

DATE	PROCEEDINGS	Date Order of Judgment Noted Ct. Rep.
5/23/75	Fil. & Ent. PARTIAL TRANSCRIPT of argument on motions 5/22/75 at Ral.:19 pgs. Overby	
5/23/75	Arraigned at Raleigh, N.C. - entered plea of not guilty, requested trial by jury, by private counsel.	jwt
60	Fil. & ent. ADDITIONAL MEMORANDUM OF LAW WITH REGARD TO GRAND JURY SELECTION PROCESS by Plff. w/Cert. of Ser.	
61	Fil. & ent. AFFIDAVIT OF JAMES T. STROUD, Asst. U.S.Atty., re: statement of Ruth Astle in her affidavit of 5/19/75. w/attachments	jwt
5/29/75	Received cy. of Teletype Message: TO-Mr. Segal From: Gen.Crimes Sec., Crim.Sec. Washington, D.C. - Re: Freedom of Information Act Request for internal memoranda of the Justice Department - Denied by John C. Keeney, Acting Asst.Atty.Gen., Crim. Div.	jwt
5/30/75	Fil. & ent. ORDER GRANTING INSPECTION OF THE CLERK'S RECORDS re: selection process for Grand Jury which returned indictment & for prospective Petit Jury beginning 5/30/75 - 6/5/75. (DUPREE, J.) (CR OB #11, P. 302)	
64	Fil. & ent. ORDER ON MOTION FOR TRANSFER - Motions of deft. for transfer of case to U.S.D.C., Central Dist. Calif. for trial are denied; case is transferred from Fayetteville Div. of this court to the Raleigh Division for trial; case set for trial in Ctrm. #1, 7th Floor, Fed. Bldg., 310 New Bern Ave., Raleigh, NC, at 10:00 a.m., Mon., 7/14/75. (DUPREE, J.) (CR O.B.# 11, P. 303) CC to Mr. Stroud & Mr. Segal (Ent. 6/2/75)	
65	Fil. & ent. ORDER that order dtd. 5/16/75, denying deft.'s motion for discovery pur. to 28 U.S.C., Sec. 1867(f) is vacated; deft. shall have until close of reg. business day on 6/5/75 to complete discovery; such hearing as may be necessary on deft.'s motion under 28 U.S.C., Sec. 1867(a) shall be resumed on 6/6/75 in Raleigh at 2:30 p.m. Deft.'s filing fee for notice of appeal should be returned. (DUPREE, J.) (CR O.B.# 11, P. 304) (Ent. 6/2/75) CC to Mr. Stroud & Mr. Segal & Finance Deputy	jwt
6/2/75	Fil. & ent. NOTICE OF APPEAL by deft. of Order denying deft.'s motion for transfer made pursuant to R. 21(a) & (b), F.R.Cr.P. (1 cy. taken to J. Dupree, 3 cys. to Atty. Segal, cy. to U.S. Atty. by Segal's secretary) Cy. to 4th Cir. w/Cert. cy. of docket entries	jwt
6/3/75	Fil. & ent. WITHDRAWAL OF APPEAL from Order of U.S. Dist. Ct., E.D.N.C., denying deft.'s Motion for Discovery of Jury Selection Records made pursuant to 28 U.S.C. 1867. 4 cys. to Atty. Segal Sect. who was delivering a cy. to U.S. Atty. 1 cy. to 4th Cir. Ct. of Appeals	jwt
6/3/75	Fil. & Ent. ORDER GRANTING INSPECTION OF CLERK'S RECORDS w/regard to selection process for the Grand Jury which returned the Indictment in this case and for the prospective Petit Jury in the instant case. 2 cc to U.S. Atty, 1 copy for Clerk. DUPREE, J. (Cr. O.B. #11, P. 305)	bbp
6/12/75	Fil. & Ent. ADDITIONAL MEMORANDUM OF LAW WITH REGARD TO JURY SELECTION PROCESS AND JURY COMPOSITION, w/Certificate of Service; 1 copy. Clerk's copy to J. Dupree.	bbp
