

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT OF
FLORIDA, IN AND FOR DADE COUNTY SPRING TERM, 1974

CASE NO. 74-6113

STATE OF FLORIDA

vs.

LUIS CRESPO and
HUMBERTO LOPEZ,

DEFENDANTS.

MOTION TO REVOKE BAIL

FILED
CLERK OF COURT
DADE COUNTY, FLA.
03

74 001 -2 PM 4 08

Comes Now RICHARD E. GERSTEIN, State Attorney of the Eleventh Judicial Circuit of Florida, by and through undersigned Assistant State Attorney, and moves this Court to revoke the bail set for the above named defendants and as grounds therefor would state:

1. That both defendants were convicted by jury on September 6, 1974 of two counts of Unlawful Possession of Explosives for which they face a maximum prison term of 20 years.
2. That both defendants are presently at liberty on a \$10,000 surety bond.
3. That at the time of the commission of this offense the defendant Lopez was on probation from Judge Ferguson, Case No. 73-5087, for the Possession of Explosives, to-wit: Hand Grenades.
4. That one week prior to commencing trial in the above styled case the defendant Lopez was convicted in Federal Court in Dade County for the Possession of Automatic Weapons.
5. That the defendant Lopez was scheduled to appear before Judge Ferguson on September 19, 1974 for a probation revocation hearing in Case No. 73-5087, at which time the defendant Lopez failed to appear and an alias capias for his arrest was issued.

6. That subsequent to the issuance of the above mentioned alias capias the defendant Lopez caused to be delivered to radio station WFAB and the Miami News, a tape recording in which he states that he is a "member of the FLNC" engaged in a "war of liberation" having gained "wounds of beauty and of glory" in the explosion involved in this case. Lopez also indicated that he did not "intend to spend a single day in the jail of those who have feigned to be our allies" and that it was "time to sink ships, to bomb factories, to make commando raids on Cuban territory and to blow up embassies" as "clandestine agents".

7. That the defendant Crespo was convicted on July 30, 1970 of the Unlawful Possession of Explosives and the Possession of Automatic Weapons (including .50 caliber machine guns and plastic explosives) in Case No. 70-907 for which he received probation.

8. That the defendant Crespo is also known to be an active member of the FLNC and an associate of Humberto Lopez.

WHEREFORE the State respectfully moves this Court to revoke the bail previously set.

RICHARD E. GERSTEIN
STATE ATTORNEY

By: 
JAMES W. WOODARD
Assistant State Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Motion to Revoke Bail was hand delivered/mailed to Melynn Greenspahn, Esq., this 2 day of October, 1974.


Assistant State Attorney

OCT 3 - 1974

Deft. { J Woodard
 (A) M Greenspan
 (B) not present
 R. Pollack

ct's Ex #1 - telegram

(A) Raised
 ct ~~set~~ bond to \$100,000

(B) Reverted - duty to Bondsman hearing
 10/9/74.
 Granted -

DATE OF HEARING	OCT 2 - 1974
STATE	J. Woodard
DEFT.	M. Greenspan A B DUTT'S W.P.
REPORTER	W. Mc Donnell
	State's Eth. #1
	Tape Recording - H. LOPEZ
	Defered Ruling

*Motion to Reverse Bail
Court Ex #1*

- FILED -
OCT 3 - 1974
RICHARD P. EWIN, JR.
CLERK

74-6113

El pasado 6 de Septiembre Humberto López, hijo y Luis Crespo fueron declarados culpables de posesión de explosivos por un jurado estatal. Luis y Humberto fueron acusados tras una explosión ocurrida en esta ciudad hace varios meses donde ambos resultaron gravemente heridos. El juez dictara sentencia el próximo 21 de Octubre.

Con este motivo el FRENTE NACIONAL CUBANO ha organizado una campaña de telegramas dirigidos al juez encargado del caso pidiendo clemencia para estos dos combatientes que han sabido sacrificarlo todo en aras de la liberación de la PATRIA.

Para lograr que la campaña en favor de Humberto López, hijo y Luis Crespo surta efecto, los telegramas deben ser enviados lo mas pronto posible.

¡ENVIA TU TELEGRAMA!

FRENTE NACIONAL CUBANO
Miami, Septiembre 15, 1974

SEP 30 PM 4 39
RECEIVED
U.S. DEPT. OF JUSTICE
COMMUNICATIONS SECTION

(Nota: Corte por la línea de puntos, firme el telegrama, escriba la fecha, su dirección y envíelo por correo al nombre y la dirección indicados en el mismo.)



