

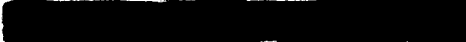
FBI


Date: 8/5/77

ROUTE IN ENVELOPE

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIR MAIL
(Precedence)

TO: DIRECTOR, FBI (47-56689) (ATTN: 
 GENERAL GOVERNMENT CRIMES UNIT
 GENERAL INVESTIGATIVE DIVISION)

FROM:  ADIC, LOS ANGELES (47-12230) (P) (10)

RE: SITOL

Re SAC ELMER F. LINBERG telephone call to SAC PHILIP A. MC NIFF.

Enclosed for the investigative assistance of Tampa is one copy each of an inventory of documents seized at Los Angeles from two separate raids of Scientology buildings. Tampa is reminded that this inventory has been sealed by the U.S. District Court in Los Angeles, and can not be made public at this time. This matter is presently scheduled for hearing in Los Angeles to commence on Monday, 8/8/77, and it is anticipated that the inventory will be unsealed at that time.

Tampa will be advised.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-25-82 BY SP2TAP/CLL

ST-132

REC-26

47-56689-173

- 3 - Bureau
- 2 - Tampa (Enc. 2) (ATTN: SAC)
- 2 - Washington Field (47-10713)
- 2 - Los Angeles

AUG 30 1977

ROUTE IN ENVELOPE

Approved: _____ Sent _____ Per _____
Special Agent in Charge

79 SEP 08 1977

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

5

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

Deleted under exemption(s) b1, b2, b7c with no segregable material available for release to you.

Information pertained only to a third party with no reference to you or the subject of your request.

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The following number is to be used for reference regarding these pages:

47-56689-174

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X NO DUPLICATION FEE X
X FOR THIS PAGE X
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TREAT AS ORIGINAL

FBI HEADQUARTERS

AUG 9 4 06 PM '77

FED ADIC, LOS ANGELES (44-122)

RECEIVED
FEDERAL BUREAU
OF INVESTIGATION
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-27-82 BY J.P. [signature]

SIUOL

Transmitted by [unclear] - [unclear]

COURT ORDER

Special handling instructions:

Pls. call [unclear] - [unclear] to [unclear] to
GENERAL GOVERNMENT CRIMES, CTD - HEADQUARTERS (HAND CARRY)

RETURN TO DESK #10

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Adm. Serv. **DW**
- Crim. Inv. _____
- Fin. & Pers. _____
- Ident. _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Insp. _____
- Rec. Mgmt. _____
- Spec. Inv. _____
- Tech. Servs. _____
- Training _____
- Public Affs. Off. _____
- Telephone Rm. _____
- Director's Sec'y _____

REC-26

1517-510687

AUG 30 1977

79 SEP 08 1977

SUPV. [unclear]

[unclear]

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3 Page(s) withheld for the following reason(s):
Order filed Aug 8, 1977 in United States
District Court, Central District of California

For your information: _____

The following number is to be used for reference regarding these pages:
47-56689-175

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FM LOS ANGELES (47-12230) (P) (10)

TO DIRECTOR, FBI (47-56689) ROUTINE

TAMPA ROUTINE

WFO (47-10713) ROUTINE

BT

CLEAR

SITOL

ROUTE IN ENVELOPE

AUG 9 12 47 AM '77

RECEIVED
FEDERAL BUREAU
OF INVESTIGATION
COMMUNICATIONS SECTION

Asst. Dir.:	_____
Dep. AD Adm.	_____
Dep. AD Inv.	_____
Asst. Dir.:	_____
Adm. Serv.	_____
Crim. Inv.	_____
Fin. & Pers.	_____
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Training	_____
Public Affs. Off.	_____
Telephone Rm.	_____
Director's Sec'y	_____

ALL INFORMATION CONTAINED
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DATE 3-25-82 BY [Signature]
11/14/84 SP2TAP/abw

JUDGE MALCOM M. LUCAS, UNITED STATES DISTRICT COURT, LOS ANGELES, ADVISED AUGUST 8, 1977, THAT THE GOVERNMENT IS TO BE HELD IN COLLATERAL ESTOPPEL IN THE UTILIZATION OF EVIDENCE SEIZED IN SEARCH WARRANT EXECUTED IN LOS ANGELES IN CAPTIONED MATTER. UTILIZATION OF DOCUMENTS CONFISCATED WILL DEPEND UPON SEARCH WARRANT APPEAL DECISION IN WASHINGTON, D.C. THE COURT ORDER DESCRIBED WHAT DOCUMENTS ARE TO BE RETURNED TO THE COURT PURSUANT TO THIS DECISION AND WILL BE PUBLISHED LATE P.M., AUGUST 8, 1977.