6/16/75	Cert. copy of ORDER ON MOTION FOR TRANSFER, filed 5/30/75, mailed to Clerk of the Fourth Circuit Court of Appeals, Richmond, Virginia, at the request of Asst. U.S. Attorney Jay Stroud. Cy of letter of transmittal to Atty Segal.	bbp
6/16/75	Cert. copy of Notice of Appeal from Order on Motion for Transfer mailed to Court Reporter Elizabeth Overby, P.O. Box 30101, Raleigh, N.C.	bbp
6/25/75	RECORD ON APPEAL from ORDER denying defendant's Motion to Transfer mailed to Fourth Circuit Court of Appeals, at Richmond, Virginia.; Copy of INDEX mailed to counsel of record.	bbp

USA v. Mac Donald

No. 75-26-CR-3
Fayetteville Division

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DATE	PROCEEDINGS	Date On Judgment
7/2/75 70	Fil. & Ent. AFFIDAVIT of <u>Dr. R.J.Hader and Mr. Bill Stines</u> w/regard to supervising and directing a scientifically based sampling of the jury pool for US Dist.Ct., EDNC, together with Tables 1 thru 3 attached; 1 copy. (Copy to J. Dupree.	bbp
7/2/75 71	Fil. & Ent. MOTION OF ROBERT SADOFF, M.D. FOR TRANSCRIPT OF GRAND JURY TESTIMONY, w/Exhibit A attached and a Certificate of Service; Atty for Robert Sadoff -- Adam Stein, Esquire, Chapel Hill, N.C., associated with David Ferleger, Esquire, Philadelphia, Pa.; 1 copy (Copy to J. Dupree. w/proposed order)	bbp
7/3/75	Issued NOTICE OF HEARING ON DEFT'S MOTION TO DISMISS INDICTMENT BECAUSE OF DISCRIMINATION IN THE SELECTION OF THE GRAND JURY on JULY 8, 1975, Courtroom #1, Federal Building, Raleigh, N. C.--to all counsel of record w/copy to Court Reporter Elizabeth Overby, Raleigh, and to Attys Adam Stein, Chapel Hill, N.C. & David Ferleger, Atty, Philadelphia, Pa.	bbp
7/3/75 72	Fil. & Ent. AFFIDAVIT of <u>Shirley Ann Rodgers</u> with regard to job as jury clerk and procedure for obtaining names for Master Jury Wheel, dated and sworn to on 6/16/75; 1 copy. (Copy to J. Dupree by U.S.Attorney)	bbp
7/3/75 73	Fil. & Ent. Gov.'s RESPONSE TO MOTION OF DR. ROBERT SADOFF FOR TRANSCRIPT OF GRAND JURY TESTIMONY, w/Cert. of Service; 1 copy (Copy to J. Dupree by US Atty)	bbp
7/7/75 74	Fil. & Ent. Certified copy of ORDER of COURT OF APPEALS DISMISSING defendant's appeal from an order denying a motion to transfer case to U.S.Dist.Court for the Central District of California, and the response of Jeffrey R. MacDonald for the reason that the order denying transfer is not appealable. s/John D. Butzner, Jr., with the concurrence of Judge Craven and Judge Russell.	bbp
7/7/75 75	Fil. & Ent. AFFIDAVIT/in connection with DR. SADOFF'S motion to obtain Transcript of his Grand Jury Presentation; 1 copy. (Copy to J. Dupree by US Atty)	bbp
7/7/75 76	Fil. & Ent. TRANSCRIPT of Defendant's testimony in a hearing/upon defendant's Motions, to Suppress Evidence; To Dismiss. 31 pages. Elizabeth Overby, Ct. Reporter.	bbp
7/8/75 77	Fil. & Ent. AFFIDAVIT of BRIAN MURTAGH; 1 copy. (Copy to J. Dupree)	bbp
7/8/75 78	Fil. in open Court DEFENDANT'S SECOND SUPPLEMENTAL MEMORANDUM IN SUPPORT OF MOTION TO DISMISS INDICTMENT BECAUSE OF DISCRIMINATION IN THE SELECTION OF THE GRAND JURY w/two articles attached; 1 copy-to J. Dupree.	bbp
