1/19/65	
1/19/65	DOPOURULON OF MODEL OF ATOM ITST DURES!
LA/ 17/ UJ	
	14, 1965 (this unsigned by eigher Court Reporter, Humphreys or any Notary Public).
1/19/65	Penceitian of Campal Lagrand Mathematical in the control of Campal Lagrand Mathematical Incident M
// 00	
	Tennessee case against Z. T. Osborn, Jr. on November 10, 1965/ and attached to this deposition, also filed, is envelope marked "EXHIBIT"
	postoring to this depositions also filed, is envelope marked "EXHIBIT"
	pertaining to 'vick story'. (as fastened cannot be read).
.2-23-65	Memorandum in Opposition to Defendant's Second Motion for a new trial
D 0.400 0.1	inal & Bankruntey Continuation Sheet

2/23/67 JUDGMENT received, and entered - Supreme Court of the United States affirmed the District Court and remanded the case to the Nashville District. Copy to U. S. Attorney by this office. 2/27/67 DEFENDANT'S Motion for Stay of Fine and to Continue Defendant on Bail Pending Further Proceedings on His Second Motion for a New Trial, Certificate of Service on. DEFENDANT'S BRIEF in Support of Motion to Continue on Bail. 3/3/67 JUDGMENT of Court of Appeals; ORDER dissaid Court affirming the District court in this case and a nineteen page opinion received and entered this date. Kerox copy of Order and Judgment to U. S. Attorney. 13-67 Consent Order entered that the defendant's second motion for a new trial and his motion for bail and stay of the mandate pending disposition of his motion for a new trial is hereby transferred from Nashville to Memphis, Tennessee for hearing. -13-67 Defendant's Proposed Findings of Fact and Conclusions of Law, filed. -13-67 Order entered denying motion for bail and stay of the mandate; and further Ordering that the defendant report to the United States Marshal at Nashville, Tennessee at 10:00 A.M., March 20, 1967 to commence service of sentence heretofore imposed. Copy to U. S. Attorney, Mr. Maclin Davis and two coptes to U. S. Marshal. 3/16/67 **ORDER entered by Judge Marion S. Boyd that defendant Osborn's second motion for a new trial, be and same is denied. Attested copy to Hon. Maclin P. Davis, Jr. and one to U. S. Attorney. 3/15/67 **NOTICE of AFPEAL, filed. Attested copy and Statement of Docket Entries mailed to Hon. Carl W. Reuss, Clerk, C of A. Cincinnati -45202. 3/17/67 **APPELIAMY'S REQUEST for Transmission of Tapease to the Clerk of the Court of Appeals for Motion for Admission to Bail, Certificate of service attached. Defendant's motion for admission to bail, with brief, filed. Certificate of service attached. -24-67 **Defendant's motion for Samission to bail, with brief, filed. Certificate of service attached. Bolpoens issued to Walter J. Sheridan,		*
2/25/67 JUDGMENT receifed, and entered - Suprame Court of the United States affirmed the District Court and remembed the case to the Nashville District. Copy to U. S. Attorney by this office. 2/27/60 DEFENDANT'S Motion for Stay of Fine and to Continue Defendant on Bail Pending Further Proceedings on His Second Motion for a New Trial. Certificate of Service on. 2/27/67 DEFENDANT'S MRIEF in Support of Motion to Continue on Bail. 5/5/67 JUDGMENT of Court of Appeals; ONDER dissaid Court sitirming the District court in this case and a nineteen page opinion received and entered this date. Merox copy of Order and Judgment to U. S. Attorney and the Motion for a new trial and his motion for bail and stay of the mandate pending disposition of his motion for a new trial is hereby transferred from Nashville to Memphis, Tennessee for hearing. -13-67 Defendant's Proposed Findings of Fact and Conclusions of Law, filed. -13-67 Affidavit of Z. T. Osborn, Jr., filed. -13-67 Affidavit of z. T. Osborn, Jr. osborn Jr. osborn Jr. osborn Jr. oscarda at Nashville, Tennessee at 10:00 A.M., March 20, 1967 to commence service of sentence heretofore imposed. Copy to U. S. Attorney, Mr. Maclin Davis and two combes to U. S. Attorney and Statement of Docket Entries of Appeals for Appeals for Motion for Admission to Bail. Gertificate of Service on page 3. 3/16/67 Appeals for Motion for Admission to Bail. Certificate of Service attached to Hon. Carl W. Reuss, Clerk, O of A. Cincinnat	DATE	PROCEEDINGS
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affirmed the District Court and remanded the case to the Nashville District. Copy to U. S. Attorney by this office. 2/27/67 DEFENDANT's Motion for Stay of Fine and to Continue Defendent on Bail Pending Further Proceedings on His Second Motion for a New Trial. OFFICE STAY of Stay of Fine and to Continue on Bail. 2/27/67 DEFENDANT's REDEF in Support of Motion to Continue on Bail. 3/3/67 JUDGMENT of Court of Appeals; ONDER offsmid Court affirming the District court in this case and a nineteen page opinion received and entered the date. Kerox copy of Order and Judgment to U. S. Attorney. 13-67 Consent Order entered that the defendant's second motion for a new trial and his motion for a new trial is hereby transferred from Nashville to Memphis, Tennessee for hearing. -13-67 Defendant's Proposed Findings of Fact and Conclusions of Law, filed. -13-67 Paffidavit of Z. T. Osborn, Jr., filed. -13-67 Order entered denying motion for bail and stay of the mandate; and further Ordering that the defendant report to the United States Marshal at Nashville, Tennessee at 10:00 A.M., March 20, 1967 to commence service of sentence heretofore imposed. Copy to U. S. Attorney, Mr. Maclin Davis and two copies to U. S. Marshal. 