Telegram

NO. WDS. - CL. OF SVC.	PD. OR COLL.	CASH NO.	CHARGE TO THE ACCOUNT OF	<input type="checkbox"/> OVER NIGHT TELEGRAM UNLESS BOX ABOVE IS CHECKED THIS MESSAGE WILL BE SENT AS A TELEGRAM

Send the following message, subject to the terms on back hereof, which are hereby agreed to

TO Arden Siegenorf, Circuit Judge
Metro Justice Building
STREET & NO. 1351 N. W. 12 Street, Rm. 284
CITY & STATE Miami, FL

CARE OF OR APT. NO.
TELEPHONE
ZIP CODE 33125

As members of the Cuban community, we appeal to you on behalf of Luis Crespo and Humberto Lopez, Jr. who are highly respected and admired in this community.

Your Honor, if there was guilt and if there be punishment, are not their physical mutilations and consequent handicaps punishment enough?

We beg you for clemency.

SENDER'S TEL. NO.

NAME & ADDRESS

JAN 15 1979

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT OF FLORIDA IN AND
FOR DADE COUNTY, FLORIDA

CASE NO: 74-6113A

CRIMINAL DIVISION

Woodard

STATE OF FLORIDA)

Plaintiff)

vs.)

LUIS CRESPO)

Defendant)

NOTICE OF HEARING

RECEIVED
JAN 15 1979

STATE ATTORNEY OFFICE

TO: State Attorney's Office
Dade County
1351 N.W. 12th Street
Miami, Florida

YOU ARE HEREBY NOTIFIED that Defendant's Motion for Return of
Seized Property will be brought on for hearing before the
Honorable Jon Gordon, Judge of the above styled
Court, in his chambers at 1351 N.W. 12th Street, Miami,
Florida on ~~Tuesday~~ *Wed*, January 17, 1979, at 1:30 p.m., or as
soon thereafter as the matter may be heard.

PLEASE GOVERN YOURSELF(SELVES) ACCORDINGLY.

I HEREBY CERTIFY that a true copy of the foregoing Notice of
Hearing was mailed hand-delivered to the above addressee this 10th
day of January, 19 79.

MELVYN GREENSPAHN, P.A.
1110 Brickell Avenue
Suite 608
Miami, Florida 33131
Tele: 374-0487

BY: *Melvyn Greenspahn*
Attorney for Defendant

JAN 15 1979

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT OF FLORIDA IN AND
FOR DADE COUNTY, FLORIDA

CRIMINAL DIVISION

STATE OF FLORIDA :

Plaintiff :

vs. :

LUIS CRESPO :

Defendant :

CASE NO. 74-6113A

MOTION FOR RETURN OF SEIZED
PROPERTY

COMES NOW Luis Crespo and Olga Crespo by and through their undersigned attorney and move entry of an Order requiring the Director and Officers of the Dade County Florida, Public Safety Department to return to Movants each and every object, thing and document seized by them on April 12, 1978, at 7:00 p.m. from the premises commonly described as 18901 N.W. 52nd Avenue, Dade County, Florida and would allege and state:

1. Petitioners are presently the lawful residents, owners, and occupants of the premises commonly described as 18901 N.W. 52nd Avenue, Dade County, Florida and were at all times pertinent hereto.

2. That the Honorable Paul Baker, Circuit Judge, did on April 11, 1978, cause to be issued a Search Warrant of the aforescribed premises. A true copy of said Search Warrant is attached hereto and made a part hereof as Exhibit I.

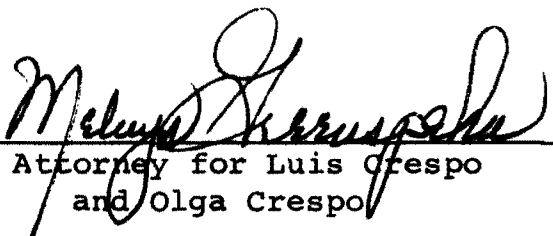
3. That the subject Search Warrant was served and executed upon the subject premises by Detective D. Benitez on April 12, 1978, a true copy of the inventory of the property taken being attached hereto and made a part hereof as Exhibit II.

4. That the various properties and documents taken by Detective Benitez remain in the custody, care and control of the Public Safety Department of Dade County and said Public Safety Department wholly fails and refuses to return the subject property to its rightful owners, petitioners herein.

5. That the continued possession of the described seized property by the Public Safety Department is unlawful deprivation of the Petitioners' right to the possession, use and enjoyment of such property and is contrary to the guarantees of the Constitution of the United States and the Bill of Rights thereof as well as the Constitution and Declaration of Rights of the State of Florida.