July 8 & 9:	HEARING on M/Dismiss Indictment because of Discrimination in Selection of Grand Jury, held at Raleigh. Deft. allowed until July 18, 1975, to file Affidavit of Dr. Sperlich and further Memo of Law.; Court time on 7/7/75: 5 hrs; on 7/8/75: 2 hrs. 55 min.	bbp
7/9/75 79	Fil. & Ent. THIRD SUPPLEMENTAL MEMORANDUM in support of M/Dismiss Indictment because of Discrimination in the Grand Jury; 1 copy. (Clk's Copy to J.Dupree)	bbp
7/9/75 80	Fil. & Ent. AFFIDAVIT in support of M/Dismiss Indictment because of Discrimination in Selection of the Grand Jury (FOURTH AFFIDAVIT); 1 copy.(Clk's copy to J. Dupree)	bbp
7/10/75	RECEIVED Record on Appeal on M/Transfer to Cent. Dist. of Calif; Appeal DISMISSED. Cert. Copy of Order dismissing appeal filed 7/7/75.	bbp
7/15/75 81	Fil. & Ent. AFFIDAVIT of DR. PETER W. SPERLICH in support of M/Dismiss Indictment because of Discr. in selection of Grand Jury, w/EXHIBIT "A" attached; 1 copy. & Cert. of Service on U.S.Attorney. Clerk's copy to J. Dupree	bbp
7/15/75 82	Fil. & Ent. SUPPLEMENTAL MEMO OF LAW in support of M/Suppress Evidence and to Dismiss Indictment, w/affidavits in support of said motion; 1 copy. Clerk's copy to J. Dupree	bbp
* 7/18/75 83	Fil. & ent. PARTIAL TRANSCRIPT OF DR. PETER W. SPERLICH'S TESTIMONY AT RALEIGH, N. C., 7/8 & 9/75 (83 pgs - Henrietta Buck, Ct.Rprtr.) Folder #5	
	Fil. & ent. PARTIAL TRANSCRIPT OF DR. ROBERT J. HADER'S TESTIMONY AT RALEIGH, N. C. 7/9/75 (109 pgs - Henrietta Buck, Ct. Rprtr.) Folder #5	jwt
*See Page 6 for entry. on 7/17/75		

(Continued on Page 6)

DATE	PROCEEDINGS	Date Order of Judgment Noted
*Should be on P. 5.		
* 7/17/75 ⁸²	Fil. & Ent. ORDER of Clerk, Fourth Circuit Court of Appeals DENYING the petition for writ of mandamus; cert. copy of 4th Circ. Order. Copy to J. Dupree.	bbp
7/21/75 ⁸³	Fil. & Ent. Deft's RESPONSE TO GOVERNMENT'S ADDITIONAL MEMO OF LAW w/regard to M/Dismiss Indictment because of discrimination in selection of Grand Jury; Copy to J. Dupree.	bbp
7/21/75 ⁸⁴	Fil. & Ent. DEFT'S SUPPLEMENTAL MEMO OF LAW in support of M/Dismiss Indictment because of discrimination in selection of Grand Jury, AND Response to Gov's Additional Memo of Law regarding same dated 6/12/75; Copy to J. Dupree.	bbp
7/21/75 ⁸⁵	Fil. & Ent. DEFT'S SUPPLEMENTAL MEMO OF LAW in support of M/Dismiss Indictment because of DOUBLE JEOPARDY, and AFFIDAVIT IN SUPPORT THEREOF; Copy to J. Dupree.	bbp
7/21/75 ⁸⁶	Fil. & Ent. DEFT'S SUPPLEMENTAL MEMO OF LAW in support of M/Suppress pursuant to Rule 41, and AFFIDAVIT IN SUPPORT OF SAID MOTION; Copy to J. Dupree.	bbp
7/21/75 ⁸⁷	Fil. & Ent. CERTIFICATE OF SERVICE on Government of the above <u>four</u> filings on 7/21/75; Copy to J. Dupree.	bbp
7/28/75 ⁸⁸	Fil. & ent. ORDER OVERRULING MOTION TO DISMISS INDICTMENT - GRAND JURY SELECTION - Ordered that motion of deft. to dismiss indictment because of discrimination in selection of grand jury is denied. (DUPREE, J.) (CR.OB# <u>11</u> , P. <u>333</u>) (Ent. 7/29/75) CC to Atty. Stroud & Atty. Segal.	
