

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

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DATE 3-25-80 BY SP-2/PAK

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