Statement From:

Carol Muessig Clerk of District Court Yellowstone County P.O. Box 35030 Billings, MT 59107

DATE:

October 31, 2012

TO:

Pete Thomson

ADDRESS:

Email principlemanufacturing@gmail.com

CAUSE #

DC 73-8848, DC 73-8986, DC 74-9360

Russell Eugene Plum CASE NAME:

CASE NAME:	Russell Eugene Plum	Total Cost
Amount/Cost	Description	Total Cost
14	DC 73-8848 Copies (\$1.00/pg. to 10,	\$12.00
14		
.	\$.50/pg over 10)	
16	DC 73-8986 Copies (\$1.00/pg. to 10,	\$13.00
	\$.50/pg over 10)	
4	DC 73-9360 Copies (\$1.00/pg. to 10,	\$4.00
	\$.50/pg over 10)	
		620.00
	Total Amount Due	\$29.00

Please include a copy of this statement with your payment.

Please pay this amount promptly. If we do not receive prompt payment, we may require your agency to provide payment in advance for any requests made. Under Montana statute, government agencies are not exempt from certain fees, including searches and photocopies. §25-10-405, M.C.A.

Thank you,

Kristin A. Goers, Deputy Clerk

CLERK OF THE DISTRICT COURT HARBIN E. TOOD

FEB 16 10 41 AM '73

BY CONFIDENCE OF THE BENEFIT OF THE

IN THE DISTRICT COURT

Of the Thirteenth Judicial District of the State of Montana,
In and for the County of Yellowstone

THE STATE OF MONTANA, Plaintiff,	V SEPON O
RUSSELL E.PLUM,	MOTION
	$\Lambda = 0.00$
Defendant	8848
Comes now HAROLD F. HANSER	, County Attorney
in and for Yellowstone County, Montana, and mo	oves this Honorable Court that he be granted leave
to file herein an information, charging the above n	amed Defendant , RUSSELL E, PLUM
COUNT I: GRAND LARCE	
	STOLEN PROPERTY , committed
	28th day of JUNE , 19.72.
This motion is based upon the affidavit of	IAROLD F. HANSER hereto annexed.
	Lardd T Darren
	County Attorney in and for Yellowstone County, Montana.

STATE OF MONTANA,	
County of Yellowstone.	
HAROLD F. HANSE	ER , being first duly sworn, on oath
tana, and that as such County Attorney he makes	ing County Attorney of Yellowstone County, Mon- s and files the foregoing motion and this affidavit: th, in his opinion, is competent and sufficient to of the above named Defendant,
COUNT I: GRAND LARG	
Vellowstone County, Montana, on or about the28	3th day of JUNE , 19.72.
	ation of all the facts and circumstances surround-
ing the commission of said offense, so far as they a	are known or ascertainable; that he verily believes
it a proper case for the filing of an information,	and that for this reason, and none other, the fore-
going motion is made.	- Service
That the said Defendant RUSSELL	E. PLUM is now in custody.
	Hartel of Grane
Subscribed and sworn to before me this10	6th day of FEBRUARY , 19 72
	HARDIN E. TODD
Leave to file Information	Clerk Thirteenth Judicial District Court, Yellow- stone County, Montana,
by the Court granted.	- Joseph Paketing
JUDGE.	By Co Girls Deputy Clerk
	Bail fixed at \$ / 000

WHEREFORE the affiant has made a full and careful investigation of all the facts and circumstances surrounding the commission of said offense, so far as they are known or ascertainable; that he verily believes it a proper case for the filing of an information, and that for this reason, and none other, the foregoing affidavit is made.

19 73 .

Subscribed and sworn to before me this 16th day of FEBRUARY

Notary Public for the State of Montana. Residing at Billings, Montana. My Commission expires August 17, 1974.

CLERK OF THE DISTRICT COURT HARMIN E. TOOD

FEB 18 10 41 AM '73

BY CONTINUED PAKOLIN

IN THE DISTRICT COURT OF THE THIRTEENTH

JUDICIAL DISTRICT OF THE STATE OF MONTANA

IN AND FOR THE COUNTY OF YELLOWSTONE

THE STATE OF MONTANA,

Plaintiff

-vs
RUSSELL E. PLUM,

Defendant.

Comes now ERNEST F. BOSCHERT Deputy County Attorney
In and For the County of Yellowstone, State of Montana, and on
oath, deposes and says:

That _he is the Duly appointed and qualified Deputy County Attorney in and for the County of Yellowstone, State of Montana.

Thathe has informatio	and verily believes that
RUSSELL E. PLUM committed th	crime of COUNT I: GRAND LARCENY
COUNT II: RECEIVING STOLEN PR	OPERTY

On June 29, 1972, Jack Wilkinson reported to the Billings Police Department that his 1971 Honda Motorcycle, 1971 Montana License No. 22 NC 143, had been stolen from his home at 18 North 35th Street, Billings, Montana, on the previous night.

On January 22, 1973, the Roundup Police reported they had arrested the defendant on another charge and he was riding the stolen motorcycle at the time. The defendant advised the Roundup police that he had bought the motorcycle from a friend in Billings by the name of Donald DeVore. DeVore has made written statemen that he did not sell the motorcycle to the defendant but that he saw it in the defendant's possession in August, and that the defendant told him that he stole it.

IN THE DISTRICT Of the Thirteenth Judicial District of the State of Montana In and for the County of Yellowstone THE STATE OF MONTANA, Plaintiff, RUSSELL E. PLUM,

CLERK OF THE DISTRICT COURT HARDIN E. TODD FEB 16 11 41 AH '73

Defendant. In the District Court of the Thirteenth Judicial District of the State of Montana, in and for the County of Yellowstone, on the 16th day of FEBRUARY A. D. 19 73, comes HAROLD F. HANSER County Attorney of said county, and here in said District Court, upon his official oath and in the name and by the authority of the State of Montana, informs the Court: That one RUSSELL E. PLUM late of the County of Yellowstone, State of Montana, on or about the 28th day

of JUNE, A. D. 19.72, at the County of Yellowstone and State of Montana, committed the crime of GRAND LARCENY, in that the said RUSSELL E. PLUM,

121

Ö

then and there being, then and there did wilfully, wrongfully, unlawfully and feloniously take, steal, and carry or drive away, a 1971 Honda Motorcycle, orange color, fenders scraped, 1971 Montana License No. 3-MC-143, Serial No. 2 014 601, or of the value of Three Hundred and Fifty Dollars (\$350.00), then and there the property of one Jack Wilkinson, with the intent then and there in him, the said RUSSELL E. PLUM, to deprive the true owner of the said property and to appropriate the same to his own use; contrary to the form, force and effect of Section 94-2704, Revised Codes of Montana 1947, and against the peace and dignity of the State of Montana.

COUNT II: That one RUSSELL E. PLUM, late of the County of Yellowstone, State of Montana, on or about the 28th day of June, A.D., 1972, at the County of Yellowstone and State of Montana, committed the crime of RECEIVING STOLEN PROPERTY, in that the said RUSSELL E. PLUM, then and there being, then and there did wilfully, wrongfully, unlawfully and feloniously, and for his own gain, and to prevent the owner from again possession his own property, receive from one JOHN DOE, a 1971 Honda Motorcycle, orange color, fenders scraped, Serial No. 2 014 601, with 1971 Montana License No. 3-MC-143, then and there the property of Jack Wilkinson, of Billings, Montana, said above-described motorcycle then and there being stolen property, and the said RUSSELL E. PLUM then and there knowing the same to have been stolen property; contrary to the form, force and effect of Section 94-2721, Revised Codes of Montana 1947, and against the peace and dignity of the State of Montana.

County Attorney In and For The County of Yellowstone, State of Montana.

CLERK OF THE DISTRICT COURT HARDIN E. TODD

IN THE DISTRICT COURT OF THE THIRTEENTH

JUDICIAL DISTRICT OF THE STATE OF MONTANA

IN AND FOR THE COUNTY OF YELLOWSTONE

Mar 19 4 30 PH '73 BY JOSEPH Pakestin

IN AND FOR THE COUNTY OF	DEPUTY
THE STATE OF MONTANA, Plaintiff,	No. 8848 DEPUTY
-VS-	ORDER STAYING IMPOSITION OF SENTENCE
RUSSELL E. PLUM,	}
Defendant,	}
:::::::::::::::::::::::::::::::::::::::	:)
WHEREAS the defendant her guilty to the crime of RECEIVIN	retofore entered H <u>is</u> plea of NG STOLEN PROPERTY
as charged in t	the information on file in said case,
and this being the date set for	pronouncement of judgement, and the
defendant having made application	on to the Court to be admitted to
probation: and	
WHEREAS it appears that	said defendant has not heretofore been
convicted of crime, either in t	his state or elsewhere; and
WHEREAS it appears to th	e Court that the character of the
defendant and the circumstances	of the case are such that he is not
likely again to engaged in an o	offensive course of conduct and that the
public safety does not demand o	or require that the mentence shall be
imposed at this time,	
NOW, THEREFORE, IT IS OF	RDERED, that the imposition of sentence
upon said defendant be stayed	for a period ofTwo (2) Years
to defendant is hereby D	laced on probation for said period and
and said defendant is mosely to	of said defendant in the above en-
the Court retains jurisdiction	direct that said defendant be and
titled cause, and does hereby	ne 19th day of MARCH ,
appear before this Court on the	., and that the imposition of sentence
herein be stayed until that d	that until the said 19th day of
TT 15 FURITER ORDER DD	5 , the defendant is admitted to
probation upon the following	terms and conditions;
DIODECTOR Chor Cite Town	

- 1. The defendant shall not frequent any place where intoxicating liquor or beer is sold nor shall he use intoxicants or beer; nor shall he use any narcotic or dangerous drugs or have in h is possession same without proper prescription by a doctor.
- The defendant shall not enter into any game of chance nor shall ____ he frequent any place where gambling may be taking place;
- 3. The defendant shall conduct him self in a law abiding manner and shall not violate any law of the United States or of the State of Montana or the ordinance of any city or town during said term;
- 4. The defendant shall maintain as steady employment as possible during said term, and ____he shall, to the best of his ability, fully and completely contribute to the support of his wife and family;
- 5. The defendant shall not leave the confines of the State of Montana either to seek employment or for any other reason, without having first obtained permission of this Court so to do, except in connection with such duties as he may have with the armed forces of the United States;
- 6. The defendant is placed under the supervision and control of the State Board of Pardons, and is to abide by their rules and regulations;
- 7. The defendant shall refrain from any association with or social involvement with any person with a criminal record or any person using dangerous drugs. In addition, the defendant shall refrain from association with or social acquaintance with those persons with whom he was involved at the time of the commission of the criminal offense charged resulting in this judgment.

8. The defendant hereby consents to the reasonable search of his person, premises or any automobile by any peace officer or parole officer.

Dated this 19th day of March, 1973.

MF 59 FR 1869

udge.

