

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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UNITED STATES OF AMERICA,

Plaintiff,

-v-

Crim. Case No. 78-367

JUAN MANUEL CONTRERAS SEPULVEDA,
et al.,

Defendants.
-----x

DEFENDANTS' MOTION FOR AN ORDER
DIRECTING THAT THEY BE TRANSFERRED
TO WASHINGTON, D.C.

Defendants Guillermo Novo Sampol and Alvin Ross Diaz hereby move this Court for an order directing that they be transferred to Washington, D.C. Preliminarily, such a transfer is necessary so that the defendants may be present at the proceedings on the bail applications which have been submitted in their behalf herewith.

In the event that the defendants are unable to post the bail set by the Court, counsel will then request an order directing that they be transferred from Washington, D.C. to the Metropolitan Correctional Center in New York, where their attorneys' offices are located and where these defendants were housed prior to their first trial. Such a transfer is necessary in order to enable these defendants and their attorneys to prepare for the retrial which had been ordered by the Circuit Court. As this Court is aware, the first trial lasted for approximately six weeks, and presented a large number of complex factual and legal issues. Moreover, substantial new information has come to light since that trial. Consequently, preparation for retrial will require extensive preparation, including frequent consultation between the defendants and their lawyers.

It is well established that pretrial incarceration handicaps a defendant in preparing his defense and therefore increases his chances of being convicted. If the defendants are unable to post bail, then it is imperative that they at least be transferred to New York so that they may be accessible to their attorneys. As was demonstrated at the first trial, these defendants are not wealthy and cannot afford to pay to have their attorneys visit them at their present places of incarceration for such consultations. Moreover, it is important to the defense of this case that such consultations be conducted with both defendants together.

WHEREFORE, it is respectfully prayed that this Court enter an order directing that these defendants be transferred to Washington, D.C.

Respectfully submitted,

GOLDBERGER, FELDMAN,
DUBIN & YOUNG
Attorneys for Defendants
Guillermo Novo Sampol and
Alvin Ross Diaz
401 Broadway - Suite 306
New York, N.Y. 10013
(212) 431-9380

By: _____
MICHAEL YOUNG

By: _____
STEVEN GLASSMAN
Local Counsel
Suite 410 South
1800 M. Street N.W.
Washington, D.C. 20036

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

-----x
UNITED STATES OF AMERICA,

-v-

ORDER

78 Cr. 367

ALVIN ROSS DIAZ, et al.,

Defendants,
-----x

TO: THE UNITED STATES MARSHALS; THE WARDEN OF THE FEDERAL
CORRECTIONAL INSTITUTION, MARION, ILLINOIS; AND THE WARDEN
OF THE FEDERAL DETENTION CENTER, WASHINGTON, D.C.

WHEREAS, Alvin Ross Diaz, a defendant in the above-
captioned case, has applied to this Court for an order directing
that he be transferred to the Federal Detention Center,
Washington, D.C. and

WHEREAS, this Court has granted that application, it is
hereby

ORDERED, that the United States Marshals proceed with
this order to the Federal Correctional Institution at Marion,
Illinois where defendant Alvin Ross Diaz is presently incar-
cerated and present this order to the warden of that institution,
and it is further

ORDERED, that the Warden of the Federal Correctional
Institution at Marion, Illinois deliver Alvin Ross Diaz into
the custody of the United States Marshals, and it is further

ORDERED, that the United States Marshals transport Alvin
Ross Diaz to the Federal Detention Center in Washington, D.C.
and deliver him into the custody of the warden of that Center,
and it is further

ORDERED, that the Warden of the Federal Detention Center
for Washington, D.C. retain Alvin Ross Diaz in his custody at
that facility until further order from this Court.

SO ORDERED:

UNITED STATES DISTRICT JUDGE
DISTRICT OF COLUMBIA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

-----x
UNITED STATES OF AMERICA,

-v-

GUILLERMO NOVO SAMPOL, et al.,

Defendants.

ORDER
78 Cr. 367

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TO: THE UNITED STATES MARSHALS; THE WARDEN OF THE FEDERAL
CORRECTIONAL INSTITUTION, LEAVENWORTH, KANSAS, AND THE
WARDEN OF THE FEDERAL DETENTION CENTER, WASHINGTON, D.C.

WHEREAS, Guillermo Novo Sampol, a defendant in the above-
captioned case, has applied to this Court for an order directing
that he be transferred to the Federal Detention Center, Washington,
D.C. and

WHEREAS, this Court has granted that application, it is
hereby

ORDERED, that the United States Marshals proceed with
this order to the Federal Correctional Institution at Leavenworth,
Kansas where defendant Guillermo Novo Sampol is presently
incarcerated and present this order to the warden of that
institution, and it is further

ORDERED, that the Warden of the Federal Correctional
Institution at Leavenworth, Kansas deliver Guillermo Novo
Sampol into the custody of the United States Marshals, and it
is further

ORDERED, that the United States Marshals transport
Guillermo Novo Sampol to the Federal Detention Center in Washington,
D.C. and deliver him into the custody of the warden of that Center,
and it is further

ORDERED, that the Warden of the Federal Detention Center
for Washington, D.C. retain Guillermo Novo Sampol in his custody
at that facility until further order from this Court.

SO ORDERED:

UNITED STATES DISTRICT JUDGE
DISTRICT OF COLUMBIA

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing document has been mailed to the United States Attorney for the District of Columbia, United States District Court Building, Washington, D.C. 20001 this day of , 1980.

MICHAEL YOUNG