

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100 Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES	For U. S.:
vs.	
Z. T. OSBORN, JR., 330 Stahlman Building Nashville, Tennessee	KENNETH HARWELL & Staff Rufus McLeann U.S. Dept. of Justice Washington, D. C.

THREE (3) COUNTS	For Defendant:
VIOLETION: Section 1503, Title 18 U.S.C. (Did endeavor to obstruct and impede due administration of justice - did request and instruct individual to contact prospective jurors with offer to pay said prospective jurors monies to vote for acquittal of defendant in this Court.)	JACK NORMAN, SR., 213 Third Avenue, No., Nashville 3, Tennessee MACKLIN P. DAVIS, Jr., American Trust Bldg., Nashville, Tenn. 37201

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed	Clerk	2/22/64	# 47,626	5.00	
J.S. 3 mailed	Marshal	2-16-67	MP Osborn Jr.	5.00	5.00
Violation	Docket fee	3-17-67	Mem 42		5.00
Title		4-24-68	Z. T. Osborn Jr	5000.00	
Sec.		4-26-68	Treas CD 46		5000.00

DATE	PROCEEDINGS
12/6/63	Indictment filed.
12/6/63	Praeipce for Warrant to arrest defendant, filed.
12/7/63	Warrant issued, same to U. S. Marshal for execution.
12/10/63	ORDER entered, signed 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.
2/10/64	ORDER entered that this case be assigned to Judge Marion S. Boyd for 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 letter)
2/21/64	MOTION to Suppress Evidence Illegally Obtained filed by Defendant; Certificate of Service and Memorandum in support, attached.
2/21/64	MOTION to Dismiss Indictment Because Grand Jury was Improperly and Illegally Impanelled; Certificate of Service, and Exhibits A thru G, attached.
2/21/64	Exhibit 'H' filed. (numerous News Paper pages).
2-26-64	Order entered granting attorney for the United States fifteen days

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DATE	PROCEEDINGS
cont'd	within which to file answers to the motions filed by the defendant. 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).
4/11/64	REPLY in Opposition to Defendant's Motion to Suppress Evidence Illegally Obtained, filed by the Government. Certificate of Service on.
3/11/64	REPLY in Opposition to Defendant's Motion to Dismiss the Indictment Because the Grand Jury was Improperly and Illegally Impanelled, filed by the Plaintiff. Certificate of Service on.
3/25/64	MOTION for Inspection and Copying Documents Under Rule 16, and in Advance of Trial Under Rule 17(c) FRCP. filed. Certificate of Service on.
3/25/64	Memorandum of defendant, in support of MOTION for Production, Inspection and Copying, filed. Certificate of service (letter filed).
4/1/64	Memorandum, in opposition to motion for production, inspection and copying, filed by the Government. Certificate of Service attached.
4/7/64	REPLY to Government's Response Respecting Illegality of Grand Jury, filed by defendant; Certificate of Service & affidavit attached.
4/13/64	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: Parmenas Cox; J. Gil Thompson & J. B. Bradley returned unexecuted. The checks which accompanied said subpoenas were returned, transmittal letter.
4/15/64	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 furnish 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 illegally obtained was deferred for determination at the trial of the general issue, with consent of counsel 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.
5-25-64	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. Marshal until 5-26-64: Defendant's Motion to suppress denied.
5-26-64	Jury respited until May 27, 1964.
5-27-64	Jury respited until May 28, 1964.
5-28-64	Motion for Judgment of Acquittal filed by defendant.
5-28-64	Defendant's Motion for Judgment of Acquittal denied at conclusion of

