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(c)  
[A confidential source abroad] advised that on March 5, 1970, JERRY BUCHANAN was seen in his residence, Calle Circumvalacion Oblatos, 1275, Guadalajara, in a late model Oldsmobile Vista Cruiser station wagon, yellow over brown, bearing 1969-70 New York State tag RBP9. Whether this vehicle was identical with car #4 stolen March 21, 1970, or car #13, mentioned hereafter, stolen on February 23, 1970, was not known by the source. (S)(u)

On April 7, 1970, [a confidential source abroad] advised one JAY BLAND, who was possibly identical with JERRY BUCHANAN, was arrested and released at Guadalajara, Jalisco, Mexico, for "contrabanding." This individual was driving a 1970 Oldsmobile Vista Cruiser station wagon bearing 1970 plates 8991G, vehicle identification number 348650M190077. (This source) transmitted a newspaper picture [c] from an unidentified Mexican newspaper of the individual arrested at Guadalajara. This picture was subsequently identified by SA J. P. HUFFORD, FBI, as identical to JERRY BUCHANAN. (S)(u)

On May 20, 1970, VICENTE YLLAN GARCIA, of the Federal Judicial Police at Guadalajara, Jalisco, advised that he was the individual who arrested JAY BLAND on a contraband charge and at that time BLAND had been in possession of the late-model Oldsmobile Vista Cruiser station wagon. YLLAN was advised of the stolen status of this station wagon and he stated he would attempt to locate and confiscate this vehicle. YLLAN was recontacted June 11, and June 17, 1970, at which time he stated he had been unable to locate instant vehicle or BLAND. (S)(u)

On June 7, 1971, [a confidential source abroad] advised that the above-described Oldsmobile was in possession of ROSANDO ROSAS, Assistant Customs Chief, bearing Zacatecas plates 71-ZWL. (S)(u)

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III. INFORMATION RELATING TO INVESTIGATION AT GUADALAJARA, MEXICO, AND SURROUNDING AREAS OF MEXICO.

On or about June 30, 1971, the following information was received from a confidential source abroad:

On May 19, 1971, JULIO CESAR SANCHEZ ASECIO advised that JOHN WAYNE HILL had returned to Guadalajara, Jalisco, with another white male American citizen. Both of these individuals had been seen talking to JUAN MANUEL PATINO GUERRA, and were believed to be trying to sell a new pick-up truck that they had brought from the United States.

An effort was made to locate HILL at the home of RICHARD NORMAN SUMMERS at Calle Manzanillo #412, Chapala, Jalisco. He could not be located at this address; however, on May 21, 1971, JOHN WAYNE HILL and KENNETH EDWARD GORDON were determined to be located in Room 451 of the Hotel Geneve at Guadalajara. Investigation at the hotel determined that HILL had been in touch with someone at Calle Puerto Melaque #2626, Guadalajara.

Source advised that on May 21, 1971, both HILL and GORDON had been taken into custody by the Secret Service Division of the Guadalajara Police Department and that two vehicles had been seized as being possibly stolen from the United States.

On May 22, 1971, JERRY BUCHANAN was arrested by Secret Service Agents at his home at Puerto Melaque #1421, Guadalajara. Also seized in his possession as being an automobile possibly stolen from the United States was the following vehicle:

1970 blue Plymouth Barracuda, VIN BH23GOE 126020, and Florida plates 29W-1647.

