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Passaic County Probation Department Probation Report re: John Artis

PASSAIC COUNTY PROBATION DEPARTMENT

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January 28, 4977

Jeffrey Posel, Esq.

-108 Washington Steet

Newark; N. J. 07102

- Dear Jeff,

I am enclosing a copy of John's probation report.

Sincerely,

Lewis M. Steel

LMS/cpm

Enc.

PASSAIC COUNTY PROBATION DEPARTMENT

STATE OF NEW JERSEY ADULT PRESENTENCE REPORT

S.B.I. \$931358	CHIEF PROBATION OFFICER
NAME: JOHN ARTIS DO	OB: 10/15/45 Age: 31 Sex: Pale
AKA: Pl	ace of birth: Portsmouth, Va.
Address: 225 Lawrence Place Ph Paterson, N.J.	ione #: 684-2393
Indict. #: 167-65 Accus. #:	Compt. #:
Original Charge(s): Please refer to Final Charge(s) (Plea Bargain:) Murder, 1st count, N.J.S. 2A:113- Murder, 2nd count, H.J.S. 2A:113- Murder, 3rd count, N.J.S. 2A:113-	1, M.J.S. 2A:113-2 1, N.J.S. 2A:113-2
Type of Conviction: Trial: <u>Guilty by Jury</u> Plea: Date: December 21, 1976	Sentence Date: January 26, 1977 Judge: Bruno Leopizzi Court: Passaic County Attorney: Lowis Steel Public Defender Retained X Phone # 212-965-9620
Custodial Status: Presently incar- cerated Passaic County Jail R.O.R. On Bail (Amt.) On	Date of Arrest: October 14, 1966 Jail Time: 3,483 days From: 10/14/65 To: 3/20/75 12/21/76 1/26/77
Officer: Thomas Carn Supervisor:	Date Prepared: January 10, 1977 Date Approved:
DISPOSITION.	

CIRCUMSTANCES OF OFFENSE:

OFFICIAL VERSION: Indictment Number 167-86 presents that Fubin Carter and John Artis, on or about June 17, 1886, in Paterson, New Jersey, did willfully, feloniously, and of their malice aforethought, kill and murder James Oliver, Fred Hauyaks and Hazel Tanis, contrary to the provisions of M.J.S. 2A:113-1 and M.J.S. 2A:113-2.

The Passaic County Prosecutor's material and the Paterson Police of Department reports give the following information about the offense: At (continued on page 2a)

DEFENDANT'S VERSION: On January 4, 1977, the undersigned, along with Probation Officer Thomas Grealey, interviewed the defendant at the Passaic County Jail. The defendant related that he will maintain his innocence as long as he lives. The defendant did not wish to give any further statements.

codefendant, appeared in the Passaic County Court before the Honorable Bruno A. Leopizzi, and was convicted by a jury on three counts of first degree murder. He is scheduled to be sentenced on January 25, 1977.

SPECIAL FACTORS RELATED TO OFFENSE: The defendant was arrested on October 14, 1935. He was incarcerated in the Passaic County Jail until he was found guilty of First Degree Murder, three counts, on Indictment Mumber 167-65 on May 26, 1967. He was sentenced on June 29, 1967 on the first count to the New Jersey State Prison, life imprisonment less time spent in custody, 259 days. The second, concurrent with sentence imposed on the first count. The third count, concurrent with the sentence imposed on the first count. The defendant was released from Leesburg State Prison on March 20, 1976 pending a new trial. On December 21, 1976, the defendant was convicted by jury on three counts of First Degree Murder on Indictment Number 167-56. He was remanded to the Passaic County Jail until sentencing on January 26, 1976. The defendant has a total jail credit of 3,483 days.

