

PAGE 01

GEORGE 00909 011637Z

ACTION OCS-06

1 MAR 79 17 13z

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IN TO OCT-01 ARA-15 ISO-FEDERAL BUREAU OF INVESTIGATION L-03 H-02 FBIE-00
JUSE-00 PA-02 ICAE-00 SS-15 SSO-00 NSCE-00 / 0

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FM AMEMBASSY GEORGETOWN

TO SECSTATE WASHDC IMMEDIATE 9088

**ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/9/92 BY 1448 DDO**

UNCLAS GEORGETOWN 0909

Leo Ryan

Asso. Dir.	
Dep. AD Adm.	
Dep. AD Inv.	
Asst. Dir.:	
Adm. Serv.	
Ident.	
Intell.	
Laboratory	
Legal Coun.	
Plan. & Insp.	
Rec. Mgmt.	
Tech. Servs.	
Training	
Public Affs. Off.	
Telephone Rm.	
Director's Sec'y	



b6 Per FBI
b7C

9

E.O. 12065: NA

TAGS: CARR, (LAYTON, LARRY), (PEOPLE'S TEMPLE), GY

SUBJ: W/W ARRESTS: LARRY LAYTON

REF: GEORGETOWN 0756

X-125
REC-47 89-4286-1950

1. AT START OF FEBRUARY 28 SESSION ON HIGH COURT TRIAL OF LAYTON, SENIOR DEFENSE COUNSEL REX MCKAY MADE THREE SUBMISSIONS. THE FIRST ARGUED THAT CHIEF JUSTICE BOLLERS SHOULD DISQUALIFY HIMSELF FROM THE TRIAL ON THE GROUNDS OF POSSIBLE PREJUDICE TOWARD THE ACCUSED. THE SECOND SUBMISSION MOVED THAT THE TRIAL SHOULD BE POSTPONED UNTIL THE APRIL SESSION OF THE HIGH COURT TO ALLOW MORE TIME FOR THE DEFENSE TO PREPARE ITS CASE. MCKAY ARGUED IN THE THIRD SUBMISSION THAT MAGISTRATE CHINTA DID NOT

16 MAR 2 1979

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58 MAR 15 1979

1-SK
32-PA
DES/SK

HAVE AUTHORITY TO PRESIDE OVER THE PRELIMINARY INQUIRY
CONCLUDED LAST DECEMBER INTO THE MURDERS OF CONGRESSMAN
RYAN AND FOUR OTHER AMERICANS, AND THAT THEREFORE LAYTON'S
COMMITAL TO TRIAL IN THE HIGH COURT WAS IN ERROR.

2. BOLLERS DENIED THE FIRST SUBMISSION AND STATED
THAT THERE WAS ABSOLUTELY NO REASON WHY HE SHOULD
DISQUALIFY HIMSELF, EVEN IF THE ALLEGATIONS MADE BY
THE DEFENSE IN THIS MATTER WERE TRUE. BOLLERS ALSO
DENIED THE SECOND APPLICATION ON THE GROUNDS THAT THE
DEFENSE HAD SUFFICIENT TIME TO PREPARE A DEFENSE.

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BOLLERS ADJOURNED COURT UNTIL MARCH 1 TO ALLOW TIME FOR
HIM AND THE PROSECUTOR TO STUDY IN DETAIL MCKAY'S
THIRD SUBMISSION.

3. DUE TO PROCEDURAL POINTS RAISED AT BEGINNING OF
DAY'S SESSION JURY WAS NOT SELECTED.

BURKE

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