7/29/75 ⁸⁹	Fil. & ent. ORDER ON DEFENDANT'S REMAINING PRE-TRIAL MOTIONS - Motion for Inseption & copying of grand jury Testimony - Denied; Motion for Discovery & Inspection of Documents, Etc., Pursuant to Federal Rule of Criminal Procedure 16 as amended - Denied; Motion To Dismiss Indictment for Defects in Grand Jury Proceedings & Prosecutorial Misconduct before the Grand Jury - Denied; Motion to Dismiss Indictment because of Double Jeopardy and Collateral Estoppel - Denied; Motion to Suppress Evidence Obtained as a result of Unlawful Search & Seizure & to Dismiss the Indictment - Denied; Motion to Suppress Evidence Pursuant to Fed.R.of Cr. P., 41(e) - Denied; Motion to Dismiss Indictment for Denial of Right to Speedy Prosecution & Trial - Denied and deft.'s motion for leave to conduct further discovery in action is denied. (DUPREE, J.) (CR OB# <u>11</u> , P. <u>334</u>) (Ent. 7/29/75) CC to Attys. Stroud & Segal.	
90	Fil. & ent. ORDER ON GOVERNMENT'S MOTION FOR DISCOVERY - deft's. discovery motions having been denied, the government's motion pursuant to R.16(c) for leave to inspect & copy exhibits of deft. to be introduced at trial is also denied. (DUPREE, J.) (CR. O.B.# <u>11</u> , P. <u>335</u>) (Ent. 7/29/75) CC to Attys. Stroud & Segal	
90A	Fil. & ent. ORDER - that a special session of court be convened in Ctrm. #1, 7th Floor, Fed. Bldg., Raleigh, N.C., at 10:00 a.m., Mon., 8/18/75 for trial of this action; for purposes of the trial the Clerk shall summon 50 jurors to appear at 9:30 a.m., Mon., 8/18/75 & 50 additional jurors to appear at 9:30 a.m., on Tues., 8/19/75. Copies of order to be served upon counsel & deft., Jeffrey Robert MacDonald, 16052 Mariner Dr., Huntington Beach, Calif., by certified mail. (DUPREE, J.) (CR.O.B.# <u> </u> , P. <u> </u>) (Ent. 7/29/75) CC handed to Mr. Stroud & CC to Atty. Segal & MacDonald by Cert. Mail #219888 & 219889. Segal's cy. of this order & others mailed Air Mail.	jwt
7/30/75 ⁹¹	Fil. & ent. SUPPLEMENTAL MEMORANDUM IN SUPPORT OF MOTION TO DISMISS INDICTMENT FOR DEFECTS IN GRAND JURY PROCEEDINGS AND PROSECUTORIAL MISCONDUCT BEFORE THE GRAND JURY w/CS	jwt

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DATE	PROCEEDINGS	Date Order Judgment No.
7/31/75 92	Fil. & Ent. ROBERT SADOFF'S BRIEF in support of M/for transcript of his Testimony before the Grand Jury; 2 copies, 1 copy to J. Dupree. w/CERT. OF SERVICE.	bbp
8/7/75 93	Fil. & Ent. NOTICE OF APPEAL by defendant from Order entered 7/28/75 denying deft's M/D Indictment Because of Discrimination in the Selection of the Grand Jury; 1 copy. Copy to J. Dupree; Copies to counsel w/advice re Rules governing appeals.	bbp
8/8/75 94	Fil. & Ent. NOTICE OF APPEAL by defendant from ORDER entered July 29, 1975, entitled 'ORDER ON DEFENDANT'S REMAINING PRE-TRIAL MOTIONS', signed by F. T. Dupree, Jr., Judge; 1 copy. Copy to J. Dupree; Copies to counsel w/advice re Rules governing appeals; copy to Court Reporter, Elizabeth Overby.	bbp bbp
8/10/75	Mailed RECORD ON APPEAL from Order denying defendant's Motion to Dismiss Indictment because of Discrimination in the Selection of the Grand Jury to U.S. Court of Appeals for Fourth Circuit at Richmond, Virginia; Copy of Index mailed to Counsel of Record.	bbp
8/10/75	Mailed RECORD ON APPEAL from ORDER ON DEFENDANT'S REMAINING PRE-TRIAL MOTIONS" entered July 29, 1975, signed by Judge Dupree, to U.S. Court of Appeals for Fourth Circuit at Richmond, Virginia. Copy of Index mailed to Counsel.	bbp