THE BUREAU WILL BE KEPT ADVISED.

BT

ICC- [Redacted] b7c

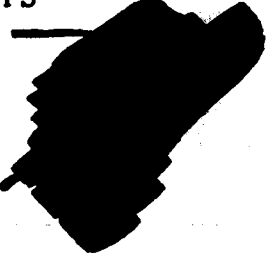
*Sent up with note.
See LA Tel 8/9/77
& USDC Order of USDJ Malcom M Lucas
dated 8/8/77*

ROUTE IN ENVELOPE

ICC-DAAG John C. Keeney, Crim Div

ae -7 (507F)

AUG 30 1977



CRIMINAL INVESTIGATIVE DIVISION
August 9, 1977

This pertains to the Bureau special SITOL involving the Church of Scientology.

As previously advised, on 7/27/77, in U. S. District Court (USDC), Washington, D. C., a hearing was held before Chief Judge William B. Bryant concerning the validity of the search warrant. Judge Bryant ruled the search warrant to be too broad to support conspiracy charges and ordered the documents seized in Washington, D. C., to be turned over to the court. U. S. Attorney (USA) Earl J. Silbert, Washington, D. C., conferred with Deputy Assistant Attorney General (DAAG) John C. Keeney, Criminal Division, and it was decided the Government would appeal if at all possible.

On 8/8/77, Departmental Attorney David J. Kline, Protection of Government Operation and Property Unit, Criminal Division, advised [REDACTED] General Government Crimes Unit, that the USA in Washington, D. C., filed notice of appeal with USDC, Washington, D. C. A memorandum has been prepared by the Criminal Division recommending to the Solicitor General that the Criminal Division recommends the Government appealing Judge Bryant's decision.

On 8/8/77, U. S. District Judge (USDJ) Malcom M. Lucas, at a hearing in USDC, Central District of California, held a hearing concerning the validity of the search warrant executed in the Los Angeles area. The court ruled that the principle of collateral estoppel precludes further litigation on the constitutionality of the warrant at issue. Copy of Judge Lucas' order attached.

DAAG Keeney and USA Earl J. Silbert are being furnished copies of Judge Lucas' order.

- 1 - Mr. Adams
- 1 - Mr. Mintz
- 1 - Mr. Boynton
- 1 - Mr. R. E. Long

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 3-25-80 BY SP-7/BJK

APPROVED: [Signature]

Director
Asst. Dir. [Signature]
Dep. AD Adm.
Dep. AD Inv.

Adm. Serv.
Crim. Inv. [Signature]
Fin. & Insp.
Ident.
Intell.
Laboratory

Legal Coun.
Plan. & Insp.
Rec. Mgmt.
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b7C

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FEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

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Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

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_____ Page(s) withheld for the following reason(s):

For your information: _____

The following number is to be used for reference regarding these pages:

47-56689-177, 178

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FM LOS ANGELES (47-12230) (P) (10)

TO DIRECTOR (47-56689) IMMEDIATE

WFO (47-10713) IMMEDIATE

BT

CLEAR

ATTN: DOCUMENTATION CLASSIFICATION OFFICER, DAVE RYAN,

[REDACTED]

ositol b7c

RE LOS ANGELES TEL TO THE BUREAU, AUGUST 4, 1977, AND
AUGUST 5, 1977.