NAME: JOHN ARTIS - 2a - CASE NO: 37434

CIRCUMSTANCES OF OFFENSE:

OFFICIAL VERSION: (continued) approximately 2:30 A.M. on June 17, 1956, the Paterson Police responded to a radio call that four persons had been shot at the Lafayette Grill, 423 Bast 18th Street, Paterson. The police, upon arriving at the Lafayette Grill, found James Oliver, the bartender, lying on the floor behind the bar, apparently dead of gunshot wounds in the back. The cash register drawer was open and there was money on the floor. It was later learned that \$62.00 was missing. Also, seated on a bar stool with his head lying on the bar, was Fred Hauyaks, a patron, apparently dead of a gunshot wound in the right temple. One of the patrons, William Marins, was removed by ambulance to St. Joseph's Hospital. Another patron, Hazel Tanis, was taken by ambulance to the General Hospital. The police found seven (7) .32 caliber slugs in two of the victim's bodies and surrounding area. A spent .12 gauge shotgun shell was found near one of the victim's body and parts of the shotgun shell were found in the victim's body and in the surrounding area.

A short time after the offense, Rubin Carter and John Artis were picked up by the police in a 1966 white Dodge sedan. Witnesses identified the car as the one that pulled away from the Lafayette Grill immediately after the shooting. Rubin Carter and John Artis were taken into custody. A search of the car revealed one live .12 gauge shotgun shell in the trunk and a live .32 caliber Smith Wesson long cartridge on the floor alongside the front seat. This live ammunition was the same type that had been used in the commission of the crime. A thorough search of the area by the police failed to locate the murder weapons.

At the scene of the crime, Alfred P. Bello told police that a friend had dropped him off a block from the tavern, whereupon he was going to the tavern for cigarettes, when he saw two black men running from the Lafayette Grill. He identified one of the black men as short and carrying a pump shotgun. He indicated that the other was tall. He told police that they saw him, whereupon they gave chase but he ran into an alleyway and hid. He then told police he saw the two men drive by in a new, white car, make unknown going west on Lafayette Street. He indicates that after they passed, he went to the tavern and saw the four persons who were shot. When questioned by the police Bello said that he could not identify the two men.

Also, at the scene, was Patricia Ann Graham, 428 East 19th Street, Paterson, New Jersey. Ms. Graham, who resides on the second floor over the Lafayette Grill, stated she heard shots and looking out her window on the Lafayette Street side, saw two black men run to a white car parked away from the curb, get in and with tires screeching, sped away. She made particular note of the white car, with taillights shaped like a butterfly, with a blue license plate with orange and gold letters. She then ran downstairs to the tavers, saw the victims of the shooting, returned to her apartment and phoned for the police. Ms. Graham's description of the car and the two men were relayed to police headquarters for a full radio broadcast.

The police then proceeded to Paterson General Mospital to question Hazel Manis, who suffered gunshot wounds of the right side, both breasts, abdomen and lower pelvic area. She told police that two black men entered the front door of the tavern. The shorter of the two men was armed with a shotgun and the taller was armed with a pistol. She indicated neither man spoke a word and the short man began firing the shotgun. She indicated she was hit

NAME: JOHN ARTIS - 2b - CASE NO: 37434

CIRCUMSTANCES OF OFFENSE:

OFFICIAL VERSION: (continued) and fell to the floor.

As a result of the information received, the Paterson Police continued the investigation and on October 14, 1986, again questioned Alfred Bello who admitted that he did not tell the whole truth when he was questioned on June 18, 1966. He claimed that he did not identify the two men he saw . running from the Lafayette Grill because he was afraid they would do something to him if he talked. In his statement to the police, dated October 14, 1966, Bello stated that on June 17, 1966, he was acting as lookout for Arthur Dexter Bradley, who was breaking into a building on Fast 16th Street, a short distance from the Lafavette Grill. While engaged as a lookout, a white car with colored occupants passed him twice. The second time, Bello saw a black man seated in the passenger side in the front with what appeared to be a rifle or shotgun standing between his legs. Bello became nervous because it was taking Bradley too long to break into the building. Bello them told Bradley he was going to the Lafayette Grill to get some digarettes. As he walked up Lafayette Street, he heard what sounded like shots. He noticed the white car that he had seen earlier, park about three feet from the curb, near Lafayette Grill. As he approached the corner by the Lafayette Grill, two black men walked around the corner from East 18th Street to Lafayette Street. The one man, Rubin Carter, was carrying what appeared to be a rifle or shotgun. The second man, John Artis, had a pistol in his hand. They were talking and laughing. Bello turned and ran up the street and into an alleyway. As the car pulled away, it slowed momentarily and Bello observed the same two black men in it. He also saw taillights shaped like triangles on the car. He then returned to the Lafayette Grill, entered and saw the results of the shooting. He walked around to the back of the bar to get a dime to call the police. He saw the open cash register drawer, money on the floor and took some of the money from the drawer. A short time later, the police brought the car back and Bello saw that the two men who were in the car with the police, were the same men he had seen coming out of the Lafayette Grill. He identified the car as the same one he had observed earlier.