3/15/67 **ORDER entered by Judge Merion S. Boyd that defendant Osborn's second motion for a new trial, be and same is denied. Attested copy to Hon. Maclin P. Davis, Jr. and one to U. S. Attorney. 3/15/67 **ORDER entered by Judge Merion S. Boyd that defendant Osborn's second motion for a new trial, be and same is denied. Attested copy to Hon. Maclin P. Davis, Jr. and one to U. S. Attorney. 3/15/67 **ORDER entered by Judge Merion S. Boyd that defendant Osborn's second motion for a new trial, be and same is denied. Attested copy to Hon. Maclin P. Davis, Jr. and one to U. S. Attorney. 3/16/67 **ORDER entered by Judge Merion S. Boyd that defendant Osborn's Second motion for admission to Bail, Gertificate of Service attached.	2/23/67	JUDGMENT received, and entered - Supreme Court of the United States
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Bail Pending Further Proceedings on His Second Motion for a New Trial. (2/27/67) DEFENDANT'S BRIEF IN Support of Motion to Continue on Bail. 3/3/67 JUNGMENT Of Court of Appeals; ONDER disaid Court stifting the District court in this case and a nineteen page opinion received and entered this date. Kerox copy of Order and Judgment to U. S. Attorney. Consent Order entered that the defendant's second motion for a new trial and his motion for bail and stay of the mandate pending disposition of his motion for a heaving. 13-67 Consent Order entered that the defendant's second motion for a new trial and his motion for a heaving. -13-67 Pefendant's Proposed Findings of Fact and Conclusions of Law, filed. -13-67 Affidavit of Z. T. Osborn, Jr., filed. -13-67 Order entered denying motion for hail and stay of the mandate; and further Ordering that the defendant report to the United States Marshal at Nashville, Tennessee at 10:00 A.M., March 20, 1967 to commence service of sentence heretofore imposed Copy to U. S. Attorney, Mr. Maclin Davis and two copmes to U. S. Marshal. 3/16/67 **ORDER entered by Judge Marion S. Boyd that defendant Osborn's second motion for a new trial, be and same is denied. Attested copy to Hon. Maclin P. Davis, Jr. and one to U. S. Attorney. 3/16/67 **ORDER entered by Judge Marion S. Boyd that defendant Osborn's second to tries mailed to Hon. Carl W. Reuss, Clerk, C of A. Cincinnati -45202. 3/17/67 **APPELLANT'S REQUEST for Transmission of Mapens to the Clerk of the Court of Appeals for Motion for Admission to Bail, Certificate of Service on page 1 mailed to Court of Appeals. Copy of Clerk's Certificate of Service on Appeal mailed to Court of Appeals. Copy of Clerk's Certificate of service attached. 2-14-60 **Defendant's motion for admission to bail, with brief, filed. Certificate of service attached. 3-28-67 **Record on Appeal mailed to Court of Appeals. Copy of Clerk's Certificate of service attached. 3-29-68 **Subpoena issued to Walter J. Sheridan, 4901 Edgemoor Lane, Bethesda, Marylan		District. Copy to U. S. Attorney by this office.
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2/27/67 DEFENDANT'S BRIEF in Support of Motion to Continue on Bail, 3/3/67 JUDGMENT of Court of Appeals; ONDER dismaid Court affirming the District court in this case and a nineteen page opinion received and entered this date. Merox copy of Order and Judgment to U. S. Attorney. Consent Order entered that the defendant's second motion for a new trial and his motion for a new trial is hereby transferred from Nahville to Memphis, Tennessee for hearing. -13-67 Defendant's Proposed Findings of Fact and Conclusions of Law, filed13-67 Affidavit of Z. T. Osborn, Jr., filed13-67 Affidavit of Z. T. Osborn, Jr., filed13-67 Order entered denying motion for bail and stay of the mandate; and further Ordering that the defendant report to the United States Marshal at Nashville, Tennessee at 10:00 A.M., March 20, 1967 to commence service of sentence heretofore imposed. Copy to U. S. Attorney, Mr. Maclin Davis and two copies to U. S. Marshal. 3/16/67 *ORDER entered by Judge Marion S. Boyd that defendant Osborn's second motion for a new trial, be and same is denied. Attested copy to Hon. Maclin P. Davis, Jr. and one to U. S. Attorney. 3/16/67 NOTICE of APPEAL, filed. Attested copy and Statement of Docket Entries mailed to Hon. Carl W. Reuss. Clerk, C of A. Cincinnati -45202. 3/17/67 APPETIAM's Encourse for Motion for Admission to Bail. Certificate of Service on page 3. 3-27-67 O. C. R. transcript of hearing Motion for New Trial, filed. 3-28-67 Record on Appeal mailed to Court of Appeals. Copy of Clerk's Certificate of service attached. 2-14-67 Defendant's motion for admission to bail, with brief, filed. Certificate of service attached. 2-14-68 Subpoena issued to Walter J. Sheridan, 4901 Edgemoor Lane, Bethesda, Maryland, to appear at 9:00 A.M., August 19, 1968, in U. S. District Courtroom No. 1, to testify on behalf of the defendant. Check in the amount of \$132,00 attached. 1-4-68 Subpoena issued to Stephen Smith, Pan Am Building, New York, N. Y., to appear at 9:00 A.M., August 19, 1968 in U. S. District Courtr		
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Record to be fowwarded when returned from Sopreme Court.		Judgment entered from Court of Appeals affirming judgment of
	·	District Court. (No.17,810 Appeals Ct. No.) Copy to USDA
		Record to be fowwarded when returned from Sopreme Court.
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