AUSA, LOS ANGELES ADVISED ON AUGUST 15, 1977, THAT
JUDGE MALCOLM M. LUCAS, DISTRICT COURT, LOS ANGELES ON
AUGUST 12, 1977, CLARIFIED HIS ORDER ISSUED ON AUGUST 8, 1977,
WHICH DIRECTED THAT ALL DOCUMENTS SEIZED IN EXECUTION OF
SEARCH WARRANTS AT HOLLYWOOD, CALIFORNIA, ON JULY 8 - 9, 1977,
IN CAPTIONED MATTER WERE TO BE RETURNED. JUDGE LUCAS ADVISED
THAT IF THE GOVERNMENT WISHED TO RETAIN STOLEN GOVERNMENT

EX-132

47-56689-179

AUG 30 1977

*See Bureau Tel 8/16/77
to all SACs & Legats*

b7c

[REDACTED]

AUG 15 8 40 PM '77

RECEIVED SRS
FEDERAL BUREAU
OF INVESTIGATION
COMMUNICATIONS SECTION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-25-82 BY SP2TAD/...

Assoc. Dir.	
Dep. Dir.	
Dep. AD Adm.	
Dep. AD Inv.	
Asst. Dir.:	
Adm. Serv.	
Crim. Inv.	
Fin. & Pers.	
Ident.	
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Tech. Serv.	
Training	
Public Affs. Off.	
Telephone Rm.	
Director's Sec'y	

79 SEP 08 1977

PAGE TWO (LA 4 7-12-77) CLEAR

DOCUMENTS FROM THE COURT'S CUSTODY, HE WOULD ENTERTAIN FAVORABLY A PROMPT EVIDENTIARY HEARING REQUEST. LUCAS FURTHER ADVISED THAT HE DESIRED TO HAVE A DETERMINATION AS TO THE STATUS OF THE CLASSIFIED DOCUMENTS SEIZED TO BE PRESENTED TO THE COURT BY AUGUST 18, 1977, AT WHICH TIME HE WILL EITHER SET AN EVIDENTIARY HEARING DATE OR A DATE FOR THE RETURN OF ALL DOCUMENTS, NOTES AND MEMORANDUM WHICH MIGHT BE FRUITS OF THE SEARCH FOR IMPOUNDMENT BY THE COURT PENDING APPEAL ADJUDICATION IN WASHINGTON, D.C.

[REDACTED]

b5

STILZ ADVISED THAT IT IS HIS UNDERSTANDING OF JUDGE LUCAS' RULING THAT ALL NOTES, MEMORANDUM, AS WELL AS

PAGE THREE (47-12230) CLEAR

INTERNAL BUREAU COMMUNICATIONS WHICH DEALT WITH INFORMATION DERIVED FROM THE REVIEW OF DOCUMENTS SEIZED MUST BE RETURNED TO THE DISTRICT COURT, LOS ANGELES, PENDING APPEAL IN WASHINGTON, D.C. STILZ STATED THAT THIS RULING ALSO ENCOMPASSES ANY COPIES OF ANY MATERIALS SEIZED OR ANY FRUITS OF THE SEARCH AND SEIZURE WHICH MIGHT HAVE BEEN DISSEMINATED TO ANY INDIVIDUAL OR AGENCY OUTSIDE OF THE FRAUD SECTION OF THE U.S. ATTORNEY'S OFFICE. THIS RULING ALSO ENCOMPASSES ANY COPIES OF SUCH ITEMS OR NOTES CONCERNING THEM WHICH MIGHT HAVE BEEN MADE BY THESE INDIVIDUALS OR AGENCIES.

WFO IS REQUESTED TO ADVISE LOS ANGELES AS TO WHETHER DETERMINATION HAS BEEN MADE CONCERNING THE CLASSIFICATION OF DOCUMENTS REFERRED TO IN RE TELETYPE DATED AUGUST 4, 1977. WFO IS ALSO REQUESTED TO RETRIEVE ANY COPIES OF NOTES, MEMORANDUM, OR OTHER DOCUMENTATION CONCERNING THIS EVIDENCE WHICH MAY HAVE BEEN DISSEMINATED TO AGENCIES REFERRED TO IN THAT COMMUNICATION.

WFO IS REQUESTED TO EXPEDITIOUSLY ASCERTAIN FROM THE DEPARTMENT OF STATE THE STATUS OF DOCUMENTS REFERRED TO IN