Also detained by Secret Service Agents on May 22, 1971, was Professor ALFONSO LEON GOMEZ at his home at Calle Abascal y Souza #692, Guadalajara. Seized from this individual as an automobile possibly stolen from the United States, was the following vehicle:

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1969 Ford Fairlane, VIN 9R30F 180881  
and California plates YSS-596. (u)

Also arrested by Secret Service Agents on May 22, 1971, was Professor JUAN MARTINEZ MURILLO, also known as "El Gordo," at his home at Calle Herrera y Cairo #7961, Guadalajara. Later that day, Secret Service Agents also detained RICHARD NORMAN SUMMERS at Chapala, Jalisco. Secret Service Agents also detained JUAN MANUEL PATINO GUERRA at Guadalajara. (u)

JERRY BUCHANAN had in his possession a card bearing the name of FRANCISCO ROMERO at Calle Juarez 211-307, at Guadalajara. Source advised that this individual buys and sells stolen articles and is the son of MANUEL ROMERO ROJO, former Chief of Police at Guadalajara. Another card found in BUCHANAN's possession bore the notation "Noah's Ark, Unisex Clothing Boutique, 1945 N. E. 163rd Street, North Miami Beach, Florida." Another card bore the notation "Joe Bland Construction Company, General Contractor, 3201 Maxroy Street, Houston, Texas." Another card bore the notation "2663 Lake Independence, Patridge Street, Belize City, B. H." Another card bore the notation "Comandante SERGIO MANGE, telephone numbers 7-03-51 and 5-33-09." Another card bore the notation "ANGEL ALVARADO, Privada San Enrique, Colonia Chapalita, telephone 7-03-51." (u)

JERRY BUCHANAN told Secret Service Agents that he had been born at Brevard, North Carolina, and is the son of JAMES BUCHANAN and MARY WEST. His mother resides at 466 N. W. 84th Street, Miami, Florida. (u)

Regarding the 1970 Plymouth Barracuda that he had in his possession when he was arrested, he denied that it was his property and stated that it had been loaned to him by a man named MEL. He stated that he had met this man in the bar at the Hotel Geneve at Guadalajara and had no further information concerning him. BUCHANAN denied stealing any cars and stated that a 1970 Oldsmobile station wagon that had been in his possession when he was detained in Guadalajara in April of 1970, had been bought by him at the Baratillo Market at Guadalajara. He denied any knowledge of arms or of other vehicles. He stated that he had a brother named JAMES BUCHANAN. He stated his brother had a Volkswagen station wagon which had been left at a mechanic's shop at Monterrey, Nuevo Leon, Mexico, about six months previously. (u)

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BUCHANAN stated that he had previously owned a 1966 blue Oldsmobile which he had painted black. He stated that he had bought this car from AL JOHNSON in March or April of 1970 at Miami, Florida, and had sold this car in October of 1970 to a man named RAYMOND, of the Santos Customs Brokers House at Hidalgo, Texas. X(u)

BUCHANAN stated that in 1968 he had been in training for guerrilla warfare with thirteen (13) other Americans in the mountains near Comitan, Chiapas. He stated that among these Americans had been ROBERT CURTIS. They had been preparing for an invasion of Cuba; however, they were later arrested in Honduras and in Guatemala and the invasion never materialized. X(u)

Source advised that investigation conducted at the Hotel Formosa at Avenida Revolucion #1905, Guadalajara, reflected that GUILLERMO CHIO SOLORIO, aka. Memo, is the son of the owner of this hotel. CHIO was interviewed and advised that he had known BUCHANAN for about one year and that BUCHANAN had been constructing two small wooden boats in the carpenter shop which is located in this hotel. He stated that BUCHANAN changed cars frequently; however, he could not remember the makes or models. BUCHANAN also sold TV sets, radios, electric drills, and tools. He did recall that each time BUCHANAN arrived at the hotel with a different car, he would call someone on the telephone whom he described as a "comandante" of the customs house. He recalled that BUCHANAN had two friends, FRANCISCO CASTURITA and EDWARD COURT, who had arrived at the hotel on May 19, 1971, and had left on May 21, 1971. CASTURITA made one telephone call to telephone number 786-5030 at Los Angeles, California. Both of these individuals left stating they were going to Mazatlan, Sinaloa, and later to Empalme, Sonora. X(u)

