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GROSS MARGARET A  
78 GEORGETOWN 4408

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PAGE 01

GEORGE 04408 221322Z

ACTION SCS-06

INFO OCT-01 ARA-15 ISO-00 CA-01 L-03 SS-15 CIAE-00

INR-10 NSAF-00 FBIE-00 SY-05 050 W

-----110795 221326Z 0/41

P 221100Z DEC 78

FM AMEMBASSY GEORGETOWN

TO SECSTATE WASHDC PRIORITY 0532

UNCLAS GEORGETOWN 4408

E.O. 12065: NA

TAGS: CARR (LAYTON, LARRY) (PEOPLES TEMPLE)

SUBJ: W/W: ARRESTS: LARRY LAYTON

REF: GEORGETOWN4329

1. SESSIONS OF THE PRELIMINARY INQUIRY INTO THE MURDERS OF CONGRESSMAN RYAN AND FOUR OTHER AMERICANS WERE HELD ON DEC 19 AND DEC 20. JUANITA ROGUE WAS THE ONLY PERSON WHO TESTIFIED ON THE 19TH. SHE WAS INTENSIVELY CROSS-EXAMINED BY SENIOR DEFENSE COUNSEL REX MCKAY ON BOTH THE 19TH AND 20TH. A POLICE INSPECTOR WHO TOOK A STATEMENT FROM LARRY LAYTON ON NOV 22, 1978 ALSO TESTIFIED ON DEC 20. THE STATEMENT, WHICH AMOUNTS TO A CONFESSION BY LAYTON OF THE SHOOTINGS AT PORT KAITUMA ON NOV 19, WAS ADMITTED AS EVIDENCE. MCKAY OBJECTED THAT THE STATEMENT WAS NOT FREE AND VOLUNTARY, BUT TOLD MAGISTRATE CHINTA THAT THE DEFENSE WOULD NOT APPLY FOR A VOIR DIRE HEARING ON THE ADMISSIBILITY OF THE STATEMENT AS EVIDENCE UNLESS AND UNTIL LAYTON IS COMMITTED TO THE HIGH COURT FOR A TRIAL BY JURY.

2. AFTER OBTAINING THE CONSENT OF BOTH DEFENSE AND PROSECUTING COUNSEL, CHINTA RELEASED ALL AMERICAN CITIZENS WHO HAD TESTIFIED IN THE INQUIRY FROM FURTHER APPEARANCES IN COURT.

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PAGE 02

GEORGE 04408 221322Z

3. ODELL RHODES IS SCHEDULED TO TESTIFY WHEN THE INQUIRY RESUMES DEC 21.

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DEPARTMENT OF STATE L/CDC/HR	
SEARCHED	INDEXED
SERIALIZED	FILED
DEC 21 1978	
FBI - GEORGETOWN	