ACKNOWLEDGMENT OF ACCEPTANCE OF TERMS AND CONDITIONS STAYING IMPOSITION OF SENTENCE

The undersigned defendant does hereby accept the foregoing terms of probation, and does hereby acknowledge that the staying of imposition of sentence was made pursuant to application by him. Said defendant further understands and agrees that he is and shall remain under the legal custody and jurisdiction of the above entitled Court during the period of such probation. The conditions of said probation have been read by the undersigned and are fully understood, and the undersigned does hereby covenant that he will strictly carry out and follow the terms of said probation.

Dated this 19th day of MARCH, 1973.

RUSSELL E. PLUM

IN THE DISTRICT COURT OF THE THIRTEENTH

JUDICIAL DISTRICT OF THE STATE OF MONTANA

Aug 3) 9 42 MM 773

CLERK OF THE

IN AND FOR THE COUNTY OF YELLOWSTONE

EY DEPOPULARITIN

THE STATE OF MONTANA,)	No. Sf4f
-vs-	Plaintiff,	PETITION FOR REVOCATION OF ORDER STAYING IMPOSITION OF SENTENCE
RUSSELL E. PLUM,	}	
	Defendant.	

Comes now HAROLD F. HANSER County Attorney of
Yellowstone County, and upon his official oath, and in the name and
by the authority of the State of Montana, petitions the above entitled
Court to revoke its order staying imposition of sentence upon the
above-named defendant who was adjudged guilty of the crime of
RECEIVING STOLEN PROPERTY and to impose sentence at
this time.

This petition is based upon the failure of the above-named defendant to obey the conditions and terms of the Court's order staying imposition of sentence in the following particulars:

That on the 25th day of July, 1973, RUSSELL E. PLUM was charged in the District Court with the crime of forgery having been committed on the 10th day of July, 1973.

WHEREFORE, your petitioner prays that the Order Staying Imposition of Sentence be revoked and that sentence be imposed upon said defendant.

Dated this 30th day of AUGUST , 1978.

County Attorney
In and For the County of Yellowstone,

State of Montana

IN THE DISTRICT COURT OF THE THIRTEENTH JUDICIAL DISTRICT OF THE STATE OF MONTANA OCT 16 9 55 MM 1 IN AND FOR THE COUNTY OF YELLOWSTONE THE STATE OF MONTANA. Plaintiff, ORDER STAYING IMPOSITION -VS-OF SENTENCE RUSSELL E. PLUM Defendant, WHEREAS the defendant heretofore entered H is plea of guilty to the crime of GRAND LARCENY (FELONY) as charged in the information on file in said case, and this being the date set for pronouncement of judgement, and the defendant having made application to the Court to be admitted to probation; and WHEREAS it appears that said defendant has not heretofore been convicted of crime, either in this state or elsewhere; and WHEREAS it appears to the Court that the character of the defendant and the circumstances of the case are such that he is not likely again to engaged in an offensive course of conduct and that the public safety does not demand or require that the mentence shall be imposed at this time, NOW, THEREFORE, IT IS ORDERED, that the imposition of sentence to run concurrent with Cause No. 8986 and said defendant is hereby placed on probation for said period and the Court retains jurisdiction of said defendant in the above entitled cause, and does hereby direct that said defendant be and appear before this Court on the ______ day of __October__ 197_6, at 10:00 o'clock A.M., and that the imposition of sentence herein be stayed until that date.

IT IS FURTHER ORDERED that until the said _____ tay of

probation upon the following terms and conditions;

197_6, the defendant is admitted to

MF 63 FR 1611

October

- 1. The defendant shall not frequent any place where intoxicating liquor or beer is sold nor shall he use intoxicants or beer; nor shall he use any narcotic or dangerous drugs or have in his possession same without proper prescription by a doctor.
- 2. The defendant shall not enter into any game of chance nor shall _he frequent any place where gambling may be taking place;
- 3. The defendant shall conduct him self in a law abiding manner and shall not violate any law of the United States or of the State of Montana or the ordinance of any city or town during said term;
- 4. The defendant shall maintain as steady employment as possible during said term, and _he shall, to the best of his ability, fully and completely contribute to the support of his wife and family;
- 5. The defendant shall not leave the confines of the State of Montana either to seek employment or for any other reason, without having first obtained permission of this Court so to do, except in connection with such duties as he may have with the armed forces of the United States;
- 6. The defendant is placed under the supervision and control of the State Board of Pardons, and is to abide by their rules and regulations;
- 7. The defendant shall refrain from any association with or social involvement with any person with a criminal record or any person using dangerous drugs. In addition, the defendant shall refrain from association with or social acquaintance with those persons with whom he was involved at the time of the commission of the criminal offense charged resulting in this judgment.
- 8. The defendant hereby consents to the reasonable search of his person, premises, or any automobile whenever requested to do so by the Probation Officer or any other law enforcement officer, with or without a warrant.

MF 63 FR 1612

9. The defendant is to spend six (6) months in the Yellowstone County Jail with credit for time served from July 20, 1973 to October 15, 1973.

JUDGE Lucke

MF

63 FR 1613

Report of Violation

To Director of Probation and Parole

Name PLUM, Russell E.

Home Address 814 South 30th City Billings

On March 19, 1973, the subject appeared before Judge Charles Luedke and entered a plea of guilty to the charge of Receiving Stolen Property. It was ordered by the court that imposition of sentence be deferred for a period of two (2) years.

On March 19, 1973, the subject was signed to probation and the rules of probation were explained to him. He also signed a copy of said rules.

On October 1, 1973, the subject was returned to court for violation of his probation. The subject appeared before Judge Charles Luedke and entered a plea of guilty to the charge of violating the rules of probation. It was ordered by the court that the two (2) years deferred imposition of sentence for Receiving Stolen Property be extended from two (2) years to three (3) years deferred imposition.

On October 15, 1973, the subject appeared before Judge Charles Luedke and entered a plea of guilty to the charge of Forgery. It was ordered by the court that imposition in this matter also be deferred for a period of three (3) years to run concurrent with the three (3) years deferred imposition for Receiving Stolen Property. It was further ordered by the court that the subject be incarcerated in the Yellowstone County Jail for a period of six (6) months in connection with the Forgery charge.

On January 19, 1974, the subject was released from the Yellowstone County Jail. Shortly after his release from jail, he secured employment with P.D.Q. Transfer Company in Billings. The subject worked for P.D.Q. Transfer Company for about five months and then quit. Since the above date, the following violations have been noted by this officer.

VIOLATIONS:

State Rule #1. The probationer shall respect and obey the law and at all times be a good citizen.

On July 24, 1974, Adams Truck Stop was burglarized by Gerald Burton, Michael Mann, and the subject. On July 29, 1974, the Poly Conoco Service Station was burglarized by Gerald Burton, Michael Mann, and the subject. The subject gave a volunteer statement to officer admitting his involvment in both of the above burglaries. Also, when the house at 814 South 30th, where Gerald Burton, Michael Mann, and the subject were living was searched, officers found items that were taken from both Adams Truck Stop and Poly Conoco Service Station.

State Rule #6. The probationer shall not drink to excess beer or intoxicating liquors.

Subject gave a volunteer statement and stated that at the time he committed the crimes he was intoxicated.

Report of Violation - Russell B. Plum - PAGE 2

SUMMARY OF ADJUSTMENT:

I would rate the subject's adjustment as unsatisfactory. He has an irresponsible attitude and very little regard for the law,

RECOMMENDATION:

It is the recommendation of this officer that the subject be returned to court for further action. If the court finds that the subject has violated his probation, I would further recommend that the subject be sent to the Montana State Prison.

Respectfully submitted,

Parole & Probatton Officer

Billings, Montana

State Witnesses:

Michael J. Schmaing, Parole & Probation Officer, 1245 No. 29th, Billings, Montana. Detective Rick Ross, C.C.D., Billings Police Department, Billings, Montana. Detective O'Brien, C.C.D., Billings Police Department, Billings, Montana. Detective Mocabee, Billings Police Department, Billings, Montana. Lt. Dell, C.C.D., Billings Police Department, Billings, Montana.

Dist. of Copies: District Judge County Attorney Defense Attorney Board of Pardons File

IN THE DISTRICT COURT

Of the Thirteenth Judicial District of the State of Montana In and for the County of Yellowstone