BENJAMIN AGUILAR, car washer at the Hotel Formosa, advised that he had seen BUCHANAN driving the blue Plymouth Barracuda since about May 10, 1971. He recalled that about six months previously, BUCHANAN had in his possession a 1966 four-door light blue Ford and that about four months previously, he had in his possession a late model dark green two-door Oldsmobile Toronado. He recalled that BUCHANAN had brought about seven or eight cars to Guadalajara during the past year. X(u)

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Investigation conducted in the area of BUCHANAN's home and his previous residence at Guadalajara, reflected that neighbors stated they had seen this individual with many automobiles. No one could definitely identify these automobiles. During the investigation in the Hotel Formosa, GUILLERMO CHIO advised that BUCHANAN had a friend named PANCHO who worked in a bar on Calle Gigantes at Guadalajara. This individual was identified as FRANCISCO BARRAGAN REYES, aka. Pancho, whose home address is Avenida Mexico #3151. He is the manager of the La Luna de Miel Bar on Calle Gigantes. He was located, at which time he stated he had known BUCHANAN for about one year and recalled that he had brought many different automobiles to Mexico. He recalled that about six months previously, BUCHANAN had in his possession a 1971 green Chevrolet. (u)

Concerning the ranch that BUCHANAN supposedly owns about 40 miles from Guadalajara, BUCHANAN stated that this is the Rancho San Ignacio near Tala, Jalisco. He stated that it was actually owned by his father-in-law, JUAN DOMINGUEZ, and he has a small house at this location. (u)

JOHN WAYNE HILL, during interview by Secret Service Agents at Guadalajara, stated that during the past five or six years he had brought about 50 or 60 stolen automobiles to Guadalajara. He stated that he had brought so many automobiles to this area that he could not remember the details of these. He stated that the majority of these vehicles had been Fords or Chevrolets and he had sold the majority of them through JUAN MANUEL PATINO GUERRO and JULIO CESAR SANCHEZ ASECIO. He recalled that in March, 1971, he had brought a 1971 four-door Ford Galaxie to Mexico and had sold this vehicle, with the help of JUAN MANUEL PATINO GUERRA, to a member of the Mexican Customs Service named NAVARRETE, at Manzanillo, Colima. He stated he had been born at Malvern, Arkansas, and his parents are JOHN W. HILL and LOIS EARLAND HILL. He maintains his address at 4589 Hamilton Avenue, San Jose, California. (u)

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Source advised that through contact with Secret Service Agents and other sources, he had learned the following:

That the contact of JERRY BUCHANAN with a "comandante" of the Mexican Customs Service was probably FRANCISCO GUEVARA ARREOLA. GUEVARA is a customs employee and is commissioned under Customs Inspector, General RAUL MERIGO. GUEVARA also is a very close friend of SAMUEL PADILLA GUTIERREZ, who has just retired from the customs service at Guadalajara. PADILLA owns a furniture store near the Revolution Park at Guadalajara and has been named by several people as the principal individual who has bought and sold a large number of stolen automobiles. He reportedly has bought these vehicles and has sold them to customs employees at Puerto Vallarta, Jalisco, and Tepic, Nayarit. He reportedly sold a late model Oldsmobile station wagon to ROSENDO ROSAS, Assistant Chief of the Customs Service at Guadalajara. (u)

PADILLA also reportedly sold a 1970 or 1971 Chevrolet Malibu to Customs Corporal MARTINIANO TORRES at Manzanillo, Colima. He also sold a 1970 gold or brown-colored Pontiac Firebird to JOSE SALAZAR JACINTO, Chief of the Customs Enforcement Agency at Guadalajara. SALAZAR later sold this Firebird to MARTINIANO TORRES, who later sold it to an employee of the state government at Zacatecas, Zacatecas. PADILLA also sold TORRES a 1969 or 1970 white over blue pick-up. TORRES later sold this vehicle to CARLOS PALACIOS NOVOA, an employee of the Customs Service at Guadalajara, who resides near the Las Casitas Motel. (u)

