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TITLE Director, Federal Records Center, NARA	
NAME AND ADDRESS OF DEPOSITORY Atlanta Federal Records Center 1557 St. Joseph Avenue East Point, GA 30344	

NA FORM 13040 (10-86)

ORDER FOR DISMISSAL

FILED  
1 22 PM '68  
52  
U.S. DISTRICT COURT  
MARIETTA, FLA.

Pursuant to Rule 8(a) of the Federal Rules of Criminal Procedure and by leave of court endorsed hereon the United States Attorney for the Southern District of Florida dismisses the Indictment against Orlando y Avila, defendant. Jose Antonio Mulet y Gonzalez known as "Pro," Jose Diaz y Morejon, also known as "Pie," Marcos Rodriguez y Ramos, also known as "Mongos," and Bartolomeo y Garcia defendants.

WILLIAM A. MEADOWS, JR.  
UNITED STATES ATTORNEY

*Donald I. Bierman*  
By: Donald I. Bierman

Asst. United States Attorney

cc: U. S. Marshal  
U. S. Marshal  
Chief Probation Officer  
Ser, Greenspahn, Keyfetz

Leave of court is granted for the filing of the foregoing dismissal.

*Edo Atkins*  
United States District Judge

Date: January 2, 1968

# INDICTMENT

Violation of

Title 18, USC, Section 371

Title 22, USC, Section 1934

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A true bill,

*Nancy E. Blasing*  
Deputy Foreman.

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Filed in open court this 19<sup>th</sup> day  
of July, A. D. 1947

JOSEPH J. BOGART, CLERK

*By Melvin R. Sloan, Deputy Clerk.*

Bail, \$.....

B:rf

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

67-338  
7-2-68 -CR- CA

UNITED STATES OF AMERICA :  
v. :  
ORLANDO BOSCH y AVILA, :  
LOUIS CONCEPTION BERTOT, :  
JOSE ANTONIO MULET y GONZALES, :  
also known as "GUAJIRO," :  
JOSE DIAZ y MOREJON, :  
also known as "PIERTO," :  
MARCOS RODRIGUEZ y RAMOS, :  
also known as "MONGOS," and :  
BARBARO BALAN y GARCIA :

NO. 18 USC, Section 371  
M/S \$10,000 - 5 yrs.  
22 USC, Section 1934  
M/S \$25,000 - 2 yrs.

INDICTMENT

The Grand Jury charges:

COUNT ONE

That from on or about December 10, 1966, and continuously there-  
after up to and including January 13, 1967, in the Southern District of  
Florida, the defendants,

ORLANDO BOSCH y AVILA,  
LOUIS CONCEPTION BERTOT,  
JOSE ANTONIO MULET y GONZALES,  
also known as "GUAJIRO,"  
JOSE DIAZ y MOREJON,  
also known as "PIERTO," and  
MARCOS RODRIGUEZ y RAMOS,  
also known as "MONGOS,"

unlawfully, wilfully and knowingly did conspire with each other and with  
divers other persons to the Grand jury unknown, to violate the laws of the  
United States, to-wit: Title 18, United States Code, Section 1659, in the  
manner and by the means hereinafter set forth.

1. It was the plan of said conspiracy to violate Title 18,  
United States Code, Section 1659, by knowingly, wilfully and unlawfully  
conspiring to by open force maliciously attack vessels belonging to citizens  
of foreign countries including among others, ships of Spain, Canada and

2. It was further a part of the said conspiracy that the said defendants and co-conspirators would procure aerial-type bombs and other explosive materials and the use of an airplane in the United States.

3. It was further a part of the said conspiracy that the said defendants and co-conspirators would cause bombs to be transported from the United States to an area east of Florida on the high seas in an airplane for the purpose of dropping and exploding the bombs on the aforementioned foreign ships.

4. It was further a part of the said conspiracy that the said defendants and co-conspirators would cause sand bags to be dropped from an airplane over an area in the Southern District of Florida as a means of training for dropping bombs from an airplane.

In pursuance and furtherance of the said conspiracy and to effect the objects thereof, the defendants and their co-conspirators did commit in the Southern District of Florida, the following overt acts, among others:

#### OVERT ACTS

1. On or about December 10, 1966, Orlando Bosch y Avila, Jose Antonio Mulet y Gonzales, also known as "Guajiro," Jose Diaz y Morejon, also known as "Pierto," and Louis Conception Bertot, defendants herein, did meet and have a conversation with Arthur Andrew Girteit in Miami, Florida, in the Southern District of Florida.

2. On or about December 31, 1966, Orlando Bosch y Avila, a defendant herein, exhibited to one Arthur Andrew Girteit three aerial bombs in Miami, Florida, within the Southern District of Florida.

3. On or about January 5, 1967, Jose Diaz y Morejon, also known as "Pierto," and Marcos Rodriguez y Ramos, also known as "Mongos," defendants herein, traveled from Miami, Florida, to a place near the Tamiami Trail in the Everglades in Dade County, Florida, within the Southern District of Florida.

4. On or about January 9, 1967, Marcos Rodriguez y Ramos, also known as "Mongos," a defendant herein, traveled from Miami, Florida, to Opa Locka Airport in Dade County, within the Southern District of Florida.