In a statement taken separately by the Faterson Police and dated October 14, 1967, Arthur Dexter Bradley confirmed Bello's statement regarding the break and entry on East 16th Street on June 17, 1966. He stated that at one point during the break, he walked out an alleyway to Lafayette and saw what looked like a 1964 white Ford go by with four black persons in it. He identified a black man as the driver and said he looked across the front seat and saw what looked like a rifle or shotgun sticking up. A short time later, he heard some loud noises resembling gunshots or backfiring and walked down to Lafayette Street towards the Lafayette Grill. He saw Rubin Carter with another black man walking around the corner carrying what looked like a shotgun or rifle. Bradley later identified a photograph of John Artis as looking very similar to the man who was with Carter.

John Artis was arrested on October 14, 1966. Rubin Carter was arrested on October 15, 1966. Both were booked on three counts of Murder.

The victims of the offense are as follows:

James Oliver, age fifty-one, white, 428 East 18th Street, Paterson,

(continued on page 2c)

NAME: JOHN ARTIS

~ 2c -

CASE NO: 37434

CIRCUMSTANCES OF OFFENSE:

OFFICIAL VERSION: (continued) New Jersey, was pronounced dead at the scene by Dr. Masso, at 3:05 A.M., June 17, 1988. The cause of death: Severence of the spinal column due to gunshot wound. Dr. VanVooren.

Pred Nauyaks, age sixty, white, 89 Pompton Avenue, Cedar Grove, See New Jersey, pronounced dead at scene by Dr. Rosso at 3:05 A.M., June 17, 1966. The cause of death: Bullet through brain. Dr. VanVooren.

Hazel Tanis, age fifty-one, white, 176 Lafayette Avenue, Hawthorne, Haw Jersey, admitted to Paterson General Hospital on June 17, 1966. She expired on July 14, 1966, cause of death: Pulminory thrombosis, caused by gunshot wound. Dr. Ellis Vass, Dr. VanVooren.

OFFENSE	HISTORY:
	HILDIONI

	Juvenile:	yesno_X_	(see attached)		to records
	Adult:	yes 🐒 no	(see attached \times)		Department
Detainers:_	Pendir	g Charges:	-		
	Age at fir	st Conviction:			
	Offense:				
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Circumstances: Prior Record: According to the records of the Passaic County Bureau of Criminal Identification, the defendant has no prior arrests. The defendant's file at the Paterson Police Department record room indicates prior arrests. Please refer to the Consolidated Criminal Identification Report.

PREVIOUS PROBATION INSTITUTIONALIZATION, PAROLE: The defendant was arrested on June 13, 1965 and charged with a Disorderly Persons charge, whereupon he appeared in court on June 19, 1965 and was fined \$25.00. On November 23, 1965, the defendant was arrested on a Motor Vehicle warrant. On Hovember 26, 1965, the defendant failed to appear and charged \$65.00 in default. On April 15, 1966, the defendant appeared in Paterson Municipal Court charged with Illegitimacy. He was directed to pay \$10.00 weekly support. On May 17, 1966, the defendant was arrested on a Motor Vehicle warrant. The disposition is unknown.

The defendant was arrested on the instant indictment on October 14, 1966. (continued on page 3a)

DISCUSSION OF PAST RECORD: The defendant maintains his innocence in reference to the instant offense. The defendant was shown a copy of his prior arrest record from the Paterson Police Department. He made no notations or corrections. It should be noted that the defendant, while an inmate at Rahway State Prison, attended the Mercer County Community College for two years and received an Associate's Degree in Business Administration. Upon being transferred to Leesburg State Prison, the defendant enrolled in Glassboro State College. The defendant is currently in his junior year. The defendant was also under a minimum security while an inmate at Leesburg State Prison.