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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 1st count pending hearing of motion for New Trial. Motion for New Trial set for hearing on June 19, 1964 at 10:00 A.M.
5-29-64	Jury Verdict filed.
6/8/64	Motion for a New Trial, filed by defendant; certificate of service 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.
6-19-64	Judgment and Commitment: Three and one-half (3½) 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 \$5,000.00 Bond for payment of fine.
6-19-64	Appearance bond in the amount of \$2500.00 filed.
6-19-64	Bond in the amount of \$5000.00 for payment of fine and stay of execution, filed.
6-22-64	Notice of Appeal, filed.
6-24-64	Commitment issued to U. S. Marshal.
6/30/64	O.C.R.'s transcript filed; Proceedings relative to Motion for New Trial and Sentence.
6/30/64	O.C.R.'s transcript filed: Trial before Judge Marion S. Boyd on May 25 thru 29, 1964 - Volume I; II & III (PART I-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).
7-29-64	Record on Appeal mailed to Clerk, United States Court of Appeals For the Sixth Circuit, Cincinnati, Ohio
1965	
11/19/65	Defendant's SECOND Motion for New Trial filed; certificate of service on the Brief in Support of said Second Motion for New Trial.
11/19/65	BRIEF in support of said Motion filed.
11/19/65	Exhibit "A" filed - Affidavit of Harry Childress.
11/19/65	Exhibit "B" filed - Affidavit of A. B. Grandoff, Jr.
11/19/65	Exhibit "C" filed - Affidavit of George A. Karsch, Jr.
11/19/65	Exhibit "D" filed - Affidavit of Jay G. Stephenson.
11/19/65	Exhibit "E" filed - Affidavit of Jack Norman, Sr.
11/19/65	Exhibit "F" filed - Affidavit of Z. T. Osborn, Jr.
11/19/65	Exhibit "G" filed - Affidavit of Mrs. Barbara Thomas.
11/19/65	Exhibit "H" filed - Affidavit of Kelley R. Hix.
11/19/65	Exhibit "I" filed - Deposition of Robert D. Vick (191 pages).
11/19/65	Exhibit "HJ" filed - Deposition of Harold M. Humphreys - taken July 14, 1965 (this unsigned by either Court Reporter, Humphreys or any Notary Public).
11/19/65	Deposition of Samuel Leonard McPherson taken in Bar Association of Tennessee case against Z. T. Osborn, Jr. on November 10, 1965/ and attached to this deposition also filed, is envelope marked "EXHIBIT" pertaining to -- 'vick story'. (as fastened cannot be read).
12-23-65	Memorandum in Opposition to Defendant's Second Motion for a new trial

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DATE	PROCEEDINGS
cont'd	filed by U. S. Attorney, Certificate of service attached.
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.
2/27/67	DEFENDANT'S BRIEF in Support of Motion to Continue on Bail.
3/3/67	JUDGMENT of Court of Appeals; ORDER of said Court affirming the District court in this case and a nineteen page opinion received and entered this date. Xerox copy of Order and Judgment to U. S. Attorney.
3-13-67	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.
3-13-67	Defendant's Proposed Findings of Fact and Conclusions of Law, filed.
3-13-67	Affidavit of Z. T. Osborn, Jr., filed.
3-13-67	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.
3/16/67	*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	APPELLANT'S REQUEST for Transmission of Papers to the Clerk of the Court of Appeals 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 and Docket entries to U. S. Attorney and Maclin Davis.
12-14-67	Defendant's motion for admission to bail, with brief, filed. Certificate of service attached.
12-22-67	Defendant's affidavit in support of motion for admission to bail, filed. Certificate of service attached in letter.
4-24-68	\$5000.00 Fine paid by Mrs. Z. T. Osborn, Jr., copy letter to Honorable Maclin Davis, Jr. Hon Jack Norman, Sr, Hon W. Raymond Denney, Z. T. Osborn, Jr. Montgomery, Ala. and Warden Federal Prison Camp, Montgomery, Ala
8-7-68	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 plaintiff. Check in the amount of \$132.00 attached.
8-14-68	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 Courtroom No. 1, to testify on behalf of the defendant. Check in the amount of \$172.00.
1-26-70	Mandate entered from Sixth Circuit Court of Appeals. Judgment entered from Court of Appeals affirming judgment of District Court. (No.17,810 Appeals Ct. No.) Copy to USDA Record to be forwarded when returned from Supreme Court.