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UNCLAS E F T O

IMMEDIATE

*F173000 BQ SF SJWDE HQ H0173 #H04E00 082136Z OCT 80

FM DIRECTOR FBI {89-4286}

TO FBI BROOKLYN-QUEENS MRA IMMEDIATE

FBI SAN FRANCISCO {89-250} IMMEDIATE

FBI SAN JUAN IMMEDIATE

BT

UNCLAS E F T O

RYMUR, AFO-B, OO: SAN FRANCISCO.

RE TELEPHONE CALLS OF BUREAU SUPERVISOR [REDACTED]

OCTOBER 7, 1980, WITH SUPERVISOR [REDACTED], SAN FRANCISCO

DIVISION, AND SA [REDACTED] BQMRA (u)

FOR THE INFORMATION OF RECEIVING OFFICES, NOTIFICATION WAS RECEIVED FROM THE U. S. EMBASSY, GEORGETOWN, GUYANA, THAT SAN FRANCISCO SAS DON R. HALE AND [REDACTED], WHO ARE CURRENTLY IN GEORGETOWN, GUYANA, FOR THE PURPOSE OF SECURING BUREAU INTERESTS REGARDING LAWRENCE LAYTON, HAVE DETERMINED THAT THE GUYANA DIRECTOR OF PUBLIC PROSECUTION {DPP} WILL SUBMIT A "NOLE PROSEQUI" NOTICE REGARDING LAYTON TO THE

[Handwritten signature]

JEM:PJM {7} 10/8/80 5096/6 4294

- 1 - MR. MULLEN
- 1 - MR. STEEL
- 1 - MR. REVELL
- 1 - MR. MONROE
- 1 - MR. [REDACTED]
- 1 - MR. [REDACTED]

[Handwritten initials]

89-4286-2506

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FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

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DEPARTMENT OF JUSTICE
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20 COURT ON THE MORNING OF FRIDAY, OCTOBER 10, 1980, RATHER THAN
 18 OCTOBER 9, 1980, AS ORIGINALLY PLANNED. THE DPP STATED THAT
 16 THIS WOULD BE DONE WITH THE UNDERSTANDING BY LAYTON AND HIS
 14 ATTORNEYS THAT LAYTON WOULD AGREE TO VOLUNTARILY DEPART GUYANA
 12 FOR NEW YORK ON THE OCTOBER 10, 1980, AFTERNOON PAN AM FLIGHT
 10 OR BE IMMEDIATELY REARRESTED AND CONFINED FOR PURPOSE OF LEGAL
 8 DEPORTATION PROCEEDINGS TO THE U.S., WHICH MAY REQUIRE SEVERAL
 6 MONTHS. THE CHIEF IMMIGRATION OFFICER OF GUYANA HAS ADVISED
 4 THAT HIS OFFICE WILL ESCORT LAYTON FROM COURT TO THE AIRPORT IN
 2 A GUYANESE POLICE VEHICLE AND INSURE THAT LAYTON VOLUNTARILY
 BOARDS THE AIRCRAFT AS AGREED UPON OR HE WILL REARREST HIM FOR
 THE ABOVE DEPORTATION PROCEEDINGS.

8 THE DPP HAS EMPHASIZED HIS CONCERN THAT IT NOT APPEAR THAT
 6 THE FBI WAS ARRESTING LAYTON IN GUYANA AND THAT LAYTON'S
 4 AMERICAN ATTORNEY, WHO IS CURRENTLY IN GUYANA, BE FULLY AWARE OF
 2 THE PLAN TO EXPEL LAYTON. THE DPP WILL REQUEST THAT THE
 AMERICAN ATTORNEY ACCOMPANY LAYTON TO THE AIRPORT.

2 ON OCTOBER 7, 1980, MURRAY STEIN, OFFICE OF INTERNATIONAL
 AFFAIRS, U.S. DEPARTMENT OF JUSTICE, WASHINGTON, D.C., ADVISED
 BUREAU SUPERVISOR [REDACTED] THAT THE DEPARTMENT OF JUSTICE AND

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~~PAGE THREE DE HQ 0173 UNCLAS E F T O~~

20 THE U.S. MARSHALS SERVICE HAVE CONCURRED THAT THE FBI IS TO
 18 HANDLE THE ARRANGEMENTS FOR LAYTON'S RETURN TO THE U.S.
 16 SAS HALE AND [REDACTED] AND LAYTON HAVE RESERVATIONS ON
 14 PAN-AM FLIGHT 288 LEAVING GUYANA ON OCTOBER 10, 1980, AT
 12 APPROXIMATELY 1:00 P.M. AND ARRIVING AT JFK INTERNATIONAL
 10 AIRPORT, NEW YORK, AT 7:30 P.M. ON OCTOBER 10, 1980. IT IS
 8 NOTED THAT SAS HALE AND [REDACTED] WILL NOT PLACE LAYTON UNDER
 6 ARREST ONCE HE BOARDS THE PLANE. THEY WILL MERELY ACCOMPANY HIM
 4 AS OBSERVERS TO INSURE THAT HE DOES NOT ATTEMPT ANY CRIMINAL
 2 ACTS ABOARD THE PLANE WHILE IN FLIGHT OR ATTEMPT TO LEAVE THE
 PLANE WHEN IT MAKES ITS ONLY SCHEDULED STOP IN TRINIDAD WHILE
 EN ROUTE TO NEW YORK. THE DEPARTMENT OF JUSTICE AND THE
 DEPARTMENT OF STATE, WASHINGTON, D.C., HAVE MADE PRIOR ARRANGE-
 MENTS WITH AUTHORITIES IN TRINIDAD TO INSURE THAT LAYTON WILL
 NOT BE PERMITTED TO EXIT THE PLANE. UPON THE SUBJECT'S ARRIVAL
 IN NEW YORK, SAS HALE AND [REDACTED] WILL COORDINATE HIS ARREST
 BY SPECIAL AGENTS OF THE BROOKLYN-QUEENS MRA. (u)
 ON OCTOBER 7, 1980, SUPERVISOR [REDACTED] SAN FRANCISCO
 DIVISION, ADVISED THAT HE WAS IN CONTACT WITH THE OFFICE OF THE
 U.S. ATTORNEY, SAN FRANCISCO, CALIFORNIA, ON OCTOBER 7, 1980. (u)