MANE: JOHN ARTIS

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CASE NO: 37434

PREVIOUS PROBATION INSTITUTIONALIZATION, PAROLE: (continued) released on bail on March 20, 1976. The defendant's Classification Material reflects that the defendant was received at New Jersey State Prison on June 30, 1967. He was then transferred to Rahway State Prison on January 31, 1958. He then went to Loesburg State Prison on January 4, 1973. The defendant, while an inmate at Leasburg State prison, was on minimum security. Prior to going to Leasburg State Prison, the defendant while an inmate at Rahway State Prison attended the Mercer Community College for two years. He received an Associate's Degree in Business Administration. While an inmate at Leesburg State Prison, the whole defendant started classes at Glassboro State College. He started in the Pall of 1974. Contact with the authorities at Glassboro State indicated that? the defendant took fifty-five and a half credit hours but only completed nineteen and a half credits. He currently has a total of eighty-three and a half credits and needs 120 credits to graduate from college. The Dean of Students, Dr. Wildman, indicated that the defendant's scholastic average is 2.9. Dean Wildman indicated that the defenant will receive a Bachelor of Arts Degree in Administration upon completion of his 120 credits.

The defendant indicated that while an inmate at Rahway State Prison, he was instrumental in saving the lives of the guards during the Rahway riots. However, the Classification Material does not contain any verification of this information. Contact was made with Rahway and Leesburg State Prisons. However, no information could be ascertained as to whether or not the defendant actually helped save the lives of the guards.

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the	How lo		enda	nt lived	in pr	esei	nt to	wn/ci	.ty	· · · · · · · · · · · · · · · · · · ·			
	Cot	inty	, St	ate	•								

DISCUSSION OF HOME AND NEIGHBORHOOD ENVIRONMENT: The defendant was residin at 225 Lawrence Place, Paterson, New Jersey with his father and stepmother and their four children. The defendant indicated that he occupied an apartment in the attic.—He related that he paid no money to his parents for rent. Contact was made with the defendant's stepmother, who indicated that her and her husban purchased the home in 1989. They currently pay a mortgage of \$247.09. She indicated that the house encompanses thirteen rooms. She described the neighborhood as residential. Prior to residing at 225 Lawrence Place, the defendant's family resided at 35 Harrison Street, 277 Ellison Street, 125 River

Etrost, and S Tyler Street, Paterson, sew Jorsey.

COMMUNITY INVOLVEMENT AND TIES: The defendant related that while an inpate at Leesburg State Prison, he was the past precident of the Jayoses. The defendant Classification Naterial indicate that the defendant was a member of the Jayoses. The defendant also indicated that he was a member of the Fire Department. Records at Leesburg also verify this information. The defendant further advise that he is involved in intramural sports at the institution.

FAMILY HISTORY:

The defendant wan the only child born to the union of John Artis

PARENTAL: Ar., and Mary Elasbor Artis, on October 15, 1945, in Portsmouth,
Virginia. His father is currently fifty-four years of age and works for Herck
Chemical Company, Eawthorne, New Jersey. The defendant's mother died at age
forty-four on July 21, 1964. The defendant related that his father remarried
in 1967. The defendant's father married a Louisa Carnett, who had seven childre
ranging in ages of one year to mineteen years. Her maiden name was Swan. She
indicated that she divorced her first husband in 1962. The defendant's stepmother indicated that upon marrying the defendant's father, they had two
MMARITAIX children, Debra, age ten and Jennifer, age six.

MARITAL: The defendant is single. However, the defendant admits to being the father of an illegitimate son, Anthony, born to Shirley Pride. The defendar indicated that his son is currently twelve years of age and resides with his mother in California. He further related that Ms. Pride is now remarried but does not know her married name.

MILITARY HISTORY:

Branch:

None.

Dates of Service:

Service #:

Type of Discharge:

DISCUSSION OF MILITARY BACKGROUND:

EDUC	ATIONAL ACHIEVEMENT:		
	In school now: yes y no		
	If yes, name of school: Classboro State College Grade: Junior year		
	If no, highest grade completed: Age left school:		

DISCUSSION, ON EDUCATIONAL BACKGROUND: The defendant graduated from Central High School in 1964. He previously attended the Paterson Public School \$6, \$15 and \$4. The defendant, upon being incarcerated at Rahway State Prison, attended the Mercer County Community College from 1972 until the Pall of 1974. He completed sixty-four credit hours and received an Associate Degree in Business Administration. The defendant, while an inmate at Leesburg State Prison, attended the (continued on page 5a)

PHYSICAL INFORMATION:

Reason for Leaving:

Height: 6'1" Weight: 165 lbs.