Another person described as a purchaser of stolen automobiles, is GUILLERMO GALVEZ SANTANA. He is described as being paralyzed from the waist down and as dealing in late model stolen vehicles. It was also reported that JULIO CESAR SANCHEZ ASECIO has, in the past, sold automobiles to General GOMEZ HUERTA at Mexico, D.F., and that the General has furnished money for the purchase of other vehicles. (u)

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FLAVIO BERUMEN, who is in charge of Customs Warehouse No. 3 at Guadalajara, reportedly has a stolen car which was sold to him by SAMUEL PADILLA GUTIERREZ. JOSE LOPEZ AMEZCUA, Customs official at Guadalajara, reportedly has a stolen car which he obtained from PADILLA. (u)

SAMUEL PADILLA GUTIERREZ reportedly has partners in the purchase and sale of automobiles. These individuals are called "EL RUSO", a Mexican, and an American called FRANK. These vehicles are kept on a parking lot near the customs house at Guadalajara. (u)

It has also been reported that the customs patrol at Puerto Vallarta, Jalisco, uses a stolen car sold to them by SAMUEL PADILLA GUTIERREZ. (u)

This source advised on June 7, 1971, that the following vehicles had been located in the possession of customs officials or at the customs house at Guadalajara, Jalisco, on that date:

1970 Oldsmobile Vista Cruiser station wagon, VIN 348650 M 190077, Zacatecas plates 71-ZWL, in possession of ROSENDO ROSAS, Assistant Customs Chief

1969 Chevrolet Impala four-door sedan, VIN 164699 R 024049, and Jalisco plates 47-JXD, in the possession of FLAVIO BERUMEN of Customs Warehouse No. 3

1971 two-door Mercury Cougar, VIN 1S91H 514564 and Coahuila plates 51-DVE

1970 two-door Ford LTD, VIN OD62Y 114774 and State of Mexico plates 43-LLP

1970 four-door Ford LTD, VIN OD66K 121005 (u)

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Source advised that the official declaration made by subjects in this matter was being typed and indicated that vehicles stolen by JERRY BUCHANAN went to customs officials at Guadalajara and that vehicles stolen by SUMMERS and HILL went both to customs officials and to SANCHEZ and PATINO who sold them to customs officials. (u)

JERRY BUCHANAN, when arrested, had in his possession Mexican Tourist Card FM-5, No. 4229794, in the name of MELVIN BLEETSTEIN. He also had Mexican Temporary Automobile Import Permit No. 122758, issued May 19, 1971, at Reynosa, Tamaulipas, Mexico, for a 1970 Plymouth Barracuda, bearing VIN BH 23GOE 126020 and Florida plates 29W-1647. (u)

Police Officer MARTIN MEJIA, also with the Secret Service of the Guadalajara Police Department, can testify concerning the 1970 Plymouth having been in the possession of subject BUCHANAN. (u)

On July 23, 1971, the same confidential source abroad advised that the following vehicles had been located at Guadalajara in possession of Customs officials:

1970 white Ford LTD, Jalisco plates 64-JZS, VIN ON66H 121324; JOSE LOPEZ AMEZCUA of Customs has this car

1968 four-door Plymouth, blue, Michigan plates JVK-735, VIN PE41F80 271504; this vehicle was located at Calle Cabanas #445, Guadalajara, which house belongs to a customs official

1969 white Oldsmobile, California plates RRS-758, in possession of ENNIO FANO MONTERO, a customs official who resides at Privada de las Rosas #470, Guadalajara

1970 Chevrolet Malibu, Jalisco plates 28-JPM, VIN 136370A 135472, in the possession of Customs Agent JORGE KOSONoy CELEDON, who resides at Calle Montes Celestes #1844, Guadalajara; he received this car from Customs official MARTINIANO TORRES at Manzanillo, Colima. (u)

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On September 22, 1971, a confidential source abroad advised the following automobiles, believed to have been stolen, had been located at Guadalajara, Mexico.