The State of Montana, VS. RUSSELL E. PLUM, Defendant The County Attorney, with the Defendant, RUSSELL E. PLUM his counse! JOHN L. ADAMS, JR., Esq., came into court. The defendant ras duly informed by the Court of the nature of the information found against him for the rime of RECEIVING STOLEN PROPERTY committed on the 28th day of JUNE , A. D. 1972; of his raignment and plea of "Guilty of the crime of RECEIVING STOLEN PROPERTY con the 19th day of March, A.D., 1973. The defendant was then asked if he had any legal cause to show why judgment should not be be remounced against him, which he replied that he had none. And no sufficient ause being shown or sppearing to the Court, thereupon the Court renders its Judgment. That, whereas the said RUSSELL E. PLUM has been duly convicted in this Court		XXXXXX	AUGUST 26	A. D. 1974
Plaintiff, vs. Convicted of RECEIVING STOLEN PROF. Convicted of RECEIVING STOLEN PR	Drogont Hon			
Defendant. The County Attorney, with the Defendant, RUSSELL E. PLUM, The County Attorney, with the Defendant, RUSSELL E. PLUM, and his counsel JOHN L. ADAMS, JR., Esq., came into court. The defendant as duly informed by the Court of the nature of the information found against him for the rime of RECEIVING STOLEN PROPERTY committed on the 28th day of JUNE, A. D. 1972; of his praignment and plea of "Guilty of the crime of RECEIVING STOLEN PROPERTY committed on the 19th day of March, A.D., 1973. The defendant was then asked if he had any legal cause to show why judgment should not be ronounced against him, which he replied that he had none. And no sufficient ause being shown or appearing to the Court, thereupon the Court renders its Judgment. That, thereas the said RUSSELL E. PLUM has been duly convicted in this Court			······································	, suige.
Convicted of RECEIVING STOLEN PROPERTY Defendant The County Attorney, with the Defendant, RUSSELL E. PLUM , and his counsel JOHN L. ADAMS, JR., Esq., came into court. The defendant was duly informed by the Court of the nature of the information found against him for the rime of RECEIVING STOLEN PROPERTY committed on the 28th day of JUNE , A. D. 1972; of his rraignment and plea of "Guilty of the crime of RECEIVING STOLEN PROPERTY	ne State of Montana,	Plaintiff,	No. 884	8 (43)
Defendant The County Attorney, with the Defendant, RUSSELL E. PLUM , and his counsel JOHN L. ADAMS, JR., Esq., came into court. The defendant was duly informed by the Court of the nature of the information found against him for the rime of RECEIVING STOLEN PROPERTY ommitted on the 28th day of JUNE , A. D. 1972; of his rraignment and plea of "Guilty of the crime of RECEIVING STOLEN PROPERTY on the 19th day of March, A.D., 1973. The defendant was then asked if he had any legal cause to show why judgment should not be pronounced against him , which he replied that he had none. And no sufficient ause being shown or sppearing to the Court, thereupon the Court renders its Judgment. That, whereas the said RUSSELL E. PLUM has been duly convicted in this Court	vs.	1		X
The County Attorney, with the Defendant, RUSSELL E. PLUM , and his counsel JOHN L. ADAMS, JR., Esq., came into court. The defendant was duly informed by the Court of the nature of the information found against him for the rime of RECEIVING STOLEN PROPERTY committed on the 28th day of JUNE , A. D. 1972; of his rraignment and plea of "Guilty of the crime of RECEIVING STOLEN PROPERTY con the 19th day of March, A.D., 1973. The defendant was then asked if he had any legal cause to show why judgment should not be be renounced against him , which he replied that he had none. And no sufficient cause being shown or sppearing to the Court, thereupon the Court renders its Judgment. That, whereas the said RUSSELL E. PLUM has been duly convicted in this Court	RUSSELL E. PLUM,		Convicted of RE	CEIVING STOLEN PRO
The County Attorney, with the Defendant, RUSSELL E. PLUM , and his counsel JOHN L. ADAMS, JR., Esq., came into court. The defendant was duly informed by the Court of the nature of the information found against him for the rime of RECEIVING STOLEN PROPERTY committed on the 28th day of JUNE , A. D. 1972; of his rraignment and plea of "Guilty of the crime of RECEIVING STOLEN PROPERTY con the 19th day of March, A.D., 1973. The defendant was then asked if he had any legal cause to show why judgment should not be be renounced against him , which he replied that he had none. And no sufficient cause being shown or sppearing to the Court, thereupon the Court renders its Judgment. That, whereas the said RUSSELL E. PLUM has been duly convicted in this Court				
The County Attorney, with the Defendant, RUSSELL E. PLUM , and his counsel JOHN L. ADAMS, JR., Esq., came into court. The defendant was duly informed by the Court of the nature of the information found against him for the rime of RECEIVING STOLEN PROPERTY committed on the 28th day of JUNE , A. D. 1972; of his rraignment and plea of "Guilty of the crime of RECEIVING STOLEN PROPERTY con the 19th day of March, A.D., 1973. The defendant was then asked if he had any legal cause to show why judgment should not be be renounced against him , which he replied that he had none. And no sufficient cause being shown or sppearing to the Court, thereupon the Court renders its Judgment. That, whereas the said RUSSELL E. PLUM has been duly convicted in this Court	·-····			
counsel JOHN L. ADAMS, JR., Esq., came into court. The defendant was duly informed by the Court of the nature of the information found against him for the rime of RECEIVING STOLEN PROPERTY committed on the 28th day of JUNE, A. D. 1972; of his rraignment and plea of "Guilty of the crime of RECEIVING STOLEN PROPERTY con the 19th day of March, A.D., 1973. The defendant was then asked if he had any legal cause to show why judgment should not be bronounced against him, which he replied that he had none. And no sufficient cause being shown or appearing to the Court, thereupon the Court renders its Judgment. That, whereas the said RUSSELL E. PLUM has been duly convicted in this Court		Defendant		
ras duly informed by the Court of the nature of the information found against him for the RECEIVING STOLEN PROPERTY ommitted on the 28th day of JUNE A. D. 1972; of his rraignment and plea of "Guilty of the crime of RECEIVING STOLEN PROPERTY on the 19th day of March, A.D., 1973. The defendant was then asked if he had any legal cause to show why judgment should not be be ronounced against him, which he replied that he had none. And no sufficient ause being shown or appearing to the Court, thereupon the Court renders its Judgment. That, whereas the said RUSSELL E. PLUM has been duly convicted in this Court	The County Attorney, with	h the Defendant, RU	ISSELL E. PLUM	, and
ommitted on the 28th day of JUNE , A. D. 1972; of his rraignment and plea of "Guilty of the crime of RECEIVING STOLEN PROPERTY on the 19th day of March, A.D., 1973. The defendant was then asked if he had any legal cause to show why judgment should not be bronounced against him, which he replied that he had none. And no sufficient ause being shown or appearing to the Court, thereupon the Court renders its Judgment. That, whereas the said RUSSELL E. PLUM has been duly convicted in this Court	his counsel JOHN	L. ADAMS, JR.,	Esq., came i	nto court. The defendant
ommitted on the 28th day of JUNE , A. D. 1972; of his rraignment and plea of "Guilty of the crime of RECEIVING STOLEN PROPERTY on the 19th day of March, A.D., 1973. The defendant was then asked if he had any legal cause to show why judgment should not be bronounced against him, which he replied that he had none. And no sufficient ause being shown or appearing to the Court, thereupon the Court renders its Judgment. That, whereas the said RUSSELL E. PLUM has been duly convicted in this Court	vas duly informed by the Cou	ert of the nature of the	e information found again	st him for the
rraignment and plea of "Guilty of the crime of RECEIVING STOLEN PROPERTY" on the 19th day of March, A.D., 1973. The defendant was then asked if be had any legal cause to show why judgment should not be pronounced against him, which he replied that he had none. And no sufficient had suse being shown or appearing to the Court, thereupon the Court renders its Judgment. That, whereas the said RUSSELL E. PLUM has been duly convicted in this Court	rime of RECEIVING STO	OLEN PROPERTY		······
rraignment and plea of "Guilty of the crime of RECEIVING STOLEN PROPERTY" on the 19th day of March, A.D., 1973. The defendant was then asked if be had any legal cause to show why judgment should not be pronounced against him, which he replied that he had none. And no sufficient had suse being shown or appearing to the Court, thereupon the Court renders its Judgment. That, whereas the said RUSSELL E. PLUM has been duly convicted in this Court				······
on the 19th day of March, A.D., 1973. The defendant was then asked if he had any legal cause to show why judgment should not be bronounced against him, which he replied that he had none. And no sufficient ause being shown or appearing to the Court, thereupon the Court renders its Judgment. That, whereas the said RUSSELL E. PLUM has been duly convicted in this Court				
on the 19th day of March, A.D., 1973. The defendant was then asked if he had any legal cause to show why judgment should not be bronounced against him, which he replied that he had none. And no sufficient ause being shown or appearing to the Court, thereupon the Court renders its Judgment. That, whereas the said RUSSELL E. PLUM has been duly convicted in this Court	arraignment and plea of "Guil	ty of the crime of	RECEIVING STOLEN	ROPERTY
The defendant was then asked ifhe had any legal cause to show why judgment should not be bronounced againsthim, whichhe replied thathe had none. And no sufficient ause being shown or appearing to the Court, thereupon the Court renders its Judgment. That, whereas the saidRUSSELL E. PLUM has been duly convicted in this Court				
The defendant was then asked if he had any legal cause to show why judgment should not be pronounced against him, which he replied that he had none. And no sufficient ause being shown or appearing to the Court, thereupon the Court renders its Judgment. That, whereas the said RUSSELL E. PLUM has been duly convicted in this Court				
ause being shown or appearing to the Court, thereupon the Court renders its Judgment. That, whereas the said RUSSELL E. PLUM has been duly convicted in this Court	on the 19th day of M	arch, A.D., 1973	3.	
whereas the said RUSSELL E. PLUM has been duly convicted in this Court	The defendant was then asked	ifhe had any	legal cause to show why	judgment should not be
	The defendant was then asked	ifhe had any	legal cause to show why	judgment should not be
f the crime of RECEIVING STOLEN PROPERTY	The defendant was then asked pronounced against him, ause being shown or appear	l ifhe had any whichhe re ing to the Court, then	legal cause to show why eplied thathe had reupon the Court rende	judgment should not be none. And no sufficient rs its Judgment. That,
	The defendant was then asked pronounced against him, cause being shown or appear whereas the said RUSSELL	which he reing to the Court, then	legal cause to show why eplied that he had reupon the Court rende has been duly	judgment should not be none. And no sufficient rs its Judgment. That, r convicted in this Court
	The defendant was then asked pronounced against him, cause being shown or appear whereas the said RUSSELL of the crime of RECEIVING	which he reing to the Court, then E. PLUM STOLEN PROPERTY	legal cause to show why eplied that he had reupon the Court rende has been duly	judgment should not be none. And no sufficient rs its Judgment. That, r convicted in this Court
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, That the said	The defendant was then asked pronounced against him, cause being shown or appear whereas the said RUSSELL of the crime of RECEIVING	which he resident	legal cause to show why eplied that he had reupon the Court rende has been duly AND DECREED, That the	judgment should not be none. And no sufficient rs its Judgment. That, r convicted in this Court
RUSSELL E. PLUM be punished by imprisonment at hard labor in the State	The defendant was then asked pronounced against him, cause being shown or sppear whereas the said RUSSELL of the crime of RECEIVING IT IS THEREFORE ORICLESELL E. PLUM	which he resident had any which he resident he resident he court, then E. PLUM STOLEN PROPERTY DERED, ADJUDGED he punis	legal cause to show why eplied that he had reupon the Court rende has been duly AND DECREED, That the	judgment should not be none. And no sufficient rs its Judgment. That, r convicted in this Court he said
RUSSELL E. PLUM be punished by imprisonment at hard labor in the State Prison of the State of Montana, at Deer Lodge, Montana, for the term of Five (5) Years, said tence to be served concurrently with the sentence received in criminal	The defendant was then asked pronounced against him, cause being shown or sppear whereas the said RUSSELL of the crime of RECEIVING IT IS THEREFORE ORI RUSSELL E. PLUM Prison of the State of Montan attence to be served c	which he resided to the Court, then he plumber he punished to the concurrently with	legal cause to show why eplied that he had reupon the Court rende has been duly AND DECREED, That the shed by imprisonment at tana, for the term of Finh the sentence re	judgment should not be none. And no sufficient rs its Judgment. That, r convicted in this Court the said hard labor in the State ve (5) Years, said ceived in criminal
RUSSELL E. PLUM be punished by imprisonment at hard labor in the State Prison of the State of Montana, at Deer Lodge, Montana, for the term of Five (5) Years, said tence to be served concurrently with the sentence received in criminal 8986. The Court finds that prior to the date hereof the defendant has arcerated in the Yellowstone County Jail from Feb. 13 through Feb. 21,	The defendant was then asked pronounced against him, cause being shown or appear whereas the said RUSSELL of the crime of RECEIVING IT IS THEREFORE ORI RUSSELL E. PLUM Prison of the State of Montantence to be served c 8986. The Court fi arcerated in the Yel	which he resident had any which he resident to the Court, then he resident had any which had any which had any which had a that prior lowstone County	legal cause to show why eplied that he had reupon the Court rende has been duly AND DECREED, That the shed by imprisonment at tana, for the term of Fi the sentence re to the date hereo Jail from Feb. 1	judgment should not be none. And no sufficient rs its Judgment. That, r convicted in this Court the said hard labor in the State ve (5) Years, said ceived in criminal finche defendant has 3 through Feb. 21,
RUSSELL E. PLUM be punished by imprisonment at hard labor in the State Prison of the State of Montana, at Deer Lodge, Montana, for the term of Five (5) Years, said tence to be served concurrently with the sentence received in criminal 8986. The Court finds that prior to the date hereof the defendant has arcerated in the Yellowstone County Jail from Feb. 13 through Feb. 21, m July 20, 1973 through January 19, 1974, and from August 5, 1974 through	The defendant was then asked pronounced against him, cause being shown or appear whereas the said RUSSELL of the crime of RECEIVING IT IS THEREFORE ORI RUSSELL E. PLUM Prison of the State of Montan tence to be served c 8986. The Court first carcerated in the Yellom July 20, 1973 thro	which he reing to the Court, then he reing he punished, at Deer Lodge, Monconcurrently with he concurrently with lowstone County ough January 19;	legal cause to show why eplied that he had reupon the Court rende has been duly AND DECREED, That the shed by imprisonment at tana, for the term of Fi th the sentence reo Jail from Feb. 1 1974, and from A	judgment should not be none. And no sufficient rs its Judgment. That, r convicted in this Court the said hard labor in the State ve (5) Years, said ceived in criminal finche defendant has 3 through Feb. 21,
RUSSELL E. PLUM be punished by imprisonment at hard labor in the State Prison of the State of Montana, at Deer Lodge, Montana, for the term of Five (5) Years, said tence to be served concurrently with the sentence received in criminal 8986. The Court finds that prior to the date hereof the defendant has arcerated in the Yellowstone County Jail from Feb. 13 through Feb. 21, m July 20, 1973 through January 19, 1974, and from August 5, 1974 through 1974.	The defendant was then asked pronounced against him, cause being shown or appear whereas the said RUSSELL of the crime of RECEIVING IT IS THEREFORE ORI RUSSELL E. PLUM Prison of the State of Montantence to be served cause to be served cause of the Court filterceated in the Yellow July 20, 1973 throgust 26, 1974.	which he resing to the Court, then to the Court, then to the Court, then to the PLUM STOLEN PROPERTY DERED, ADJUDGED be punished, at Deer Lodge, Monton concurrently with and that prior lowstone County ough January 19,	legal cause to show why eplied that he had reupon the Court rende has been duly AND DECREED, That the shed by imprisonment at tana, for the term of Fi h the sentence re to the date hereo Jail from Feb. 1 1974, and from A	judgment should not be none. And no sufficient rs its Judgment. That, r convicted in this Court the said hard labor in the State ve (5) Years, said ceived in criminal ff the defendant has 3 through Feb. 21, 1905 5, 1974 throu
RUSSELL E. PLUM be punished by imprisonment at hard labor in the State Prison of the State of Montana, at Deer Lodge, Montana, for the term of Five (5) Years, said tence to be served concurrently with the sentence received in criminal 8986. The Court finds that prior to the date hereof the defendant has arcerated in the Yellowstone County Jail from Feb. 13 through Feb. 21, m July 20, 1973 through January 19, 1974, and from August 5, 1974 through	The defendant was then asked pronounced against him, cause being shown or appear whereas the said RUSSELL of the crime of RECEIVING IT IS THEREFORE ORI RUSSELL E. PLUM Prison of the State of Montantence to be served c 8986. The Court first arcerated in the Yellom July 20, 1973 throgust 26, 1974.	which he resing to the Court, then to the Court, then to the Court, then to the PLUM STOLEN PROPERTY DERED, ADJUDGED be punished, at Deer Lodge, Monton concurrently with and that prior lowstone County ough January 19,	legal cause to show why eplied that he had reupon the Court rende has been duly AND DECREED, That the shed by imprisonment at tana, for the term of Fi h the sentence re to the date hereo Jail from Feb. 1 1974, and from A	judgment should not be none. And no sufficient rs its Judgment. That, r convicted in this Court the said hard labor in the State ve (5) Years, said ceived in criminal ff the defendant has 3 through Feb. 21, 1905 5, 1974 throu
RUSSELL E. PLUM be punished by imprisonment at hard labor in the State Prison of the State of Montana, at Deer Lodge, Montana, for the term of Five (5) Years, said tence to be served concurrently with the sentence received in criminal 8986. The Court finds that prior to the date hereof the defendant has arcerated in the Yellowstone County Jail from Feb. 13 through Feb. 21, m July 20, 1973 through January 19, 1974, and from August 5, 1974 through 1974.	The defendant was then asked pronounced against him, cause being shown or appear whereas the said RUSSELL of the crime of RECEIVING IT IS THEREFORE ORI RUSSELL E. PLUM Prison of the State of Montantence to be served c 8986. The Court first arcerated in the Yellom July 20, 1973 throgust 26, 1974. Done in open Court this	which he resing to the Court, there ing to the Court, there is PLUM STOLEN PROPERTY DERED, ADJUDGED be punished, at Deer Lodge, Monconcurrently with ands that prior lowstone County ough January 19,	legal cause to show why eplied that he had reupon the Court rende has been duly AND DECREED, That the shed by imprisonment at tana, for the term of Fi h the sentence re to the date hereo Jail from Feb. 1 1974, and from A	judgment should not be none. And no sufficient rs its Judgment. That, r convicted in this Court te said hard labor in the State we (5) Years, said ceived in criminal f the defendant has 3 through Feb. 21, ngust 5, 1974 throu