DISTINGUISHING MARKS AND DISCUSSION OF PHYSICAL APPEARANCE: The defendant has a scar on his left forearm. The defendant also has a scar on his right eye.

HEALTH:

Physical

No Problems: Denies

Previous or Existing Problems:

Mental

No Problems: Denies

Previous or Existing Problems:

DISCUSSION OF DEFENDANT'S HEALTH (PSYCHOLOGICAL, DRUG, ALCOHOL, ETC.)

The defendant is 6'1" in height and weighs 165 pounds. He states that he is in good health and has no complaints. He denies the usage of drugs, states he does not gamble and admits to drinking occasionally. The defendant related that he has never received any type of psychological or psychiatric counseling.

NAME: JOHN ARTIS

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CASE NO: 37434

DISCUSSION ON EDUCATIONAL BACKGROUNG: (continued) Glassboro State College in 1974 until the present. He currently has a total of eighty-three and a half credit hours. He needs 120 credits to graduate. The defendant's scholastic average is 2.9.

EMPL	OYMENT:					
	Social Security #	151-34-435	4			
PRES	ENT EMPLOYMENT: Pres	ently inco	rcerated	in Passaic	County Jai	1.
·.	Employer: Address:					
	Nature of Work:					
74.8°	Employment Started:_	····				
	Earnings:					
	Employer Comments: OYMENT HISTORY: The					
work EMBL that indi Bloc	msci was contacted at ting there in the Shir CYMENTALISTICATION that the would hire the de cated that he worked maisld, New Jersey fr IF UNEMPLOYABLE, EXP saic County Jail.	pping and F the defendant up for 3.F.C.	Receiving adant was son his real Systems, 1976 to	Department no problem clease on p Corporatio December,	. He furth Further, arole. The n, Bloomfie 1976. Howe	er indicated he indicated defendant also ld Avenue, ver, there is
	one of the party			- 4		
	MEANS OF SUBSISTENCE				!:	
	.*					
DISC	CUSSION:					
FINA	ANCIAL STATUS:					
	Assets: Mone. Liabilities: None.					
	Comment:					

HAME: JOHN ARTIS

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CASE NO: 37434

EMPLOYMENT HISTORY: (continued) no listing for the B.F.C Systems Corporation according to the New Jersey Telephone Company. Prior to this, the defendant was employed as a truck driver for Intercity Commodities Company from July, 1966 until October 14, 1966. He then worked from December, 1965 until June, 1966 for Magor Car Corporation, Clifton, New Jersey. Prior to the forthgoing employment, the defendant states that he was employed as a produce and grocery clerk at Shop-Rite, on West Broadway from January, 1965 until December, 1965. Following his graduation from high school, from June, 1964 until January, 1965, the defendant states that he was employed in the grocery department as a night clerk for Topp's Department Store, located on Route \$46, Totowa Borough.

ANALYSIS

ASSESSMENT OF FACTORS CONTRIBUTING TO PRESENT OFFENSE:

ASSESSMENT OF DEFENDANT'S PERSONALITY, PROBLEMS AND POTENTIAL IN ASSOCIATION WITH THE USE OF PROBATION AS A DISPOSITION: The defendant, John Artis, age thirty-one, is appearing in Passaic County Court for sentencing on three counts of First Degree Murder for which he was found guilty by a jury on December 21, According to the Passaic County Prosecutor's files and Paterson Police Department records, at approximately 2:30 A.M. on June 17, 1966, the defendant and codofendant, Rubin Carter, entered the Lafayette Grill on East 18th Street, Paterson with a pump shotgun and a .32 caliber pistol and shot and killed three patrons and wounded a fourth, all of whom were white. They were observed by a second floor tenant and another witness as they left the tavern and sped away in a car.