8/11/75	Mailed SUPPLEMENTAL Record on Appeal, VOLUME IV, from ORDER ON DEFENDANT'S REMAINING PRE-TRIAL MOTIONS to 4th Circuit Court of Appeals at Richmond, Va.	bbp
8/11/75	Issued NOTICE OF PRE-TRIAL CONFERENCE in J. Dupree's Chambers at Raleigh on Friday, August 15, 1975, at 10:00 a.m. (To all counsel of record)	bbp
8/12/75	Issued ORDER TO APPEAR for trial at Raleigh on Monday, August 18, 1975 at 10:00 A.M., Cert. Mail No. 17,254 & 17,255 to Jeffrey R. MacDonald, 16052 Mariner Dr., Huntington Beach, Calif. 92647 and C/o St. Mary's Hospital, Long Beach, California 90801.	bbp
8/13/75	Fil. & Ent. Mar's return on Subpoena: Exec. 8/8/75 on Franz J. Grebner, at 1457 Marlborough Road, Fayetteville, N.C.	bbp
8/13/75	Fil. & Ent. Mar's return on Subpoena: Exec. 8/8/75 at Tampa, Florida, by personal service on PAMELA KALIN and DONALD KALIN, W. Pearl & McDill Ave., S. Little General Offices & Dill AFB respectively.	bbp
8/13/75	Fil. & Ent. Mar's return on Subpoena: RETURNED UNEXECUTED for the reason that Mrs. Janie Terry is now living at 226-B Cypress St., Grand Forks AFB, North Dakota.	bbp
8/14/75 95	Fil. & Ent. MOTION of Attorney DURANT WILLIAMS ESCOTT, for good cause shown, to withdraw as counsel of record for deft. MacDonald, w/Cert. of Service; 1 copy. Copy to J. Dupree. Copy to J. Dupree. (Mr. Riley of Court of Appeals said to send ANY ORDER of our court, together with this motion, when filed.)	bbp
8/14/75 96	Fil. Gov's RESPONSE TO MOTION TO WITHDRAW, w/Cert. of Service; 1 copy. Copy to J. Dupree. Entered 8/15/75.	bbp
8/15/75	Fil. & Ent. Mar's return on Subpoenas as follows: Served 8/9/75 on Kenneth Gillespie, at Houston, Texas; on 8/11/75 on William Hancock, at Sanford, NC; and on 8/11/75 on John R. Nuchereno at Buffalo, New York.	bbp
8/18/75 97	Fil. & Ent. Cert. Copy of Court of Appeals' STAY ORDER AND ORDER ALLOWING APPEAL filed in U.S. Court of Appeals for Fourth Circuit on August 15, 1975, done by the clerk by direction of Judges Craven, Butzner, and Russell; xerox copy to J. Dupree.	bbp
8/18/75 98	Fil. & Ent. ORDER allowing Durant Williams Escott to withdraw as counsel of record for defendant Jeffrey R. MacDonald, and she is relieved of all further duties herein; DUPREE, J. Cert. copy to Attys Segal, Escott & Stroud by Judges' office 8/18/75 - to Segal by Cert. mail.	bbp
8/19/75	MAILED SUPPLEMENTAL RECORD ON APPEAL, Volume V, including Petition, Response and Order re Atty Escott's withdrawal as counsel, to Court of Appeals, Richmond, Virginia.	bbp

DATE	PROCEEDINGS	
8/19/75 99	Fil. & Ent. PETITION of MRS. DOROTHY MacDONALD for Transcript of her Grand Jury Testimony; w/Cert. of Service; 1 copy. Copy to J. Dupree.	bbp
8/19/75 100	Fil. & Ent. PETITION of MRS. JUDITH ALVEY for Transcript of her Grand Jury Testimony, w/Cert. of Service; 1 copy. Copy to J. Dupree.	bbp
8/19/75	Fil. & Ent. the following Mar's returns: Subpoena to Produce Doc. to Manager, First Citizens Bk & Tr. Co., Fort Bragg, and to Registrar or Clerk of Medical Records, Chicago Wesley Memorial Hospital, 250 E. Superior St., Chicago, Ill., RETURNED UNEXECUTED at request of the U.S. Attorney. Subpoena exec. 8/11/72 on Hilyard O. Medlin at Augusta, Georgia; " " 8/12/75 on Jeffrey Bronstein at San Francisco, Calif.; " " 8/12/75 on Terry Laber, at St. Paul, Minn.; " " 8/12/75 on Craig S. Chamberlin at Champaigne, Ill.; and " " 8/13/75 on George Gammel at Columbia, Missouri.	bbp
