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DATE: 11-14-2017

JFK Assassination System Identification Form

Date:

5/29/201

Agency Information

AGENCY:

RECORD NUMBER:

124-10205-10408

RECORD SERIES:

HQ

FBI

FBI

AGENCY FILE NUMBER:

92-2713-242

Document Information

ORIGINATOR:

EVANS, C. A. FROM:

TO:

BELMONT

TITLE:

DATE:

10/30/1961

PAGES:

2

SUBJECTS:

CM, REL, DEPORTATION, INS, WHEREABOUTS

DOCUMENT TYPE:

PAPER, TEXTUAL DOCUMENT

CLASSIFICATION:

Unclassified

RESTRICTIONS: CURRENT STATUS:

Consulted

Redact

DATE OF LAST REVIEW:

12/04/1997

OPENING CRITERIA:

APPROVAL OF DOJ

COMMENTS:

REFERRED TO DOJ

UNITED STATES GOVERNMENT Memorandum TO Mr. Belmont CARLOS MARCELLO ANTI-RACKETEERING, FRAUD AGAINST THE GOVERNMENT, PERJURY Henry Petersen, Deputy Assistant Chief of the Organized Crime and Racketeering Section of the Department, telephoned Section Chief T. J. McAndrews this morning. He advised the Department had sent two attorneys to New Orleans over the week end in order that they might begin this morning presenting evidence to a Federal Grand Jury looking towards the return of indictments against Carlos Marcello, netorious New Orleans racketeer and gambler and one of the prime targets for prosecution included on the original list of 40 such persons. His brother, Joseph, is also to be indicted. These indictments relate to Fraud Against the Government and perjury in a civil suit against the Attorney General and Immigration and Naturalization Service as an outgrowth of the deportation proceedings against Carlos Marcello. As a matter of background, we have at the request of the Department, conducted investigation relating to an affidavit filed by Carlos Marcello in support of his evid suit. In this affidavit, Marcello denied that he had ever utilized his Guatemalan birth certificate. As a matter of fact, information concerning this Guatemalan birth certificate was initially developed by the FBL. The information was jurned over to Immigration and Naturalization Service who thereafter deported Marcello. He Surreptitiously re-entered the United States following this deportation and reversely believed that he had been contacted by the the two departmental attorneys, John Diguid and Edward Molenoi, who told Maynor they were in New Orleans to present evidence to a grandjury and secure indictments against Carlos and Joseph Marcello. Most of the evidence to be isomitied to the grand jury is a re	DATE: 11-14-201	* <u>-</u> -		`		
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Memorandum to Mr. Belmont Re: CARLOS MARCELLO

indictments, the FBI arrest Carlos and Joseph Marcello. The New Orleans Division is making an immediate check to determine if the Marcellos are in New Orleans at this time.

ACTION BEING TAKEN

1. SAC Maynor is pointing out to the Department attorneys the notorious character of the Marcellos and the fact that Carlos Marcello was able to surreptitiously re-enter the United States following his deportation. Under these circumstances, it is essential that the Department attorneys arrange to have a secret indictment returned which is to be unsealed when the arrests are made, if the FBI is to make the arrest. SAC Maynor will advise the Bureau promptly when a determination is made if the Marcellos are in New Orleans today: however, the Department attorneys are not to be informed in this regard.

2. Since the FBI has conducted the investigation relating to the perjury and Fraud Against the Government charges, it would be proper for us to make the arrest. We should, however, control this situation and secret indictments are essential.

3. Inasmuch as Carlos Marcello is one of the 40 prime targets for prosecution under the Attorney General's drive against organized crime, it would appear the press release once the arrests are made should emanate from Washington. It is believed that DeLoach should get in touch with Ed Guthman of Developments in this matter will be immediately brought to your attention. the Department to insure that we receive proper recognition for our assistance in