

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA *
 *
 * CRIMINAL NO. CR3-90-061-H
 *
 *
GEORGE V. MORTON *

GOVERNMENT'S MOTION FOR DOWNWARD DEPARTURE

Pursuant to Section 5K1.1 of the United States Sentencing Guidelines, the United States requests that the court depart downward from the suggested guideline sentencing range in this case. This motion is based upon the substantial assistance of defendant George V. Morton (hereinafter "Morton") in the investigation and prosecution of criminal cases. In support of this motion the United States notes the following:

1. On March 15, 1990, as part of a plea agreement, Morton pleaded guilty in this court to a one-count information charging him with conspiracy (18 U.S.C. § 371) to violate the Foreign Corrupt Practices Act of 1977, as amended, 15 U.S.C. § 78dd et seq.

2. Under his plea agreement, Morton cooperated with the United States in the investigation and indictment of defendants John Blondek, Donald Castle, Darrell W.T. Lowery and Vernon R. Tull in Criminal Case No. B-91-112-S1 (S.D. Tex.). Blondek and Tull were tried and acquitted of all charges on October 12, 1991. Castle and Lowery have not been apprehended and remain fugitives from justice.

3. Morton rendered substantial assistance to the United States in the preparation and prosecution of the case against Blondek and Tull. Morton cooperated with the United States, including the undersigned attorneys and an agent of the Federal Bureau of Investigation, and made himself available for pretrial preparation and trial of the case in Texas.

4. Morton also appeared as a witness for the Crown in criminal proceedings in Regina, Saskatchewan, Canada, against Castle and Lowery. The United States is informed that Morton was of substantial assistance in that case. In the Canadian case, Castle was acquitted of all charges, while Lowery was convicted of

all charges. Lowery has been sentenced to approximately sixteen (16) months of incarceration.

5. The Presentence Report (PSI) in this case indicates that Morton should be sentenced to a guideline incarceration range of 4 to 10 months. PSI at 4.

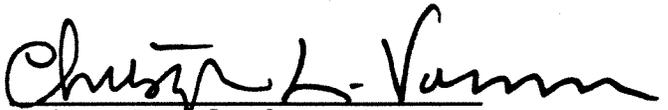
Conclusion

Based upon the substantial assistance of Morton in the investigation and prosecution of criminal cases, both in Texas and Canada, the United States recommends that the court depart downward from the sentencing guidelines range.

Respectfully submitted,

MARVIN COLLINS
United States Attorney

By:

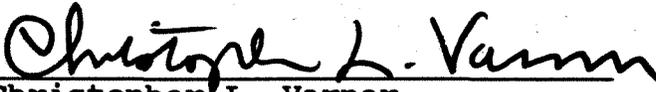


Peter B. Clark
Deputy Chief
Christopher L. Varner
Elizabethanne C. Stevens
Trial Attorneys
U.S. Department of Justice
Criminal Division, Fraud Section
P.O. Box 28188, Central Station
Washington, D.C. 20038
(202) 514-0880

DATE: February 4, 1992

CERTIFICATE OF SERVICE

I hereby certify that on February 4, 1992, I caused a copy of the foregoing to be served upon counsel for defendant George V. Morton, Michael P. Carnes, 3601 First Republic Bank Plaza, 901 Main Street, Dallas, Texas 75202 and upon Richard A. McFarlin, Senior United States Probation Officer, Room 13B3, United States Courthouse, 1100 Commerce Street, Dallas Texas 75242.


Christopher L. Varner

Christopher L. Varner