8/22/75 101	Fil. & Ent. RESPONSE to Motion of MRS. DOROTHY MacDONALD for transcript of Grand Jury Testimony, w/Cert. of Service; 1 copy. COPY TO J. Dupree.	bbp
8/22/75 102	Fil. & Ent. RESPONSE to Motion of MRS. JUDITH ALVEY for transcript of Grand Jury Testimony, w/Cert. of Service; 1 copy. COPY to J. Dupree.	bbp
8/25/75	Fil. & Ent. the following Mar's returns: Subpoena to Testify: Exec. 8/14/75 by service on Pirtia Styles, Sec. to Mile Hoffman, Chief of Forensix Lab., Bureau of Alcohol, Tobacco & Firearms, IRS Bldg., 1111 Constitution Ave., N.W., Washington, D.C.; Subpoena to Testify: Exec. 8/19/75 by service on Richard D. Tevere, 825 Madison Ave., NY.C.; and Subpoena to Produce Doc.: Exec. 8/19/75 by service on Mr. Tuxbury, at 622 W. 168th St., New York, N.Y.	bbp
9/4/75	Fil. & Ent. the following Mar's returns: Subpoena to Testify: Exec. 8/11/75 by service on Dr. Martin Lonky, personally, at 3546 Carriage Hill Cir., Randallstown, Maryland; Exec. 8/11/75 by service on Violet Kalin, personally, at 7714-B Ray St., Ft. Meade, Maryland; and Exec. 8/12/75 by service on John W. Chester, 1010 St. Paul St., Baltimore, Md.	bbp
9/4/75	MAILED SUPPLEMENTAL RECORD ON APPEAL - VOLUME VI, consisting of the pretrial Exhibits, to Court of Appeals, Richmond, Virginia.	
9/10/75	MAILED SUPPLEMENTAL RECORD ON APPEAL - VOLUME VII, consisting of the transcript of Hearing Upon Motions of Defendant before The Honorable F. T. Dupree, Jr., Vol. 1, Pages 1 through 587, filed Sept. 10, 1975, to Court of Appeals, Richmond, Virginia.	mp
9/10/75	Fil. and Ent. TRANSCRIPT OF HEARING UPON MOTIONS OF DEFENDANT BEFORE The Honorable F. T. Dupree, Jr., Vol. 1, Pages 1 through 587. orig. only Forwarded to Fourth Circuit Court of Appeals.	mp
9/10/75	Fil. & Ent. Mar's return on Subpoena to Testify: Returned unexecuted per authority of AUSA - not served on Rebecca J. Cohen, 1811 Maness Court, Sycamore, Ill.	bbp
9/17/75	Fil. & Ent. PARTIAL TRANSCRIPT OF ARGUMENT UPON MOTIONS OF THE DEFENDANT before JUDGE DUPREE on MAY 23, 1975, AT RALEIGH - Vol. 1 only 84 pages--Court Reporter Henrietta B. Buck.	bbp
9/17/75	Fil. & Ent. PARTIAL TRANSCRIPT OF ARGUMENT UPON MOTIONS OF THE DEFENDANT before JUDGE DUPREE on July 8, 1975-AT RALEIGH - Vol. 1--- 77 pages--Court Reporter Henrietta B. Buck.	bbp
9/17/75	Fil. & Ent. PARTIAL TRANSCRIPT OF ARGUMENT UPON MOTIONS OF THE DEFENDANT before JUDGE DUPREE on July 8, 1975-AT RALEIGH - Vol. II --- 29 pages--Court Reporter Henrietta B. Buck.	bbp
9/17/75	Above 3 Transcripts mailed to U.S. Court of Appeals as Suppl. Record Vol. VIII	bbp

DATE	PROCEEDINGS	ST-1
9/29/75	103 Fil. & Ent. APPEARANCE OF COUNSEL by Robert H. Hood, III, 100 Park Drive, P. O. Box 12261, Research Triangle Park, Durham, County, N. C. 27709 (Admitted to practice in EDNC on 9/8/75. Copy to J. Dupree. (Original	bbp
1/26/76	to U. S. Court of Appeals to become a part of the Record) Filed/copy of OPINION of Fourth Circuit Judges CRAVEN, BUTZNER, and RUSSELL to appeals from the denial of several motions relating to defendant's prosecution for the 1970 deaths of his wife and two daughters: "We conclude that the delay of four and one-half years, dating from the Army's accusation and detention of MacDonald in May 1970 to his indictment in January 1975, even when allowances are made for several intervals, violates the right to a speedy trial guaranteed by the sixth amendment. We therefore reverse and order dismissal with prejudice". (Entered 2/19/76)	MEXXHXEXE