The defendant, an only child, was born in Portsmouth, Virginia and came to Paterson when he was about eight or sine years of age. He has resided at several addresses in the Paterson area. His family is currently residing at (continued on page 7a)

AVAILABLE RESOURCES FOR POTENTIAL ASSISTANCE:

SOURCES OF INFORMATION:

Prosecutor's Office Paterson Police Report Passaic County Probation Department records Bail Unit The defendant The defendant's stepsother Passaic County Bureau of Criminal Identication Paterson Police Records Mercer Community College

Glassboro State College Classification Material from Leesbure

SIGNATURE OF OFFICER:

SIGNATURE OF SUPERVISOR: THOMAS CARR

Rahway State Prison

and Y.C.I.C. Information Center

TC/bs 1/19/76 NAME: JOHN ARTIS

ASSESSMENT OF DEFENDANT'S PERSONALITY, PROBLEMS AND POTENTIAL IN ASSOCIATION WITH THE USE OF PROBATION AS A DISPOSITION: (continued)

225 Lawrence Place, Paterson, New Jersey. According to the defendant's stepmother, they purchased the home in 1969.

The defendant attended the Paterson Elementary Schools and graduated Central Righ in 1964. He claims to have an average scholastic record. For his junior and senior years, he was a member of the varsity basketball, foot-ball and track teams.

Upon his graduation from Central High School in June, 1964 until he was incarcerated in October, 1966, the defenant apparently has had steady employment, leaving one job for a better one. The defendant claims that he has an illegitimate twelve year old son. He further advised that his son is residing in California with his mother. The defendant was originally arrested on October 14; 1956. He was sentenced to the New Jersey State Prison on June 29, 1967. He was released on bail on March 20, 1976 pending a new trial. While the defendant was incarcerated at Rahway State Prison, the defendant attended Mercer County Community College for a period of two years. He receive an Associate Degree in Business Administration. Upon being transferred to Leesburg State Prison, the defendant enrolled in the Glassboro State College. He currently has eighty-three and a half credit hours. His scholastic average is 2.9. The defendant was under minimum security while an inmate at Leesburg State Prison. While out on bail supervision, the defendant reported to the Bail Unit on a regular basis by phone. The defendant worked for Star Dynamics from September, 1976 until October, 1976. Contact with this employer verified this information. Further, it was learned that upon the defendant's release from the institution on parole, they would hire the defendant on a full time basis. The defendant also indicated he worked for B.F.C. Systems Corporation in Bloomfield, New Jersey from August, 1976 until June, 1976. However, according to the records of the New Jersey Telephone Company, there is no phone number for this company.

The defendant's stepmother related that this is a very terrible burden that the family has to live with. She went on to state that she really needs John at home. Further, he was always a great help to her and the rest of the family when he was home with them. The defendant's stepmother wishes the court would release the defendant on probation or parole. If this is not possible, she requested that the court consider shortening his sentence.

The defendant's only statement to the instant indictment was that he will maintain his innocance as long as he lives.

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PASSAIC COUNTY PROBATION DEPARTMENT

CONSOLIDATED CRIMINAL IDENTIFICATION REPORT

The following is a composite of the Defendant's Prior Record of Arrest and Convictions as reported by the Passaic County Identification Bureau after their check with State and Federal returns. In addition the files of this department, and where applicable, the records of local Municipal Police Departments.

D-4-	ARREST Place	OFFENICE	DISPOSITION
Date	Place	OFFENSE	DISPOSITION
5/18/05 T	Paterson, II.J.	Die. Person (abusive languuge)	c/19/75 - Fined \$20
/23/65	Paterson, N.J.	M.V. Warrant	11/26/65 - Default \$65.
/15/66	Paterson, H.J.	Illegitimate	\$10.00 weekly
/17/60	Fatorion, M.J.	M.V. Warrant	disp. unknown
0/11/66	paterson, N.J.	Marder 3 counts	6/29/67-Indt. 167-66 3 cts. 1 st degree murder, 1 st. ct.: sentenced to State
		a.A.	Princh-life imprisonment, less time spent in custody. 2 nd ct.: concurrent with sent imposed on 1 st.ct. 3 rd ct.: concurrent with sent
			imposed on 1 st.ct. On 3/20/76, released on bail pending new trial on Indt.167 On 12/21/76, convicted by jury 3 cts.
			First degree murder .To be sentence 1/26/77.

1/12/77 Date Completed:

Prepared by: