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ORIGINAL
FILED
OCT 10 1980
WILLIAM L. WHITTAKER
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	NO. CR-80-416 RFP
)	
v.)	
)	<u>ORDER UNSEALING INDICTMENT</u>
LAURENCE JOHN LAYTON,)	
aka LARRY LAYTON,)	
)	
Defendant.)	

For good cause, the indictment herein is ORDERED
unsealed.

DATED: October 10, 1980.

..... SAMUEL CONTI

SAMUEL CONTI
UNITED STATES DISTRICT JUDGE

89-4286 - 2513

ORIGINAL FILED

SEALED BY ORDER OF COURT

G. WILLIAM HUNTER
United States Attorney
1980
Attorney for Plaintiff

WILLIAM L. WHITTAKER
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALL INFORMATION CONTAINED
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DATE 1/23/83 BY 9802 RDD/pub

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

CR 80 0416 RWR

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
LAURENCE JOHN LAYTON,)
aka LARRY LAYTON,)
)
Defendant.)

CRIMINAL NO.)
)
VIOLATION: Title 18, United States)
Code, §351(d) - Conspiracy to)
Murder; §§351(a), 2 - Aid and)
Abet Murder of a Congressman;)
§1117 - Conspiracy to Murder an)
Internationally Protected Person;)
§§1116(a), 2 - Aid and Abet)
Attempted Murder of Internation-)
ally Protected Person)

I N D I C T M E N T

COUNT ONE: (18 U.S.C. §351(d) - Conspiracy to Kill a
a Congressman)

THE CHARGE

The Grand Jury Charges: T H A T

1. (a) From a date unknown to the Grand Jury and
continuing through on or about November 18, 1978, within the
settlements of Jonestown and Port Kaituma, the Republic of
Guyana, the Northern District of California, and elsewhere,
in order to prevent disclosure of conditions at Jonestown,
LAURENCE JOHN LAYTON, AKA LARRY LAYTON,
defendant herein, did knowingly, willfully, and unlawfully
conspire and agree together with James Jones, aka Jim Jones;
Joseph Wilson, aka Joe Wilson; Thomas Kice, aka Tom Kice;
Robert Kice, aka Bob Kice; Wesley Breidenbach; Edward
Crenshaw, aka Ed Crenshaw, and other co-conspirators both
known and unknown to the Grand Jury, to murder United States

1 Congressman Leo J. Ryan, as well as members of his party and
2 one or more of the residents of Jonestown, in violation of
3 18 U.S.C. §351(a).

4 (b) At all times during the period of this
5 conspiracy, Leo J. Ryan was a Member of the Congress of the
6 United States, being elected to the U. S. House of Representa-
7 tives from the 11th Congressional District of the State of
8 California, a district which is within the Northern District
9 of California.

10 The Conspirators

11 2. (a) At all times during the period of the
12 conspiracy, Peoples Temple was an organization composed
13 primarily of American citizens and it had a settlement known
14 as Jonestown located in the Republic of Guyana, where a large
15 number of its members lived. At all times during the period
16 of the conspiracy, the defendant, Larry Layton, was a member
17 of Peoples Temple.

18 (b) At all times during the period of the
19 conspiracy, Jim Jones was the leader of Peoples Temple and
20 lived in the Jonestown settlement.

21 (c) At all times during the period of the
22 conspiracy, Joe Wilson, Tom Kice, Bob Kice, Wesley Breidenbach,
23 Ed Crenshaw, and other co-conspirators both known and unknown
24 to the Grand Jury were members of Peoples Temple and lived
25 in the Jonestown settlement.

26 The Means Used by the Co-Conspirators to
27 Further the Objects of the Conspiracy

28 3. It was a part of said conspiracy that members
29 of the conspiracy would and did perform the following functions:

30 (a) Jim Jones, the leader of People Temple,
31 acting together with other co-conspirators, would and did
32 agree to and did order the assassination of Congressman Leo J.

1 Ryan and members of his party, and initiated acts which
2 resulted in the deaths of members of Peoples Temple in
3 Jonestown, including the named co-conspirators.

4 (b) Defendant, Larry Layton, a member of
5 Peoples Temple, would and did falsely represent himself to
6 the Ryan party as a defector from Peoples Temple so as to
7 accompany them out of Jonestown, and to carry out his role
8 in the conspiracy to kill Congressman Leo J. Ryan and members
9 of his party.

10 (c) Joe Wilson, a member of Peoples Temple,
11 would and did accompany the Ryan party to the Port Kaituma
12 airstrip on November 18, 1978, and pass a gun to Layton, and
13 later participate in the killing of Congressman Leo J. Ryan
14 and members of his party.

15 (d) Tom Kice, Bob Kice, Wesley Breidenbach,
16 Ed Crenshaw, and other co-conspirators, all members of
17 Peoples Temple, would and did commence shooting Congressman
18 Leo J. Ryan and members of his party at the Port Kaituma
19 airstrip on November 18, 1978, for the purpose of murdering
20 them.

21 (e) Defendant, Larry Layton, would and did
22 commence shooting other members of Congressman Leo J. Ryan's
23 party for the purpose of murdering them.

24 (f) Joe Wilson, Tom Kice, Bob Kice, Wesley
25 Breidenbach, Ed Crenshaw and other co-conspirators of Layton,
26 all members of Peoples Temple, would and did return to
27 Jonestown following the shootings to conduct and supervise
28 executions and suicides of members of the Peoples Temple.

29 Overt Acts

30 4. In furtherance of the conspiracy and to effect
31 its objects, the following overt acts, among others, were
32 committed in the Republic of Guyana and the Northern District
of California:

1 (a) In the early part of November 1978, Timothy
2 Carter, a member of Peoples Temple, traveled to the Northern
3 District of California, and made contact with former members
4 of Peoples Temple, some of whom were planning to visit
5 Guyana with Congressman Leo J. Ryan.

6 (b) In the early part of November 1978, the
7 Peoples Temple settlement in Jonestown obtained a quantity of
8 poison.

9 (c) On or about Thursday, November 16, 1978,
10 Jim Jones gave a speech concerning the visit of Congressman
11 Ryan to the members of Peoples Temple membership in Jonestown.

12 (d) On or about Friday, November 17, 1978,
13 members of Peoples Temple in Jonestown conducted an "alert"
14 in anticipation of the arrival of Congressman Leo J. Ryan.

15 (e) On or about Saturday, November 18, 1978,
16 Jim Jones met with Larry Layton, Joe Wilson, and others, before
17 Congressman Leo J. Ryan left Jonestown for the Port Kaituma
18 airstrip.

19 (f) On or about Saturday, November 18, 1978,
20 Larry Layton told Congressman Leo J. Ryan and Jacqueline Speier
21 that he was defecting from Peoples Temple.

22 (g) On or about Saturday, November 18, 1978,
23 members of Peoples Temple, armed with firearms, ran toward
24 a tractor-trailer.

25 (h) On or about November 18, 1978, Larry Layton
26 met with Joe Wilson at the Port Kaituma airstrip.

27 (i) On or about November 18, 1978, co-conspirators
28 of defendant Layton directed rifle and pistol fire at
29 Congressman Ryan, Richard Dwyer, and other members of
30 Congressman Ryan's party.

31 (j) On or about November 18, 1978, Larry Layton
32 shot Monica Bagby and Vernon Gosney at the Port Kaituma airstrip.

1 (k) On or about November 18, 1978, at the
2 direction of Jim Jones, a container of liquid mixed with
3 poison was placed in the pavilion area of Jonestown.

4 (l) On or about November 18, 1978, Joe Wilson,
5 Tom Kice, and others returned to Jonestown after participating
6 in the murders and shootings at the Port Kaituma airstrip.

7 All in violation of Title 18, United States Code,
8 Section 351(d).

9
10 COUNT TWO: (18 U.S.C. §§351(a) and 2 - Aid and Abet
Murder of Congressman)

11 The Grand Jury further charges: T H A T

12 On or about November 18, 1978, in Port Kaituma,
13 Guyana,

14 LAURENCE JOHN LAYTON, AKA LARRY LAYTON,
15 defendant herein, did unlawfully, knowingly, willfully,
16 maliciously, and with premeditation, aid, abet, counsel, assist,
17 and cause the murder of United States Congressman Leo J. Ryan,
18 as defined in 18 U.S.C. §1111(a), in violation of Title 18,
19 United States Code, Sections 351(a) and 2.

20
21 COUNT THREE: (18 U.S.C. §1117 - Conspiracy to Kill an
Internationally Protected Person)

22 The Grand Jury further charges: T H A T

23 On or about November 18, 1978, in the Republic of
24 Guyana,

25 LAURENCE JOHN LAYTON, AKA LARRY LAYTON,
26 defendant herein, did knowingly, willfully, and unlawfully
27 conspire and agree together with co-conspirators Jim Jones,
28 Joe Wilson, Tom Kice, Bob Kice, Wesley Breidenbach, Ed Crenshaw,
29 and other co-conspirators both known and unknown to the Grand
30 Jury, to murder Richard C. Dwyer, Deputy Chief of Mission for
31 the United States in the Republic of Guyana, an internationally
32 protected person within the meaning of 18 U.S.C. §1116(b)(4)(B),
in violation of Title 18, United States Code, Section 1116(a).

1 The Grand Jury realleges, as the means used by the
2 co-conspirators in furtherance of the conspiracy, all of the
3 allegations of paragraph 3(a)-(f) of Count One as though
4 fully set forth herein.

5 The Grand Jury further realleges, as the overt
6 acts committed in the Republic of Guyana in furtherance of
7 said conspiracy, all of the allegations of paragraph 4(e)-(1)
8 of Count One as though fully set forth herein.

9 All in violation of Title 18, United States Code,
10 Section 1117.

11
12 COUNT FOUR: (18 U.S.C. §§1116(a), 2 - Aid and Abet Attempted
Murder of Internationally Protected Person)

13 The Grand Jury further charges: T H A T

14 On or about November 18, 1978, at Port Kaituma,
15 Republic of Guyana,

16 LAURENCE JOHN LAYTON, AKA LARRY LAYTON,
17 defendant herein, did unlawfully, knowingly, and willfully,
18 aid and abet, counsel, assist and cause the attempted murder
19 of Richard C. Dwyer, Deputy Chief of Mission for the United
20 States in the Republic of Guyana, an internationally protected
21 person within the meaning of 18 U.S.C. §1116(b)(4)(B), in
22 violation of Title 18, United States Code, Sections 1116(a), 2.

23 A True Bill.

24

25

26

27

28

G. WILLIAM HUNTER

29

G. WILLIAM HUNTER
United States Attorney

30

(Approved as to form:

31

32

FOREPERSON

-6-

I hereby certify that the annexed
instrument is a true and correct copy
of the original on file in my office.
ATTEST:

WILLIAM L. WHITTAKER
Clerk, U. S. District Court
Northern District of California

By W. L. Whittaker
Deputy Clerk

Dated 10-10-80