1971 grey Mercury Cougar, Coahuila plates 51DVE, VIN 1S91H514565, being driven by the Director of Customs at Guadalajara

1970 light brown Chevrolet Malibu, Jalisco plates 28-JPM, VIN 136370A 135472, being driven by Customs employee JORGE KOSNOY CELEDON, of Montes Celestes No. 1844, Guadalajara

1970 Vista Cruiser Oldsmobile VIN 348550M 140378, this vehicle was being used by Attorney ISIDRO URZUA, whose office is at Calle Corona No. 71, Guadalajara

1971 four-door Dodge Monaco, Sonora plates 31 WAW, VIN DH 41 ND 108829, being used by Attorney ISIDRO URZUA, Calle Corona 71, Guadalajara

1970 light brown Ford LTD, Jalisco plates 54 HSF, VIN OD62H123582, being used by FELIPE A. V., of Calle Enrique Gonzalez in front of Colegio Allende at Guadalajara.

1969 Pontiac Firebird, black over blue, Jalisco plates 60 HSF, VIN 223378U138012, being driven by an employee of the El Occidental newspaper at Guadalajara.

1969 white over blue Chevrolet Impala, Jalisco plates 32 HSF, VIN 164699R029242, being driven by Attorney ISIDRO URZUA, of Calle Corona No. 71, Guadalajara.

1969 red Impala Chevrolet station wagon, Illinois plates 814090, located at Customs House, Guadalajara.

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1970 red Ford XL convertible,  
VIN 0061N 173244, located at  
Paraguay No. 2505 at Guadalajara

1965 red Ford Mustang, California  
plates OXZ-813, located at Customs  
House, Guadalajara

JORGE KOSONOV CELEDON, an employee of the  
Customs Service at Guadalajara took the 1970 brown Malibu  
to Matamoros, Tamaulipas, Mexico. Customs employee,  
GUILLERMO SANCHEZ PINEDA was using this vehicle at that  
post. (u)

On August 25, 1972, a confidential source  
abroad advised that following the arrest of JERRY  
BUCHANAN in June, 1971, at Guadalajara, Jalisco, he  
was persecuted for being in possession of a 1970  
blue Plymouth Barracuda, bearing VIN BH23GOE126020,  
which had come from Laredo, Texas. (u)

BUCHANAN, after being in jail, was absolved  
of any guilt and released. (u)

MARTIN MEJIA of the Secret Service Division  
of the Guadalajara Police Department, has advised that  
he would voluntarily appear for Grand Jury and trial  
testimony in Miami, Florida, if travel expenses and  
per diem were paid by the U. S. Government. In addition,  
CARLOS ACEVES, Chief of the Secret Service Division of  
the Guadalajara Police Department, has advised that  
he will permit MEJIA to go to Miami as requested. (u)

On September 12, 1972, a confidential source  
abroad made available the following:

1. Copy of the court record in this case  
as obtained from the Jalisco State Prison.
2. Copy of a blank Florida certificate of  
live birth as obtained during the arrest  
of JERRY BUCHANAN. (u)

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3. Copy of a blank certificate of birth obtained during the arrest of JERRY BUCHANAN.
4. Copy of a Mexican temporary car import permit in the name MELVIN BLEETSTIEN for a 1971 Plymouth Barracuda obtained during the arrest of JERRY BUCHANAN
5. Copy of a Mexican tourist card in the name MELVIN BLEETSTIEN obtained during the arrest of JERRY BUCHANAN.