	GLEEK OF THE
IN THE DISTRICT COURT OF THE THIRTEEN	61818181 127 3 6
JUDICIAL DISTRICT OF THE STATE OF MON	an 10 m 14 773
	O FILED Paketen
IN AND FOR THE COUNTY OF YELLOWSTONE	BY WEPUTY
THE STATE OF MONTANA,	No. 8986
Plaintiff,)	MOTION
RUSSELL EUGENE PLUM)	
Defendant,)	
_	
Comes now, HAROLD F. HANSER in and for Yellowstone County, Monta	
the above named detendant,RUSD	EDD DOGERN
committed at Yellowstone County, Mon	tana, on or about the 10th day of
This motion is based upon the a	ffidavit of HAROLD F. HANSER
	County Attorney in and for Yellow-
· · · · · · · · · · · · · · · · · · ·	Auntho of Charles
(stone County, Montana.
STATE OF MONTANA,) ss. County of Yellowstone.)	
HAROLD F. HANSER	being first duly sworn, on oath
is competent and sufficient to warr conviction of the above named defer	oregoing motion and this affidavit: on evidence which, in his opinion, ant the prosecution and secure the dant, RUSSELL EUGENE PLUM
That he has made a full and	careful investigation of all the g the commission of said offense, so while: that he verily believes it
facts and circumstances surrounding far as they are known or ascertains a proper case for the filing of an reason, and none other, the forego That the said defendant,	information, and that for this
now in custody.	
	darl I day
Subscribed and sworn to before	
Subscribed and sworn to below 197_3.	
	HARDIN E. TODD
	Clerk Thirteenth Judicial District Court, Yellowstone County, Mongana.
	Revelly / Weon
Leave to file Information	Bail Fixed At \$
by the Court granted. JUDGE.	Ball rixed at Y
Junge.	

WHEREFORE the affiant has made a full and careful investigation of all the facts and circumstances surrounding the commission of said offense, so far as they are known or ascertainable; that he verily believes it a proper case for the filing of an information, and that for this reason, and none other, the foregoing affidavit is made.

Larved J. Hancer

Subscribed and sworn to before me this 25th day of JULY

1973

Notary Public For the State of Montana.

Residing at Billings, Montana. My
Commission Expires August 17, 1974

CLERK OF THE DISTRICT COURT HARBIN E. TODO

JUL 25 10 51 AM '73

XXXXXXXX County Attorney

IN THE DISTRICT COURT OF THE THIRTEENTH JUDICIAL DISTRICT OF THE STATE OF MONTANA IN AND FOR THE COUNTY OF YELLOWSTONE

. **8986** 🕖 No. THE STATE OF MONTANA, Plaintiff AFFIDAVIT IN SUPPORT -VR-OF INFORMATION RUSSELL EUGENE PLUM, Defendant.)

Comes now HAROLD F. HANSER In and For the County of Yellowstone, State of Montana, and on oath, deposes and says:

elected
That __he is the Duly xxppx kxxxx and qualified xxxxxx County Attorney in and for the County of Yellowstone, State of Montana.

	That	_he ha	s informat	ion	and	veril	y believes	that	
RUSSELL	EUGENE	PLUM	committed	the	crim	e of	FORGERY		

On July 10, 1973, Russell Eugene Plum submitted a check in the amount of \$1400.00 to Frontier Chevrolet Company as payment in full for the purchase of a 1969 Plymouth Roadrunner. The check was to the order of Frontier Chevrolet, drawn on First Citizens Bank, and made payable from the account of Community Auction - Earl E. Plum. That account had been closed since January, 1971, and the signature which purported to be that of Earl E. Plum was neither his nor authorized by him. A comparison of a specimen signature made by Russell E. Plum with the one appearing on the check was made by a Deputy Sheriff, and the two were found to be similar.

On July 20, 1973, Russell Eugene Plum made a voluntary statement admitting that he had signed the check with Earl E. Plum's name, without the knowledge or consent of Earl E. Plum. He further admitted having removed the check from a file cabinet belonging to Earl E. Plum without the owner's knowledge or consent.

EUGENE Versus RUSSELL/PLUM, The State of Montana Plaintiff,

County Attorney of Yellowstone County, State of Montana, and filed by leave of Court, this County Attorney, this 25th Filed by____ PRESENTED IN OPEN COURT HAROLD F. HANSER HARDIN E. TODD AN INFORMATION HAROLD F. HANSER , Deputy Clerk 25th A. D. 19 73. Defendant. , Clerk

NJ 83 the likest Californa 27.5 ends was about couplingist dissiputeuro

RICHARD A. YAGER, 1617 1st Avenue North, Billings, Mt. EARL E. PLUM, 4039 1st Avenue South, Billings, Mt. Names of Witnesses for the State

JESSE G. SOLIZ, Dispatcher, Sherlif's Office, Yellowstone County BOB SPANNAGEL, 1925 Burnstead, Billings, Mt. EVELYN SANDMEYER, 2202 Pine, Billings, Mt.

o sondil oda ko gridegio ban ennag ella unchique ore รูปคนเรอส์ส์ ซูลิตย์ออจิ gireach any

UL VIUL

1 30 . Large or bondars.

Recorded in Indictment and Information Book

.at Page

. Clerk

HARDIN E. TODD

County Attorney.