4/9/76	Fil. & Ent. MOTION FOR SUBSTITUTION OF BAIL: Deft. prays the Court grant leave for George and Molly Morgan to act as surety on the bail bond of Jeffrey R. MacDonald by posting their home in place of Dr. and Mrs. John R. Page; 1 copy. s/Bernard L. Segal, Atty for Jeffrey MacDonald. (The Pages' home has been assessed for the purpose of bail as having a value of \$16,000.00)	bbp
4/9/76	Fil. & Ent. ORDER: Clerk of USD Ct of Central Dist. of California ordered to direct the Title Ins. and Tr.Co. of California, the trustee for the District Court, to execute a Deed of Trust and Assignment of Rent to John R. Page and Bernadette R. Page, discharging them and their home as surety for Jeffrey R. MacDonald. The said surety shall be discharged upon receipt by the Clerk of the U.S. District Court for the Central District of California of a Deed of Trust and Assignment of Rent from George Morgan and Molly Morgan as described in paragraph 2 of this Order; (2); The Clerk of the said District Court is directed to receive as substitute surety for that herebefore entered by Dr. and Mrs. John R. Page, the real estate surety posted by George and Molly Morgan of 1423 Zuelta Grande, Long Beach, California. s/F.T.Dupree, Jr., Judge. (Cr. OB #12, P. 64)	bbp
4/9/76	Fil. & Ent. MOTION FOR SUBSTITUTION OF BAIL: Deft. prays Court grant leave for Barbara Gallagher to act as surety on the bail bond of Jeffrey R. MacDonald by posting their home in place of Dr. and Mrs. Paul Hildebrand (\$22,500) s/Bernard L. Segal, Atty for deft. MacDonald. Copy. Certificate of Service attached.	bbp
4/12/76	Fil. & Ent. ORDER: Clerk of USD Ct of Central Dist. of Calif. ordered to direct the Title Insurance and Trust Company of California, Trustee, to execute a Deed of Trust and Assignment of Rent to Paul Hildebrand and Eva Hildebrand discharging them and their home as surety for Jeffrey R. MacDonald; said surety shall be discharged upon receipt by the Clerk of U.S. District Court for the Central Dist. of California of a Deed of Trust and Assignment of Rent from BARBARA GALLAGHER as described in paragraph 2 of this Order. (2) Clerk of said Dist. Ct. is directed to receive as substitute surety for that herebefore entered by Paul and Eva Hildebrand, the real estate surety posted by Barbara Gallagher of 4255 Avenida Sevilla, Cypress, California 90630. s/F.T.Dupree, Jr., Judge. (Cr. OB #12, P. 67)	bbp
6/1/76	Fil. & Ent. the following documents per J. Dupree's Order of 4/12/76: 1. NOTE secured by Deed of Trust signed by Barbara Gallagher - \$25,000.00 2. "Original" Short Form Deed of Trust in name of Barbara Gallagher - \$25,000.00 3. "Original" Short Form Deed of Trust in name of George Donald Morgan, Jr. and Molly Sue Morgan - \$25,000.00.	bbp
6/3/76	Fil. & Ent. Cert. copy of Order of Fourth Circuit Court of Appeals to return Cert. copy of Judgment issued in lieu of mandate (fil. 1/26/76); Said Cert. copy of Judgment returned as ordered this date - 6/3/76. Also ordering that the mandate be STAYED pending application of the appellee in Supreme Court of U.S. for a writ of cert. to be filed within time permitted by law.	bbp

DATE	PROCEEDINGS