5. On or about January 10, 1967, Orlando Bosch y Avila, Jose Antonio Mulet y Gonzales, also known as "Guajiro," traveled from the El Nido Motel to 237 S. W. 22nd Avenue in Miami, Florida, within the Southern District of Florida.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

That from on or about December 6, 1966, to December 10, 1966, and thereafter from January 13 to January 15, 1967, in the Southern District of Florida, the defendants,

ORLANDO BOSCH y AVILA,  
JOSE ANTONIO MULET y GONZALES,  
also known as "GUAJIRO,"  
JOSE DIAZ y MOREJON,  
also known as "PIERTO,"  
MARCOS RODRIGUEZ y RAMOS,  
also known as "MONGOS,"  
BARBARO BALAN y GARCIA,

unlawfully, wilfully and knowingly did conspire with each other and with other persons to the Grand Jury unknown, to violate the laws of the United States, to-wit: Title 22, United States Code, Section 1934, and the rules and regulations duly promulgated thereunder (22 C.F.R. 121.01 et seq.) in the manner and by the means hereinafter set forth.

1. It was the plan of the said conspiracy to violate Title 22, United States Code, Section 1934, and the rules and regulations duly promulgated thereunder, to-wit: 22 C.F.R. 123.01, 123.02, 123.09 and 126.01 by knowingly, wilfully and unlawfully exporting from the United States to places outside the United States ammunition and implements of war as designated by Categories I, III, IV and V and VIII of the United States Munitions List (22 C.F.R. 121.01), without having obtained therefor an export license or the written approval from the United States Department of State.

2. It was further a part of the said conspiracy that the said defendants and co-conspirators would cause bombs and other explosive materials to be transported from the United States to Cuba in an airplane for the purpose of dropping and exploding the bombs and other explosive materials on a designated area in Cuba.

In pursuance and furtherance of the said conspiracy and to effect the objects thereof, the defendants and their co-conspirators did commit in the Southern District of Florida, the following overt acts, among others:

OVERT ACTS

1. On or about December 6, 1966, Orlando Bosch y Avila and Jose Antonio Mulet y Gonzales, also known as "Guajiro," defendants herein, did meet and have a conversation with Arthur Andrew Girteit in Miami, Florida, in the Southern District of Florida.

2. On or about January 14, 1967, Orlando Bosch y Avila and Jose Diaz y Morejon, also known as "Pierto," did meet and have conversation with Arthur Andrew Girteit at 237 S. W. 22nd Avenue in Miami, Florida, in the Southern District of Florida.

3. On or about January 15, 1967, Marcos Rodriguez y Ramos, also known as "Mongos," Jose Diaz y Morejon, also known as "Pierto," and Barbaro Balan y Garcia, defendants herein, traveled from the vicinity of 3149 S. W. Eighth Street, Miami, Florida, to the Tamiami Airport, Miami, Florida, within the Southern District of Florida.

All in violation of Title 18, United States Code, Section 371.

COUNT THREE

That on or about January 15, 1967, in the Southern District of Florida,

ORLANDO BOSCH y AVILA,  
JOSE ANTONIO MULET y GONZALES,  
also known as "GUAJIRO,"  
JOSE DIAZ y MOREJON,  
also known as "PIERTO,"  
MARCOS RODRIGUEZ y RAMOS,  
also known as "MONGOS," and  
BARBARO BALAN y GARCIA

the defendants herein, did knowingly, wilfully and unlawfully attempt to export from Miami, Florida, to Cuba, articles designated by the United States Munitions List (Title 22, Code of Federal Regulations, Part 121.01), that is, arms, ammunition and implements of war, to-wit:

Three 100 pound aerial-type bombs

Three one-gallon jugs containing incendiary phosphorous and water

One M-1 carbine, serial number 1839823, with 80 rounds of ammunition

One .45 caliber semi-automatic pistol, serial number 77863, with 22 rounds of ammunition

One Piper Apache aircraft, serial number 23924, FAA registration number 3015P

without having first obtained a license therefor or having written approval from the United States Department of State.

In violation of Title 22, Code of Federal Regulations, Section  
126.01, and Title 22, United States Code, Section 1934(c).

A TRUE BILL

*Henry Glasco*  
Deputy FOREMAN

WILLIAM A. MEADOWS, JR.  
UNITED STATES ATTORNEY

By *Donald I. Bierman*  
Donald I. Bierman  
Assistant United States Attorney



UNITED STATES DISTRICT COURT

MICROFILMED

Southern District of Florida

United States of America  
vs.  
Orlando Bosch y Avila, et al.)

Criminal No. 67-338-CR-CA

FILED  
JAN 2 1 22 PM '68  
JOSEPH L. BOGART  
CLERK, U.S. DIST. CT.  
SOUTHERN DIST. OF  
FLA.  
MIAMI, FLA.  
52

ORDER FOR DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure and by leave of court endorsed hereon the United States Attorney for the Southern District of Florida hereby dismisses the Indictment against (indictment, information, complaint) Orlando Bosch y Avila, ~~defendants.~~ Jose Antonio Mulet y Gonzales, also known as "Guajiro," Jose Diaz y Morejon, also known as "Pierto," Marcos Rodriguez y Ramos, also known as "Mongos," and Barbaro Balan y Garcia, defendants.

WILLIAM A. MEADOWS, JR.  
UNITED STATES ATTORNEY

*Donald I. Bierman*  
By: Donald I. Bierman  
Asst. United States Attorney

cc: U. S. Attorney  
U. S. Marshal  
Chief Probation Officer  
Ser; Greenspahn, Keyfetz & Morrissey

Leave of court is granted for the filing of the foregoing dismissal.

*Orlando Atkins*  
United States District Judge

Date: January 2, 1968