Deputy Clerk

_, Clerk

ATULY

, A. D. 19 73.

day of

INFORMATION G	CLERK OF THE
IN THE DISTRICT COURT	DISTRICT COURT EACH TITODO
Of the Thirteenth Judicial District of the State of Montana In and for the County of Yellowstone	JUL 23 1 09 PH 173
THE STATE OF MONTANA, Plaintiff, EUGENEvs RUSSELL/ PLUM,	No. 3 BEPUTY
RUSSELLY THOM,	
Defendant /	
	Judicial District of the State of Montana,
in and for the County of Yellowstone, on the 19 73, comes HAROLD F. HANSER County, upon his official oath and State of Montana, informs the Court: That on	county Attorney of said county, and here in in the name and processes authority of the
State of Madriana, Madriana vice Course 11111 on	
late of the County of Yellowstone, State of	Montana, on or about the 10th day
N/m	e County of Yellowstone and State of Mon.
utter, publish, or pass to Frontier Chevr true and genuine, a certain false, forged made by one Earl E. Plum, and purporting Chevrolet, and purporting to be drawn on	and counterfeit check purporting to be to be drawn in favor of Frontier
Montana, and purporting to be signed by t	s false, forged and counterfeit, as
aforesaid, which said false, forged and c	ounterfeit check was then and there of
COMMUNITY AUCTION	1393
EARL E. PLUM	00 440
4039 1st AVE. SOUTH 252-9776	93-119 921

BILLINGS, MONTANA 59101

Earl E. Plum

Pay To The

Frontier Chezrolet Order of__

\$<u>1400</u> 00/100

one thousand & four hundred --

DOLLARS

FIRST CITIZENS BANK Billings, Montana 59103

MEMO Car

0921 0119

104 889

0000140000

EUGENE with the intent then and there in him, the said RUSSELL/PLUM, to prejudice, damage and defraud the First Citizens Bank, of Billings, Montana, Frontier Chevrolet Company, of Billings, Montana, and Earl E. Plum, of Billings, Montana; contrary to the form, force and effect of Section 94-2001, Revised Codes of Montana 1947, and against the peace and dignity of the State of Montana.

> County Attorney In and For The County of Yellowstone, State of Montana.

CLECK OF THE DISTRICT COURT HARDED E. TOOD

Jul 31 11 43 AM '73

BY COESTA ABOUTED

IN THE DISTRICT COURT OF THE THIRTEENTH JUDICIAL DISTRICT OF THE STATE OF MONTANA IN AND FOR THE COUNTY OF YELLOWSTONE

RECORD OF MINUTE BOOK ENTRIES

25th July 1973 Minute Book 7 Page 324

No. 8986 (Sande) R. Rogers THE STATE OF MONTANA,

Plaintiff,

MOTION, LEAVE, ARRAIGNMENT CONTINUED

170

1

2

3

4

5

6

7

8 9

10

13

14

15

16

17

18

20212223

RUSSELL EUGENE PLUM,

Defendant.

The Deputy County Attorney, Charles Bradley, and the defendant without counsel and in the custody of a Deputy Sheriff appear in Court.

Copies of the information and affidavit are handed to the defendant. Upon motion of the County Attorney, leave is granted to file an information charging the defendant with the crime of FORGERY.

The defendant waives the reading of the information and acknowledges receipt of a copy. The Court appoints John L. Adams as counsel for the defendant. The defendant is advised by the Court of the nature of the crime charged against him, and the punishment therefor. Counsel for the defendant makes a motion for a psychiatric evaluation which is by the Court granted. The bond is set at \$2000.00. The defendant is remanded to the custody of the Sheriff.

Approved

25

24

26 27

28

29

30

CLERK OF THE DISTRICT COURT HARDEL E. TODD

SEP 10 4 55 PH '73

1 IN THE DISTRICT COURT OF THE THIRTEENTH 2 JUDICIAL DISTRICT OF THE STATE OF MONTANA IN AND FOR THE COUNTY OF YELLOWSTONE

RECORD OF MINUTE BOOK ENTRIES

17th September 1973 Minute Book Page 13

8986 (Luedke) J. Smith THE STATE OF MONTANA,

Plaintiff,

ARRAIGNMENT, PLEA, PRONOUNCEMENT OF JUDGMENT (10/1/73)

RUSSELL EUGENE PLUM,

Defendant.

11 12

10

3

4

5 6

7

8

9

13

14 15

16

1.7

18

19

20 21

22

23

24

25 26

27

28 29

30

The Deputy County Attorney, Diane G. Barz, and the defendant with counsel, John L. Adams, and the defendant in the custody of a Deputy Sheriff appear in Court.

The defendant waives further time to enter a plea. The defendant now pleads GUILTY to the offense as charged. The defendant is advised by the Court of the nature of the crime charged against him and the punishment therefor. The Court accepts the plea as being voluntarily given with the defendant having full knowledge of the consequences. The Court orders a pre-sentence investigation report. The time set for pronouncement of Judgment is October 1, 1973 at 11:00 A.M. The defendant is remanded to the custody of the Sheriff.

Approved

OLERK OF THE DISTRICT COURT OF THE HAND OF THE DEPUTY

IN THE DISTRICT COURT OF THE THIRTEENTH JUDICIAL DISTRICT OF THE STATE OF MONTANA

IN AND FOR THE COUNTY OF YELLOWSTONE THE STATE OF MONTANA, Plaintiff, -vs-RUSSELL EUGENE PLUM Defendant. WHEREAS the defendant RUSSELL EUGENE PLUM has FORGERY been charged before this Court with the crime of WHEREAS said defendant by and through his counsel did appear before this Court on the 25th day of July and did thereupon move the Court for an order of the Court committing said defendant to the Montana State Hospital at Warm Springs, Montana for psychiatric examination and evaluation; and WHEREAS no resistance was offered to said motion for commitment to Warm Springs for such purposes. NOW, THEREFORE, IT IS ORDERED that the defendant RUSSELL EUGENE PLUM _____, be committed to the Montana State Hospital at Warm Springs, Montana, and to be examined, tested and psychiatric evaluation made by the medical staff of said hospital to determine whether or not this defendant was at the time of commission of said crime, to-wit July 10 , 19⁷³, suffering from any mental disease or illness which may or could be a defense to the commission of said crime, and likewise whether or not the said defendant is at this time competent to stand trial on the charge of FORGERY and whether or not said defendant could participate in his own de-

fense on said charge.

IT IS FURTHER ORDERED that upon completion of this examination or of any indicated treatment of the defendant, the State Hospital at Warm Springs, Montana, shall furnish a written report to this Court showing the following:

- A description of the nature of the examination;
- 2. A diagnosis of the mental condition of the defendant;
- If the defendant suffers from a mental disease or defect, an opinion as to his capacity to understand the proceedings against him and to assist in his own defense;
- 4. An opinion as to the ability of the defendant to appreciate the criminality of his conduct or to conform his conduct to the requirements of law at the time of the criminal conduct charged; and
- 5. An opinion as to the capactty of the defendant to have a particular state of mind which is an element of the offense charged.

If the examination cannot be conducted by reason of the unwillingness of the defendant to participate therein, the report shall so state and shall include, if possible, an opinion as to whether such unwillingness of the defendant was the result of mental disease or defect.

IT IS FURTHER ORDERED that the results of such tests shall be available both to the authorities of the State of Montana and to the defendant, both to make such use as they may have of such findings.

IT IS FURTHER ORDERED that during this examination the defendant shall be detained by the Montana State Hospital at Warm Springs, Montana, and said hospital shall take such security precautions as are necessary to insure that his retention in custody is as a criminal defendant and he shall not be released by the hospital or its staff for any purpose during this period that he is at the said hospital. Upon completion of this examination and indicated treatment, if any, he shall be turned over to the proper authorities for return to Yellowstone County for further disposition of this cause.

Dated this 26 day of - July , 19 73.

Dated this 26 day of - July , 19 73.

CLERK OF THE DISTRICT COURT HARDH E. TODD

IN THE DISTRICT COURT OF THE THIRTEENTH JUDICIAL DISTRICT OF THE STATE OF MONTANA IN AND FOR THE COUNTY OF YELLOWSTONE

OCT 18 9 55 MM '73

BY Lary 11 Read

DEPOTY

IN AND FOR THE COURT	DEPOTY
THE STATE OF MONTANA,	$\langle q \rangle$
Plaintiff	: , {
~vs-	ORDER STAYING IMPOSITION OF SENTENCE
RUSSELL EUGENE PLUM) Or SENIEMOS
	}
Defendant	·, }
:::::::::::::::::::::::::::::::::::::::	: :)
WHEREAS the defendant h	heretofore entered H <u>is</u> plea of
guilty to the crime of FORGERY	
	n the information on file in said case,
	or pronouncement of judgement, and the
defendant having made applicat	tion to the Court to be admitted to
probation; and	
WHEREAS it appears tha	t said defendant has not heretofore been
convicted of crime, either in	this state or elsewhere; and
WHEREAS it appears to	the Court that the character of the
defendant and the circumstanc	es of the case are such that he is not
likely again to engaged in an	offensive course of conduct and that the
public safety does not demand	or require that the mentence shall be
imposed at this time,	
NOW, THEREFORE, IT IS	ORDERED, that the imposition of sentence
upon said defendant be stayed	for a period of Three (3) years
to run concurrently with Cau	
and said defendant is hereby	placed on probation for said period and
	on of said defendant in the above en-
	y direct that said defendant be and
appear before this Court on	the 15th day of October
1976, at 10:00 o'clock A.	M., and that the imposition of sentence
herein be stayed until that	
IT IS FURTHER ORDERED	that until the said <u>15th</u> day of
October , 19	$7_{\underline{6}}$, the defendant is admitted to
probation upon the following	

- 1. The defendant shall not frequent any place where intoxicating liquor or beer is sold nor shall he use intoxicants or beer; nor shall he use any narcotic or dangerous drugs or have in his possession same without proper prescription by a doctor.
- 2. The defendant shall not enter into any game of chance nor shall _he frequent any place where gambling may be taking place;
- 3. The defendant shall conduct himself in a law abiding manner and shall not violate any law of the United States or of the State of Montana or the ordinance of any city or town during said term;
- 4. The defendant shall maintain as steady employment as possible during said term, and _he shall, to the best of h_{is} ability, fully and completely contribute to the support of his wife and family;
- 5. The defendant shall not leave the confines of the State of Montana either to seek employment or for any other reason, without having first obtained permission of this Court so to do, except in connection with such duties as he may have with the armed forces of the United States;
- 6. The defendant is placed under the supervision and control of the State Board of Pardons, and is to abide by their rules and regulations;
- 7. The defendant shall refrain from any association with or social involvement with any person with a criminal record or any person using dangerous drugs. In addition, the defendant shall refrain from association with or social acquaintance with those persons with whom he was involved at the time of the commission of the criminal offense charged resulting in this judgment.
- 8. The defendant hereby consents to the reasonable search of his person, premises, or any automobile whenever requested to do so by the Probation Officer or any other law enforcement officer, with or without a warrant.

9. The defendant is to spend six (6) months in the Yellowstone County Jail with credit for time served from July 20, 1973 to October 15, 1973.