6/28/76	Fil. & Ent. ORDER to return \$16,000.00 cash deposit by North American Title Insurance Company of Los Angeles for Dr. John R. Page and wife, Bernadette R. Page, to said Dr. Page and wife, and mail check to said Dr. & Mrs. Page at Beckley Appalachian Regional Hospital, P. O. Box 1149, Beckley, Virginia, 25801; 1 copy. LARKINS, Chief J. (CR. OB #12, P. 123)
3/29/77	Fil. & Ent. Deft's MOTION FOR SUBSTITUTION OF BAIL; 1 copy. (Copy of Motion w/ proposed Order to Judge Dupree)
3/31/77	Fil. & Ent. ORDER directing Clerk, Central Dist. of California to direct the Title Ins. & Tr. Co., a Calif. Corp., to execute a Reconveyance of Deed of Trust & Assignment of Rent to Jerry R. Hughes and George Donald Morgan, Jr., and receive as substitute surety and Agreement of Dudley Warner and Deirdre Warner increasing the amount of their surety by \$37,000.00 to a total of \$52,000.00.; 1 copy. DUPREE, J. (Cert. copy to Clerk, Central D/Calif., Los Angeles & conformed copy to William J. Curry, by Fed. Air Express; and conformed copy to Atty Segal) CR. OB# 121, P. 28
4/7/77	Fil. & Ent. CERTIFIED COPY OF AGREEMENT PURSUANT TO ORDER RE MOTION FOR SUBSTITUTION OF BAIL filed in Central District of California and signed by Dudley and Deirdre Warner as substitute bailors for the monies posted by Dr. Jerry Hughes and Mr. and Mrs. George Donald Morgan, Jr.. Deeds of Trust and Assignments of Rent of Dr. Hughes and the Morgans mailed to Clk, CDCalif. 4/7/77 by Cert. Mail #123969, RRR.
4/19/77	Fil. & ent GOVERNMENT'S REPLY TO DEFENDANT'S MOTION FOR SUBSTITUTION OF BAIL w/Cert of Service
6/28/77	Record on Appeal forwarded to Fourth Circuit upon request because of petition for writ of cert. granted.
3/2/78	MOTION FOR LEAVE TO SUBSTITUTE SURETIES - ltr. from Segal addressed to Mr. Whitty indicates service upon U. S. Atty. by Segal cc: filed cy. returned to Segal (3/6/78) cc: Judge Dupree (Sureties - Mr. & Mrs. Dudley Warner)
3/27/78	GOVERNMENT'S ANSWER TO DEFENDANT'S MOTION FOR LEAVE TO SUBSTITUTE SURETIES w/ Cert. of Service cc: 6 U. S. Atty. cc: Judge Dupree (Sureties - Mr. and Mrs. Dudley Warner).
5-8-78	Fil. & ent. ORDER- deft. authorized to post surety on property owned by him at 16052 Mariner Dr., Huntington Beach, (Orange Co.), California, and that the property owned by Mr. and Mrs. Dudley Warner at 728 35th St., Manhattan Beach, (Los Angeles County), California, heretofore posted as bail in this matter be released from the encumbrance of bail and they be discharged as sureties for the Petitioner, copy. (DUPREE, J.) cc to counsel of record, and Clerk, U. S. District Court, Central District of Calif. CR. OB #13, P. 278
6/12/78	108 MANDATE FROM FOURTH CIRCUIT COURT OF APPEALS - pursuant to mandate of Supreme Court ordered that cause is remanded to District Court for further proceedings in conformity with the opinion of the Supreme Court. lc: Judge Dupree.
7/1/77	106 COPY OF PRINTED OPINION FROM THE FOURTH CIRCUIT COURT OF APPEALS - case remanded w/directions to dismiss prosecution w/ prejudice because of the government's failure to accord Macdonald a speedy trial as required by 6th amendment.
7/1/77	107, CERTIFIED COPY OF JUDGMENT FROM THE FOURTH CIRCUIT - order of District Court reversed. Case remanded to U.S. Dist. Ct. EDNC-Fayetteville w/directions to dismiss the prosecution w/prejudice because of Govern's failure to accord MacDonald a speedy trial.

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