WHEREFORE, and by reason of the foregoing it is moved that the Court enter an Order requiring return forthwith of all of the subject seized property to Luis Crespo and Olga Crespo, the lawful owners of said property.

MELVYN GREENSPAHN, Esquire
1110 Brickell Avenue Suite 608
Miami, Florida 33131
Tel. 374-0487

By 
Attorney for Luis Crespo
and Olga Crespo

I HEREBY CERTIFY that a true copy of the aforesaid Motion was mailed to State Attorney's Office, Dade County, 1351 N.W. 12th Street, Miami, Florida and E. Wilson Purdy, Director Public Safety Department, Dade County, 1320 N.W. 14th Street, Miami, Florida 33125 this 10th day of January, 1979.


Melvyn Greenspan

IN THE
CIRCUIT COURT OF THE ELEVENTH
JUDICIAL CIRCUIT OF FLORIDA

STATE OF FLORIDA)
)
COUNTY OF DADE) SS

SEARCH WARRANT

IN THE NAME OF THE STATE OF FLORIDA, TO ALL AND SINGULAR:

The Director of the Public Safety Department, Dade County, Florida, who is also known as the Sheriff of Metropolitan Dade County, Florida, or his Deputies, and the Commissioner of the Florida Department of Criminal Law Enforcement, or any of his duly constituted Agents, and all Investigators of the State Attorney of the Eleventh Judicial Circuit of Florida, and all Police Officers of Dade County, Florida.

Affidavit having been made before me by Larry E. Doss, Special Agent of the F.B.I., that he has probable cause to believe and does believe that at the premises described as: A single-story CBS dwelling, yellow in color, located at 18901 Northwest 52 Avenue, being in Dade County, Florida, hereinafter referred to as "The Premises", and in the automobile described as a blue, four-door, Ford Maverick, bearing current Florida license tag number 1-7359, being in Dade County, Florida, hereinafter referred to as "The Vehicle",

A weapon, instrumentality, or means by which a felony,
to-wit: The Possession of a Firearm by a Convicted Felon,
Florida Statute 790.23, has been committed, or evidence relevant to proving said felony has been committed, is contained therein,
to-wit: A canvas-type satchel, a shoulder-type firearm and a pistol, hereinafter referred to as "The Property".

And as I am satisfied that there is probable cause to believe that "The Premises" and "The Vehicle" are being used as aforesaid and that the felony aforesaid has been committed and that "The Property" above-mentioned is being concealed and stored at "The Premises" and in "The Vehicle" above-described, I expressly find probable cause for the issuance of this Search Warrant.

YOU ARE HEREBY COMMANDED to enter and search forthwith "The Vehicle" and "The Premises" above-described, and the curtilage thereof, for "The Property" above-described, serving this warrant and making the search in the Daytime or the Nighttime, as the exigencies may demand or require, or on Sunday, with the proper and necessary assistance, and if "The Property" above-described be found there, to seize it and to arrest all persons in the unlawful possession thereof, leaving a copy of this Warrant and a receipt for the property taken and prepare a written Inventory of the property seized and return this Warrant and bring the property and all persons arrested before a court having competent jurisdiction of the offense within ten (10) days from the date of issuance as required by law.

WITNESS MY HAND and seal this 11 day
of April, 1978.

(Seal)



JUDGE OF THE

CIRCUIT COURT OF THE ELEVENTH JUDICIAL
CIRCUIT OF FLORIDA

STATE OF FLORIDA)
) SS
COUNTY OF DADE)

RETURN AND INVENTORY

I, Det. D. Benite P.S.D., received the within Search Warrant on 11 April, 1978 and duly executed it as follows:

On 12/1/78, 1978, at 8:00 o'clock 1.M., I searched ~~(the person)~~ (the premises) (the vehicle) described in the Search Warrant and left a copy of the Search Warrant with: MRS. OLGA, together with an inventory of the property taken.

The following is an inventory of property taken pursuant to the Search Warrant:

*Two firearms. Ammo. Music Papers, 11 1/2
Hobby Books etc.*

1. Remington Rifle 22 cal Ser 117-62699-
2. Terretta 22 cal Ser. Auto Pistol F34285.
3. Music Papers - Photographs ect of Terretta
Type name or origin Olga Crespo

I, Det. D. Benite, the officer by whom the warrant was executed, do swear that the above Inventory contains a true and detailed account of all the property taken by me on said Warrant.

*See front insert
PPA case # 91372-Y*

Det. D. Benite