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Case #28/71

Telegram No. 52 IV 42614, of May 31st last, directed to the Attorney General of the Federation, from the above-mentioned Agent of the Federal Public Ministry, stating:

"YOUR MESSAGE OF THE 29TH LAST.....(illegible) RELATING TO PREVIOUS CORRESPONDENCE OF 31/9/71, INSTRUCTING ARREST SHOULD BE CARRIED OUT OF KENNETH RICHARD GORDON, JOHN WAYNE, HARRY BUCHANAN, RIC HARD NORMAN SUMMERS, FOR THE CRIME OF CONTRABAND, ALONG WITH JUAN MARTINEZ MURILLO AND JOSE MANUEL MARTINEZ GUERRA, IN THE PROPER COURT, UNDER ARTICLE 41 OF THE FISCAL CODE OF THE FEDERATION, THE ATTORNEY ASKS FOR SENTENCE.....(ILLEGIBLE) ABSENCE OF CHIEF ATTORNEY, UNDER ARTICLE V OF ..... (ILLEGIBLE) .....TO BE SUBSTITUTED FOR BY ASSISTANT ATTORNEY GENERAL LEOPOLDO ORTIZ SARTOR (?)"

(u)

The previous elements of proof, by their nature and contents, form a homogenous whole and fully prove the nature of the crime of contraband, as provided in Article 46, Section III of the Fiscal Code of the Federation, and receiving stolen goods, as provided for under Article 50, Section III, in connection with Section 17, of the above-mentioned Fiscal Code, and nor for Article 480 (?), Section II, of the Federal Penal Code, considering that the principal crime is that of contraband, as set forth in the above-mentioned Fiscal Code of the Federation. In effect, it shows that the accused, JOHN WAYNE, has been stealing cars for six years in the United States. The cars were of foreign make, importation of which is prohibited by law, and they were introduced illegally into the country, without proper permits, and sold to the accused PATINO GUERRA, among others. There were two Ford Galaxies, 1967 and 1970, and a Thunderbird, sold by the accused KENNETH EDWARD GORDON for 10,000 pesos. He also brought into the country a Ford Galaxie, 1967, foreign made, and this was one of the cars which JOHN WAYNE sold,

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and he also sold it to PATINO GUERRA. The accused RICHARD NORMAN SUMMERS brought into the country ten foreign made cars, without proper permits. Three of these were Ford Galaxies, 1968, which he sold to JUAN MARTINEZ MURILLO for 8,000 pesos, and the other two were for 10,000 pesos each. A Chevrolet Impala, 1968 (?), a 1968 Ford, and another Ford LTD, 1968, were sold to PATINO GUERRA for 10,000 pesos each; a Chevrolet Impala, 1977; a Ford, 1968, another Ford Galaxie, 1968, and a pickup truck, 1968, were sold to JULIO CESAR SANCHEZ ASENCIO for 10,000 pesos each. The accused JOSE MANUEL PATINO GUERRA and JUAN MARTINEZ MURILLO, knew that the vehicles they were selling were of foreign origin and had been brought into the country illegally without proper permits. They admit they were given no papers to prove legal entry, meaning that in buying these cars, they were dealing in illegal merchandise. The accused KENNETH EDWARD, JOHN WAYNE and JERRY BUCHANAN were arrested on last May 22, by agents of the Secret Service in this city, and turned over to the authorities. From the first, a Ford pick-up 23 (illegible) Special, color clear coffee and red, 1971, camper, provisional plates 0235834 of the State of California, was impounded. Another station wagon, Ford, 1971, green, with California provisional plates No. 0255839, was impounded, and the third car, a Plymouth Barracude, blue, Florida plates, was also impounded. All vehicles were of foreign make and registry, and forbidden to enter the country, and there was no proof of legal entry. All the above circumstances were set forth in telegram No. 529-IV 42614, of last May 31st, which was sent to the Attorney General of the Federation, with the idea that the State Attorney (illegible) and warrants were requested for each and every one of the accused, since there is no proof of their innocence; on the contrary, the above is corroborated by the vehicles which have been impounded from the accused, consisting of proof of the crime, as established under Article 87, Section IV, of the Code involved. *(u)*

