

Form 792

Institution U.S. Penitentiary Leavenworth, Kansas

Register No 55296-L

(seal) RECORD OFFICE JUN 22 1939 RECEIVED

REPORT ON CONVICTED PRISONER BY UNITED STATES ATTORNEY

This form is to be completed in triplicate: the yellow and blue copies to be mailed to the Warden or Superintendent of the institution to which committed, the white copy to be retained.

While this report is the only one which will be requested, the Board of Parole will appreciate receiving a report of any later facts which might bear upon the case.

By Direction of the Attorney General.

Name Robert Emmet O'Malley Age 65 Offense Sec. 145 b T. 26 Evasion of income tax

Alias none

Date of sentence May 27, 1939

Residence Kansas City, Missouri

Term imposed 1 year 1 day

Probation for 3 years to begin at expiration of sentence

Citizen of Jackson (County) Missouri (State)

Kansas City, Missouri (Post-office address)

Fine: (Committed or not) 5000

Trial Judge Merrill E. Otis

Marital status Married

Court docket no. 14459

Defense Attorney Terence O'Brien Boatright and Jacobs
sentence

Appeal been filed no

Date of filing no

1. Did prisoner enter plea of Guilty or Not Guilty? Guilty Maximum term possible 10 years

2. Is prisoner WANTED by you or other authorities, or for deportation? By whom? For what?

Investigation for contempt of court is being made by this office but is not yet completed

3. Give date and details of offense committed, including any aggravating or mitigating circumstances. (Continue on separate sheet if necessary.)

Evasion of income tax for the years 1935 and 1936, in two counts. Attached hereto and made a part of the report is the United States Attorney's statement of the facts of said case given at the time of the plea, in open court.

4. Co-defendants (if any) and sentences imposed: None
5. Was prisoner of assistance to the Government? Explain: no
6. Has he ever been tried on probation? Where? With what success? no
7. Do you regard prisoner as a menace to society, an habitual criminal, an occasional offender, a victim of temptation, or a mental case?

Victim of temptation

8. Who are known, or suspected to be associated with him in crime? unknown
9. Against what persons should we be on guard for spurious offers of employment, or misleading statements? I do not know
10. What reputable citizens or agencies have knowledge about the prisoner's family?

Many reputable citizens of Kansas City

11. Additional comment which shows the extent and intensity of public injury, or other information of use to determine parole risk:

This prisoner was a state official at the time of accepting the money upon which the income tax evasion is based, and in that respect was guilty of apparently accepting a bribe.

12. Your comment relative to Parole:

I think prisoner should serve the full term as Given. I recommend against parole.

13. The Judge's comment relative to Parole:

I concur in this recommendation.

Martin E. Olin

Judge

Date June 20, 1939

Signed (Maurice M. Milligan) United States Attorney.

City Kansas City, Missouri

District Western of Missouri

U.S. GOVERNMENT PRINTING OFFICE 7—2208