Dated this day of October, 1973.

JUDGE Lande Lucka

63 FR 1617

IN THE DISTRICT COURT OF THE THIRTEENTH JUDICIAL DISTRICT OF THE STATE OF MONTANA IN AND FOR THE COUNTY OF YELLOWSTONE

Storph P. Akotin

THE STATE OF MONTANA,		No. 3936
	Plaintiff,	PETITION FOR REVOCATION OF
-vs-	:	ORDER STAYING IMPOSITION
RUSSELL EUGENE PLUM,	;	OF SENTENCE
	Defendant.	

Comes now CHARLES A. BRADLEY, Deputy County Attorney of
Yellowstone County, and upon his official oath, and in the name and
by the authority of the State of Montana, petitions the above entitled
Court to revoke its order staying imposition of sentence upon the
above-named defendant who was adjudged guilty of the crime of
FORGERY and to impose sentence at
this time.

This petition is based upon the failure of the above-named defendant to obey the conditions and terms of the Court's order staying imposition of sentence in the following particulars:

That defendant was involved in the burglary of Adams Truck Plaza in Yellowstone County during the early morning hours of July 24, 1974, during the nighttime, as a lookout, and he received the stolen property, fruits of the burglary, to-wit: A wrist watch, knowing the same to have been stolen.

That defendant actively participated in the burglary of the Poly Gonoco Service Station located at 17th Street West and Poly Drive, Billings, Montana, in the 28th day of July, 1974, during the nighttime.

WHEREFORE, your petitioner prays that the Order Staying Imposition of Sentence be revoked and that sentence be imposed upon said defendant.

Dated this 3 day of JULY , 1978.

Deputy County Attorney
In and For the County of Yellowstone
State of Montana

STATE OF MONTANA County of Yellowstone OFFICE OF THE SHERIFF

RETURN ON COMMITMENT

I HEREBY CERTIFY That I	received the a	nnexed Order of Confinemen	t on theday
of August			
pursuant to the instructions thereo	DIICCPLI, FI	30 day of A	igust , 1974 ,
to the WORDEN of the State Priso		DGE, MONTANA.	
Dated at Billings, Montana, this	30	_day ofAugust	, 19.74.
		DEAN S. BETZER XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	iff
		By Allank	
		Frank	Deputy Sheriff

CLERK OF THE DISTRICT COURT HARDIN 3. TODD

1974 SEP 12 PM 3: 52

EVEDSEPH POSTIN

IN THE DISTRICT COURT

Of the Thirteenth Judicial District of the State of Montana, In and for the County of Yellowstone.

			August			# <i>X.I.</i> .58
Pro	esent, Hon. C	HARLES LUEDI	KE			
THE STATE OF I	MONTANA, vs.	Plaintiff,	No	. 8986 ^{***}	29	
RUSSELL EUG			Convicted of	FORGE	RY	***************************************
			;			
-		Defendant		MT DI IM		_
The County A	Attorney, with the delay of the JOHN L.	ne Defendant, ADAMS, JR.,	RUSSELL EUGE Esq.,	came into	ourt. The d	efendant
crime of FOI	RGERY	•••••	he information fou			
committed on the arraignment and p	10th plea of "Guilty to	day of J	ULY , A FORGERY	. D . 197	3 ; of	his
			<u></u>			
. 1	~	J #	SEPTEMBER		A D 1	973.
whereas the said	RUSSELL EU	JGENE PLUM	hereupon the Cou	een duly co	nvicted in t	his Court
whereas the said of the crime of .	RUSSELL EU FORGERY	JGENE PLUM	has t	een duly co	nvicted in the	his Court
whereas the said of the crime of .	FORGERY EFORE ORDERI	JGENE PLUM ED, ADJUDGED	AND DECREED,	That the sa	id	his Court
whereas the said of the crime of . IT IS THER RUSSELL EU Prison of the Stance to run concept finds that ellowstone count finds that ellowsto	FORGERY FORGERY EFORE ORDERI GENE PLUM Attention to the prior to t	JGENE PLUM ED, ADJUDGED at Deer Lodge, M ith the sent the date her om Feb. 15 thereon August	AND DECREED, ished by imprison tence received the deficient the deficient for the de	That the sa	id delabor in (10) Yes in a cau from Just 26, 14	the State exs, sai
whereas the said of the crime of . IT IS THER RUSSELL EU Prison of the Stace to run concert finds that ellowstone cough January 19,	FORGERY FORE ORDERI GENE PLUM	JGENE PLUM ED, ADJUDGED at Deer Lodge, M ith the sent the date her om Feb. 15 thereon August	AND DECREED, ished by imprison tence received the deficient the deficient for the de	That the sa	id	his Court
whereas the said of the crime of . IT IS THER RUSSELL EU Prison of the Stance to run concept finds that ellowstone count finds that ellowsto	FORGERY FORGERY EFORE ORDERI GENE PLUM Attention to an introduction to an introductio	JGENE PLUM Depunded Deer Lodge, Mith the sent the date her logger than the sent the date her logger from August 26th day of	AND DECREED, ished by imprison Iontana, for the tence receive to the deficition of the tence of	That the sa	id	the State ors, sailse No. ocarcera ily 20,
whereas the said of the crime of IT IS THERN RUSSELL EU Prison of the State to run concurt finds tha Plowstone Court of the State of	FORGERY FORGERY EFORE ORDERI GENE PLUM At of Montana, a Accurrently w At prior to Inty Jail ir 1974, and A Court this	JGENE PLUM ED, ADJUDGED at Deer Lodge, Month the Sent Sent Sent Sent Sent Sent Sent Sen	AND DECREED, ished by imprison Iontana, for the tence receive to the deficition of the tence of	That the sament at har crim of Tendant has 21, 1973.	id	the State ors, sailse No. ocarcera ily 20,
whereas the said of the crime of IT IS THERN RUSSELL EU Prison of the State to run concurt finds that allowstone Court for the concurt for the concurt for the concurt for the court f	FORGERY FORGERY EFORE ORDERI IGENE PLUM At of Montana, a Accurrently w At prior to INTERIOR And Court this STATE OF Judicial Dist	JGENE PLUM ED, ADJUDGED be pun at Deer Lodge, M ith the sent the date her om Feb. 13 from August 26th day of F MONTANA rict, County of	AND DECREED, ished by imprison Iontana, for the telence received the defeithrough Feb. 3, 1974 through Feb. August	That the sament at har crim of Tendant has 21, 1973. In crim dant has 21, series August Ss.	id delabor in (10) Yearinal cause from Just 26, 16	the State ars, sailse No. carcera ily 20, 74. 1974.
whereas the said of the crime of IT IS THERN RUSSELL EU Prison of the Struce to run concert finds that ellowstone County 19, Done in open Thirteenth of I, HAF certify the foreg	FORGERY FORGERY EFORE ORDERINGENE PLUM At of Montana, and are o	DEENE PLUM DEED, ADJUDGED the pun the sent the date her om Febt. 13 from August 26th day of FMONTANA rict, County of	AND DECREED, ished by imprison Iontana, for the tence receives the deferment of Yellowstone Clerk of the Decrease of the Copy of the judget the property of the Decrease of the Decrease of Yellowstone of Yellowstone to the Decrease of the	That the sament at har rm of Ten din crin 21, 1973 agin Augus	id delabor in (10) Yearinal cause been in from Just 26, 14	the State exs, sai ise No. icarcera ily 20, 74. udge. do hereby rict Court
whereas the said of the crime of IT IS THERN RUSSELL EU Prison of the State to run concurred that the sellowstone Court of the state of the st	FORGERY FORGERY EFORE ORDERI GENE PLUM Attention to Inty Jail in 1974, and Court this STATE OF Judicial Distriction to be a full titled action, and	JGENE PLUM ED, ADJUDGED be pun at Deer Lodge, Mith the sent the date her om Feb. 13 from August 26th day of F MONTANA rict, County of true and correct that I have consent and the wh	AND DECREED, ished by imprison for the telence received the defendence in the defendence of the Algust Algust Algust Algust Clerk of the Detection of the public topy of the judgment of the same woole thereof.	That the sament at har rm of Ten din crimal 1973 agin Augus	id delabor in (10) Yearinal cause here in from Just 26, 14	the State In Section 150 No. 150 No.
whereas the said of the crime of IT IS THERI RUSSELL EU Prison of the Stace to run concurt finds that ellowstone Cough January 19, Done in oper Thirteenth I, HAR certify the foreg in the above ent a correct transcr	FORGERY FORGERY EFORE ORDERI GENE PLUM Attention to Inty Jail in 1974, and Court this STATE OF Judicial Distriction to be a full titled action, and	DED, ADJUDGED be pun at Deer Lodge, Mith the sent the date her om Feb. 13 from August 26th day of F MONTANA rict, County of true and correct that I have connent, and the wh	AND DECREED, ished by imprison for the deference received through Feb. 3, 1974 through ALGUST ALGUST Clerk of the Decrease of the deference of Yellowstone of Yellowstone to copy of the judgingared the same were same with the copy of the same were same were same with the copy of the same were sam	That the sament at har rm of Ten in crimal 1973 rgin August Ss. ss. ss. ss. ss. ss. ss. ss. ss. ss.	id delabor in (10) Yearinal cause heen in from Just 26, 14	the State In Section 158 No. 158 No. 158 No. 15974. 1974. udge. do hereby rict Court this 1974.

IN THE DISTRICT COURT

Of the Thirteenth Judicial District of the State of Montana, In and for the County of Yellowstone

Marden and officers in charks of me prace, I use	on of the State of Montana—GREETING:
WHEREAS, RUSSELL EUGENE PLUM	has been duly convicted in our
District Court of the Thirteenth Judicial District of the	ne State of Montana, in and for the County of
Yellowstone, of the crime of FORGERY	
and the second s	
and judgment has been pronounced againsthim	that he be punished by imprisonment
at hard labor in the State Prison of the State of Mont n (10) Years to be served concurrently	ana, at Deer Lodge, Montana, for the term of y with the sentence received in crin
and a certified copy of the judgment being endorsed	hereon and made a part nereot,
Now this is to command you the said Sheriff of	the County of Yellowstone, to take, keep and
safely deliver the said RUSSELL EUGENE PLUM	into the custody of the said
Warden or other officer in charge of the State Prison	of the State of Montana, at Deer Lodge, Mon-
tana, at your earliest convenience;	
And this is to command you, the said Warden and	l other officers in charge of the State Prison
of the State of Montana, at Deer Lodge, Montana,	to receive of and from the said Sheriff of the
County of Yellowstone, the said RUSSELL EUGE	NE PLUM convicted and sentenced as
aforesid, and he the said RUSSELL	EUGENE PLUM
	rison of the State of Montana, at Deer Lodge,
keep and imprison at hard labor in the said State P Montana, for the term of Ten (10) Years to	be served concurrently with the sent
Montana, for the term of Ten (10) lears to ceived in criminal cause No. 8848 wit	h credit for time spent in iail.