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18 AND WAS ADVISED THAT INDICTMENT OF LAYTON WAS FORTHCOMING ON
20 THE EVENING OF OCTOBER 9, 1980, OR THE MORNING OF OCTOBER 10,
18 1980, AT THE VERY LATEST. (u)

RECEIVING OFFICES BE ADVISED THAT ON OCTOBER 3, 1980, AN
16 AUTHORIZED COMPLAINT SEALED BY COURT ORDER WAS FILED BEFORE
U.S. MAGISTRATE F. STEELE LANGFORD BY SA HALE. THE COMPLAINT
14 CHARGES LAYTON WITH VIOLATION OF TITLE 18, U.S. CODE,
SECTION 351(A), ASSASSINATION OF A CONGRESSMAN; SECTION 351(D),
12 CONSPIRACY TO MURDER A CONGRESSMAN; SECTION 1117, CONSPIRACY TO
MURDER AN INTERNATIONALLY PROTECTED PERSON; AND
10 SECTION 1116(A), ATTEMPTED MURDER OF AN INTERNATIONALLY
PROTECTED PERSON. A NO BAIL WARRANT WAS ISSUED SAME DATE.
8 COMPLAINT, SUPPORTING AFFIDAVIT, AND WARRANT ARE SEALED UNDER
COURT ORDER. SA HALE IS CURRENTLY IN POSSESSION OF A CERTIFIED
6 ORIGINAL COPY OF THE ABOVE COMPLAINT AND WARRANT. (u)

ON OCTOBER 8, 1980, ROGER CUBBAGE, SENIOR LEGAL ADVISOR,
4 CRIMINAL DIVISION, U.S. DEPARTMENT OF JUSTICE, WASHINGTON, D.C.
ADVISED BUREAU SUPERVISOR [REDACTED] THAT IF THE ABOVE
2 INDICTMENT IS RETURNED AT SAN FRANCISCO PRIOR TO THE SUBJECT'S
ARRIVAL AND APPREHENSION AT NEW YORK, THE SUBJECT MUST APPEAR

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BEFORE THE U.S. MAGISTRATE AT NEW YORK FOR PURPOSES OF
ARRAIGNMENT AND A REMOVAL HEARING TO SAN FRANCISCO. THE
SUBJECT'S REMOVAL FROM NEW YORK TO SAN FRANCISCO TO FACE THE
ABOVE CHARGES MUST BE CARRIED OUT BY THE U.S. MARSHALS SERVICE
AND NOT THE FBI. IF THE ABOVE INDICTMENT IS NOT RETURNED AT
SAN FRANCISCO PRIOR TO THE SUBJECT'S ARRIVAL IN NEW YORK, LEGAL
VENUE FOR INSTANT CHARGES WILL BE IN NEW YORK RATHER THAN SAN
FRANCISCO AND THE SUBJECT MUST THEREFORE STAND TRIAL IN
NEW YORK.

BQMRA SA [REDACTED] WHO IS MOST FAMILIAR WITH THE
RYMUR INVESTIGATION, WITH THE JFK AIRPORT, AND WITH PAN AMERICAN
AIRLINES, HAS BEEN ADVISED OF THESE DEVELOPMENTS AND WILL
COORDINATE THE SUBJECT'S APPREHENSION UPON HIS ARRIVAL IN
NEW YORK. BQMRA IMMEDIATELY INSURE THAT PAN AM IS APPROPRIATELY
ADVISED. INSURE THAT SUFFICIENT FBI SECURITY IS PROVIDED
SAS HALE AND [REDACTED] AND LAYTON AT JFK AIRPORT ON OCTOBER 10,
1980, UPON THEIR ARRIVAL, NOTING THAT THE DISTINCT POSSIBILITY
EXISTS THAT THERE ARE THOSE WHO, SHOULD THEY LEARN OF LAYTON'S
RETURN TO THE U.S., WOULD NOT HESITATE TO TAKE HIS LIFE. (u)

SAN FRANCISCO INSURE THAT YOUR OFFICE, BY IMMEDIATE

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TELETYPE, ADVISES BQMRA OF THE FULL DETAILS OF THE FORTHCOMING
20 INDICTMENT AND FACSIMILE A COPY OF SAME TO BQMRA UPON RECEIPT.
18 SAN FRANCISCO DIVISION IMMEDIATELY FORWARD, BY WAY OF DIRECT
MAIL TO BQMRA, A CERTIFIED, EXEMPLIFIED COPY OF ANY FORTHCOMING
16 INDICTMENT. (u)

FBIHQ IS HANDLING THE ADVISEMENT OF THE DEPARTMENT OF
14 JUSTICE, DEPARTMENT OF STATE, AND U.S. SECRET SERVICE. (u)

ARMED AND DANGEROUS. (u)
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APPROVED:

Director _____
Exec. AD-Adm. _____
Exec. AD-Inv. _____
Exec. AD-LES _____

Adm. Serv. _____
Crim. Inv. *[Signature]*
Ident. _____
Intell. _____
Laboratory _____

Legal Coun. _____
Plan. & Insp. _____
Rec. Mgnt. _____
Tech. Servs. _____
Training _____
Off. of Cong. & Public Affs. _____