And these presents shall be your authority for the	e same, Herein fail not.
WITNESS, HON.	e same, Herein fail not. CHARLES LUEDKE , Judge
witness, Hon. of the said Distri	e same, Herein fail not. CHARLES LUEDKE , Judge ict Court, at the Court House, in the said County
witness, Hon. of the said Distri	e same, Herein fail not. CHARLES LUEDKE , Judge
witness, Hon. of the said Distri	e same, Herein fail not. CHARLES LUEDKE , Judge ct Court, at the Court House, in the said County his 26th day of AUGUST ,
of the said Distri of Yellowstone, the A. D. 1974	e same, Herein fail not. CHARLES LUEDKE , Judge oct Court, at the Court House, in the said County his 26th day of AUGUST ,
witness, Hon. of the said Distri of Yellowstone, the said Distri A. D	e same, Herein fail not. CHARLES LUEDKE , Judge ct Court, at the Court House, in the said County his 26th day of AUGUST ,
witness, Hon. of the said Distri of Yellowstone, the said Distri A. D. 1974 ATTEST, my hand above written.	e same, Herein fail not. CHARLES LUEDKE , Judge ct Court, at the Court House, in the said County his 26th day of AUGUST , and seal of the said Court, the day and year last
witness, Hon. of the said Distri of Yellowstone, the said Distri A. D. 1974 ATTEST, my hand above written.	e same, Herein fail not. CHARLES LUEDKE , Judge let Court, at the Court House, in the said County his 26th day of AUGUST , and seal of the said Court, the day and year last HARDIN E. TOBD , Clerk,
witness, Hon. of the said Distri of Yellowstone, the said Distri A. D. 1974 ATTEST, my hand above written.	e same, Herein fail not. CHARLES LUEDKE , Judge let Court, at the Court House, in the said County his 26th day of AUGUST , and seal of the said Court, the day and year last HARDIN E. TOBD , Clerk,
witness, Hon. of the said Distri of Yellowstone, the said Distri of Yellowstone, the said Distri A. D. 1974 ATTEST, my hand above written.	e same, Herein fail not. CHARLES LUEDKE , Judge let Court, at the Court House, in the said County his 26th day of AUGUST , and seal of the said Court, the day and year last HARDIN E. TOBD , Clerk,
witness, Hon. of the said Distri of Yellowstone, the said Distri of Yellowstone, the said Distri A. D	e same, Herein fail not. CHARLES LUEDKE , Judge let Court, at the Court House, in the said County his 26th day of AUGUST , and seal of the said Court, the day and year last HARDIN E. TOBD , Clerk,
witness, Hon. of the said Distri of Yellowstone, the said Distri A. D. 1974 ATTEST, my hand above written.	e same, Herein fail not. CHARLES LUEDKE , Judge ict Court, at the Court House, in the said County his 26th day of AUGUST , and seal of the said Court, the day and year last HARDIN E. TOBD , Clerk, Leaf , Deputy Clerk.
witness, Hon. of the said Distri of Yellowstone, the said Distri A. D. 1974 ATTEST, my hand above written.	e same, Herein fail not. CHARLES LUEDKE , Judge let Court, at the Court House, in the said County his 26th day of AUGUST , and seal of the said Court, the day and year last HARDIN E. TODD , Clerk, Love , Deputy Clerk.
witness, Hon. of the said Distri of Yellowstone, the said Distri A. D. 1974 ATTEST, my hand above written.	e same, Herein fail not. CHARLES LUEDKE , Judge ict Court, at the Court House, in the said County his 26th day of AUGUST , and seal of the said Court, the day and year last HARDIN E. TOBD , Clerk, Leaf , Deputy Clerk.
witness, Hon. of the said Distri of Yellowstone, the said Distri A. D. 1974 ATTEST, my hand above written.	e same, Herein fail not. CHARLES LUEDKE , Judge let Court, at the Court House, in the said County his 26th day of AUGUST , and seal of the said Court, the day and year last HARDIN E. TODD , Clerk, Love , Deputy Clerk.
witness, Hon. of the said Distri of Yellowstone, the said Distri A. D. 1974 ATTEST, my hand above written. By	e same, Herein fail not. CHARLES LUEDKE , Judge let Court, at the Court House, in the said County his 26th day of AUGUST , and seal of the said Court, the day and year last HARDIN E. TODD , Clerk, Love , Deputy Clerk.
of the said Distri of Yellowstone, the A. D. 1974 ATTEST, my hand above written. By	e same, Herein fail not. CHARLES LUEDKE , Judge let Court, at the Court House, in the said County his 26th day of AUGUST , and seal of the said Court, the day and year last HARDIN E. TODD , Clerk, Love , Deputy Clerk.
witness, Hon. of the said Distriction of Yellowstone, the yellow	e same, Herein fail not. CHARLES LUEDKE , Judge let Court, at the Court House, in the said County his 26th day of AUGUST , and seal of the said Court, the day and year last HARDIN E. TODD , Clerk, Leof , Deputy Clerk.
of the said Distri of Yellowstone, the A. D. 1974 ATTEST, my hand above written. By	e same, Herein fail not. CHARLES LUEDKE , Judge let Court, at the Court House, in the said County his 26th day of AUGUST , and seal of the said Court, the day and year last HARDIN E. TODD , Clerk, Love , Deputy Clerk.
witness, Hon. of the said Distriction of Yellowstone, the yel	e same, Herein fail not. CHARLES LUEDKE , Judge let Court, at the Court House, in the said County his 26th day of AUGUST , and seal of the said Court, the day and year last HARDIN E. TODD , Clerk, Leof , Deputy Clerk.

IN THE DISTRICT COURT

Of the Thirteenth Judicial District of the State of Montana,
In and for the County of Yellowstone



HE STATE OF MONTANA, Plaintiff,			
and the control of th			3 · · · · · · · · · · · · · · · · · · ·
RUSSELL EUGENE PLUM,	护 為多 :	2000	7 i l
RUSSELLI EUGERI Z ZO.,	MOTION	9360	
Defendant			
Comes now J. D. COOPER, Deputy			, County Attorne
and for Yellowstone County, Montana, and n	noves this Honors	able Court that	he be granted leav
o file herein an information, charging the above	married Defenden	+ RUSSE	LL EUGENE PLUM
o file herein an information, charging the above	Hamed Defendant	,	
with the crime of BURGLARY	****		, committe
t Yellowstone County, Montana, on or about the	24th	. day ofJU	LY , 19.74
This motion is based upon the affidavit of	J. D. COORE	R	hereto annexe
This motion is based upon the arrivavit of		10.0	hereto annexe
Dep		rney in and for	r Yellowstone Count
·	Montane	1.	
County,			J
County of Yellowstone. J. D. GOOPER deposes and says: That he is the duly expert qualified and a tana, and that as such/County Attorney he ma	Deputy acting County At kes and files the	torney of Yello	owstone County, Mo
deposes and says: That he is the duly steated qualified and a tana, and that as such/County Attorney he ma	Deputy Acting County At kes and files the	torney of Yello foregoing mot	owstone County, Mo ion and this affidav tent and sufficient
deposes and says: That he is the duly steated qualified and a tana, and that as such/County Attorney he ma	Deputy Acting County At kes and files the	torney of Yello foregoing mot	owstone County, Mo ion and this affidav tent and sufficient
deposes and says: That he is the duly extract qualified and a tana, and that as such/County Attorney he ma That he has in his possession evidence we warrant the prosecution and secure the conviction.	Deputy At kes and files the chich, in his opinion of the above 1	torney of Yello foregoing moti nion, is compen	owstone County, Mo ion and this affidav tent and sufficient
deposes and says: That he is the duly county Attorney he ma That he has in his possession evidence w warrant the prosecution and secure the conviction of	Deputy At Acting County At kes and files the chich, in his opinion of the above the ENE PLUM	torney of Yello foregoing moti nion, is compe- named Defenda	owstone County, Moion and this affidavent and sufficient
deposes and says: That he is the duly extra qualified and a tana, and that as such/County Attorney he ma That he has in his possession evidence w warrant the prosecution and secure the conviction RUSSELL EUC	Deputy Acting County At kes and files the chich, in his opin on of the above to GENE PLUM	foregoing motinion, is compensated Defenda	owstone County, Mo ion and this affidav tent and sufficient nt,
deposes and says: That he is the duly extent qualified and a tana, and that as such/County Attorney he ma That he has in his possession evidence w warrant the prosecution and secure the conviction RUSSELL EUC for the crime of	Deputy Acting County At kes and files the chich, in his opin on of the above to BENE PLUM	foregoing motion, is compensated Defenda	owstone County, Mo ion and this affidav tent and sufficient nt, , committed
deposes and says: That he is the duly expert qualified and a tana, and that as such/County Attorney he ma That he has in his possession evidence w warrant the prosecution and secure the conviction RUSSELL EUC for the crime of BURGLARY Yellowstone County, Montana, on or about the material and careful investigations.	Deputy acting County At kes and files the chich, in his opin on of the above to EENE PLUM 24th de tigation of all the	foregoing motion, is competed amend Defendation and of JUL- ne facts and ciascertainable;	owstone County, Mo ion and this affidav tent and sufficient nt, committed Y , 19 ircumstances surrou that he verily belie
deposes and says: That he is the duly expert qualified and a tana, and that as such/County Attorney he ma That he has in his possession evidence w warrant the prosecution and secure the conviction RUSSELL EUC for the crime of BURGLARY Yellowstone County, Montana, on or about the material and careful investigations.	Deputy acting County At kes and files the chich, in his opin on of the above to EENE PLUM 24th de tigation of all the	foregoing motion, is competed amend Defendation and of JUL- ne facts and ciascertainable;	owstone County, Mo ion and this affidav tent and sufficient nt, committed Y , 19 ircumstances surrou that he verily belie
deposes and says: That he is the duly county Attorney he ma tana, and that as such/County Attorney he ma That he has in his possession evidence w warrant the prosecution and secure the conviction RUSSELL EUC for the crime of BURGLARY Yellowstone County, Montana, on or about the ma That he has made a full and careful investing the commission of said offense, so far as the it a proper case for the filing of an information	Deputy acting County At kes and files the chich, in his opin on of the above to EENE PLUM 24th de tigation of all the	foregoing motion, is competed amend Defendation and of JUL- ne facts and ciascertainable;	owstone County, Mo ion and this affidav tent and sufficient nt, committed Y , 19 ircumstances surrou that he verily belie
deposes and says: That he is the duly expert qualified and a tana, and that as such/County Attorney he ma That he has in his possession evidence w warrant the prosecution and secure the conviction RUSSELL EUC for the crime of BURGLARY Yellowstone County, Montana, on or about the matter than the has made a full and careful investing the commission of said offense, so far as the it a proper case for the filing of an information or motion is made.	Deputy Acting County At kes and files the chich, in his opin on of the above to GENE PLUM 24th di tigation of all the ey are known or n, and that for t	torney of Yelloforegoing motion, is competed amend Defendationary of JULIA as facts and ciascertainable; this reason, and	owstone County, Mo ion and this affidav tent and sufficient nt, committed Y , 19 ircumstances surrou that he verily belie
deposes and says: That he is the duly county Attorney he ma tana, and that as such/County Attorney he ma That he has in his possession evidence w warrant the prosecution and secure the conviction RUSSELL EUC for the crime of BURGLARY Yellowstone County, Montana, on or about the ma That he has made a full and careful investing the commission of said offense, so far as the it a proper case for the filing of an information	Deputy Acting County At kes and files the chich, in his opin on of the above to GENE PLUM 24th di tigation of all the ey are known or n, and that for t	torney of Yelloforegoing motion, is competed amend Defendationary of JULIA as facts and ciascertainable; this reason, and	owstone County, Mo ion and this affidav tent and sufficient nt, committed Y , 19 ircumstances surrou that he verily belie
deposes and says: That he is the duly enter, qualified and a tana, and that as such/County Attorney he ma That he has in his possession evidence we warrant the prosecution and secure the conviction RUSSELL EUC for the crime of BURGLARY Yellowstone County, Montana, on or about the Burgham and the commission of said offense, so far as the it a proper case for the filing of an information going motion is made. That the said Defendant RUSSELL	Deputy At Res and files the Chich, in his opinion of the above of the above of the Atlanta department of all the agency are known or on, and that for the EUGENE PLUM	foregoing motion, is compensated Defendation and of Julians ascertainable; this reason, and is ascertainable;	owstone County, Moion and this affidave tent and sufficient nt, committed Y , 19
deposes and says: That he is the duly expert qualified and a tana, and that as such/County Attorney he ma That he has in his possession evidence w warrant the prosecution and secure the conviction RUSSELL EUC for the crime of BURGLARY Yellowstone County, Montana, on or about the matter than the has made a full and careful investing the commission of said offense, so far as the it a proper case for the filing of an information or motion is made.	Deputy At Res and files the Chich, in his opinion of the above of the	foregoing motinion, is compensated Defendation and of the second	owstone County, Moion and this affidave tent and sufficient nt, committed Y, 19
deposes and says: That he is the duly expert, qualified and a tana, and that as such/County Attorney he ma That he has in his possession evidence we warrant the prosecution and secure the conviction RUSSELL EUC for the crime of BURGLARY Yellowstone County, Montana, on or about the Burgham and careful investing the commission of said offense, so far as the it a proper case for the filing of an information going motion is made. That the said Defendant RUSSELL Subscribed and sworn to before me this	Deputy Acting County At kes and files the chich, in his opin on of the above r GENE PLUM 24th dr tigation of all the ay are known or n, and that for t EUGENE PLUM	torney of Yelloforegoing motion, is competed and Defendation and Julian as facts and ciascertainable; this reason, and of Julian as Juli	owstone County, Mo ion and this affidav tent and sufficient nt, committed Y , 19 ircumstances surrou that he verily belie i none other, the fo
deposes and says: That he is the duly expert, qualified and a tana, and that as such/County Attorney he ma That he has in his possession evidence we warrant the prosecution and secure the conviction RUSSELL EUC for the crime of BURGLARY Yellowstone County, Montana, on or about the Burgham and careful investing the commission of said offense, so far as the it a proper case for the filing of an information going motion is made. That the said Defendant RUSSELL Subscribed and sworn to before me this Leave to file Information	Deputy Acting County At kes and files the chich, in his opin on of the above r GENE PLUM 24th de tigation of all the ay are known or n, and that for t EUGENE PLUM 31st day Clerk Thirtee	torney of Yelloforegoing motion, is competed and Defendation and Julian as facts and ciascertainable; this reason, and of Julian as Juli	owstone County, Moion and this affidave tent and sufficient nt, committed Y, 19
deposes and says: That he is the duly expert, qualified and a tana, and that as such/County Attorney he ma That he has in his possession evidence we warrant the prosecution and secure the conviction RUSSELL EUC for the crime of BURGLARY Yellowstone County, Montana, on or about the Burgham and careful investing the commission of said offense, so far as the it a proper case for the filing of an information going motion is made. That the said Defendant RUSSELL Subscribed and sworn to before me this	Deputy Acting County At kes and files the chich, in his opin on of the above r GENE PLUM 24th de tigation of all the ay are known or n, and that for t EUGENE PLUM 31st day Clerk Thirtee	foregoing motion, is compensated Defendation and Defendation and Julian ascertainable; his reason, and of July around the facts and ciascertainable; his reason, and facts are also facts and ciascertainable; his reason, and facts are also facts and ciascertainable; his reason, and facts are also facts and ciascertainable; his reason, and facts are also facts are also facts and facts are also facts and facts are also facts are also facts and facts are also facts are also facts are also facts are also facts and ciascertainable.	owstone County, Moion and this affidave tent and sufficient nt, committed Y, 19

METRICAL STATES OF THE STATES

IN THE DISTRICT COURT OF THE THIRTEENTH

JUDICIAL DISTRICT OF THE STATE OF MONTANA

IN AND FOR THE COUNTY OF YELLOWSTONE

•	(2)
THE STATE OF MONTANA,) Not. 9360
Plaintiff -vs-	AFFIDAVIT IN SUPPORT OF INFORMATION
RUSSELL EUGENE PLUM	· •
Defendant	.)
Comes now CLIFFORD E. SCHLEU	Deputy County Attorney
In and For the County of Yellor	wstone, State of Montana, and on
oath, deposes and says:	
That _he is the Duly app	ointed and qualified Deputy County
Attorney in and for the County	of Yellowstone, State of Montana.
Thathe has informatio	n and verily believes that
RUSSELL EUGENE PLUM committed th	e crime of BURGLARY

In the late evening hours of July 19th or the early morning hours of July 20th of 1974, the Lake Hills Golf Clubhouse north of the City Limits of Billings was broken into and burglarized. Articles stolen consisted of approximately \$200.00 in cash in addition to a quantity of liquor.

Merle Paulson gave a statement to the police admitting that on the night of the burglary ne and Michael William Mann and a person whose first name was Jerry, later identified as Gerald Lynn Burton, drove to the Lake Hills clubhouse in Mann's Mercury station wagon, that he stayed in the car while Mann and Burton took a tire iron and walked toward the clubhouse building with the stated intention of breaking in and stealing some beer. He said that Mann and Burton were gone stated intention and that when they returned they had about \$200.00 in cash, two bottles of the burglary and one bottle of gin

whiskey and one bottle of gin.

Mann gave a statement to the police corroborating Paulson's statement except to say that they had been only one bottle of whiskey and one bottle of vodka in addition to approximately \$200.00 in the taken only one bottle of whiskey and one bottle of vodka in addition to approximately \$200.00 in the days of the also stated that Burton broke an upstairs window and they then both entered the clubhouse through the opening. He stated that they got the liquor and part of the money out of the Bar-Lounge through the opening. He stated that they got the liquor and part of the money out of the rest of the money and that they then broke a window out of the clubhouse. He also stated that they the money and the liquor out of the Pro Shop portion of the clubhouse. He also stated that they then split the money between them but that Paulson did not get as much of the money as he and Burton.

On the late evening house of July 23rd or the early morning hours of July 24th, 1974, Adams Truck Plaza, a Truck Stop Service Station, located on Interstate 90 just east of Laurel, Montana, was broken into and burglarized. Articles stolen consisted of watches, jewelry, guns, radios and other merchandise in addition to a quantity of cash and uncashed checks of a total value of

Mann gave a statement to the police admitting that on the night of the burglary, that he,
Mann gave a statement to the police admitting that on the night of the burglary, that he,
together with Burton and Russell Eugene Plum had driven to said truck stop in Burton's 1965 Plymouth
car, that he had stayed in the car, that Burton and Plum broke out a window in the Truck Stop
Building, entered the building and carried out a quantity of merchandise which they hid down the
road near a stop sign. He stated that they then went back to the Truck Stop building, that Burton
road near a stop sign. He stated that they then went back to the Truck Stop building, that Burton
and Plum again entered the building and carried out some more merchandise and cash, that they then
picked up the other merchandise near the stop sign and that they took all the merchandise to
Plecked up the other merchandise near the stop sign and that they took all the merchandise to

had been stolen in the burglary.

Burton gave a statement to the police similar to the Mann statement admitting that he did enter the building and carried cash and merchandise outside, and that his share of the loot included \$200.00 in cash and a Craig car stereo set which he installed in his car and which was re-

covered at the time of his arrest.

Plum gave a statement to the police admitting that he had been with Mann and Burton at the time in question, that they had driven to Adams Truck Stop, that Burton broke out the window of the building and entered it while Plum and Mann kept watch outside, and that Burton then handed out stolen merchandise to Plum and Mann who took it to Burton's car. Plum also admitted that he kept some of the money that was stolen and one of the stolen watches which he was wearing at the time of his arrest. He also admitted breaking the silver dollars out of belt buckles that were stolen and putting the silver dollars in a money bag that also was stolen.

Evidence indicated that Michael William Mann, Gerald Lynn Burton and Merle Paulson were

broke before the burlgary but that they had substantial funds shortly afterwards.

WHEREFORE the affiant has made a full and careful investigation of all the facts and circumstances surrounding the commission of said offense, so far as they are known or ascertainable; that he verily believes it a proper case for the filing of an information, and that for this reason, and none other, the foregoing affidavit is made.

Subscribed and sworn to before me this ___3lst day of ___ 197 4

> Notary Public For the State of Montana. Residing at Billings, Montana. Commission Expires___

10/145

IN THE DISTRICT COUET OF THE THIRTEENTH

1874 AUG 28 AH 10 46

IN THE DISTRICT COUET OF THE THIRTEENIR
JUDICIAL DISTRICT OF THE STATE OF MONTANA
IN AND FOR THE COUNTY OF YELLOWSTONE
THE STATE OF MONTANA,) No. 9360 Plaintiff,)
-vs-) MOTION FOR DISMISSAL
RUSSELL EUGENE PLUM, Defendant.)
COMES NOW, THE STATE OF MONTANA, by and through its BARALY County Attorney, In and For the County of Yellowstone, HAROLD F. HANSER
, and respectfully moves the Court to dismiss
the foregoing action upon the following grounds and for the following
reasons:
That the defendant has been committed to the Montana State Prison
on previous criminal charges.
Dated this 27th day of AUGUST, 1974. Attorney For Plaintiff
<u>o r d E r</u>
Good cause appearing therefor, IT IS HEREBY ORDERED that the
above entitled case be dismissed, and the defendant, RUSSELL EUGENE PLUM
, be released from such charge, and the bond,
if any heretofore posted, is ordered exonerated, with leave to file
a new information at a later time.
Dated this 28 day of AUGUST, 1974.

Judge.