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THIRD - The means of proof set forth in the above constitute sufficient data to make probable the criminal responsibility of the accused JOHN WAYNE HILL, JR., JERRY BUCHANAN, RICHARD NORMAN SUMMERS and KENNETH EDWARD GORDON, in commission of the crime of contraband, as covered in Article 16, Section III, of the Fiscal Code of the Federation, and that of JOSE MANUEL PATINO GUERRA and JUAN MARTINEZ MURILLO in commission of the crime of possession of contraband, provided for under Section III, along with II, of Article 50 of the above-mentioned Fiscal Code of the Federation, because they point out that JOHN WAYNE has been stealing cars for six years in different parts of the United States of America, which he brought into the nearest country. All the cars were Fords and Chevrolets, late models, without the proper legal permits; that EDWARD GORDON helped to execute the crime of contraband by helping to bring into the country a Ford Galaxie, 1971, light green; that RICHARD NORMAN also brought 10 cars into the country, of foreign manufacture, working with AL MORA, who brought them from the United States to the city of Mexicali, which is a free zone, and from there, the accused transferred them to this city, selling them, along with his companion WAYNE, to the accused MARTINEZ MURILLO and PATINO GUERRA, for payment which fluctuated from ten to eleven thousand pesos each; and that on last May 22nd, the following were arrested: WAYNE, GORDON and BUCHANAN. There were found in the possession of the first, a pick-up truck, Ford 850, (illegible) Special, green, California provisional plates 0265834; of the second, another station wagon of the same type, brand and model, color light coffee and red, with provisional California plates No. 0255839; and of the third, a Plymouth Barracuda, blue, Florida plates, all vehicles of foreign make and registry, with no legal permission to be in the country. Therefore, the probable responsibility of the accused is determined through provisions of Article 49, of the above-cited Fiscal Code of the Federation. (u)

Since the crime of contraband and accepting contraband is fully proven, as provided for by Articles 46, Section (u)

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III and 50, Section III, in combination with Section II of the Fiscal Code of the Federation, which carries a sentence of corporal punishment, plus the presumed responsibility of the accused, we proceeded to imprison them. (u)

Because of the above, with the additional support of Articles 19 and 104 of the Constitution, 1 and 41 of the Law of Judicial Power of the Federation, 161, 163, 164, 165, 166, 168, 180, 279, 283, 286, 287 and 290 of the Federal Code of Penal Procedures, it is resolved:

FIRST - KENNETH EDWARD GORDON, JOHN WAYNE HILL, JR., JERRY BUCHANAN and RICHARD NORMAN SUMMERS are properly imprisoned as responsible for the commission for the crime of contraband, provided for under Article 46, Section III of the Fiscal Code of the Federation, and that JUAN MARTINEZ MURILLO and JOSE MANUEL PATINO GUERRA are responsible for the commission of the crime of receiving contraband, as provided for under Article 50, Section III, in connection with Section II of the above-mentioned Fiscal Code of the Federation. (u)

SECOND - The accused have been identified, and the proper reports are attached, as well as a copy of the authorization for imprisonment, sent to the Director of the State Penitentiary and the Chief (of Police) of the city, advising them of their rights and the sentences which the law provides for them. (u)

Notification (u)

Ordered by the Secretary of the Second Judge of the State District, in charge of carrying out the law. I certify that this is a true copy of the original issued by judicial order to be sent to the Director of the State Penitentiary and the Chief of the Personnel Office, as ordered. (u)

✓  
Guadalajara, Jalisco, June 1, 1971

/s/ALFONSO CARVAJAL R. (u)

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Case No. 28/71

Director of the State Penitentiary

Dear Sir:

✓ Concerning the case number mentioned above, it is ordered that JERRY BUCHANAN WEST, who was tried for contraband, be set free today, as though there were no pending legal process, since the Third District Judge has granted this man the protection of Federal Justice. Therefore, the prison sentence is without effect.

Very truly yours,

Guadalajara, Jalisco  
August 19, 1971  
Second District Judge

/s/J. ESPIRIDION GONZALEZ MEJIA

DOMINGO BANUELOS PONCE, Secretary of the State Penitentiary, states that the present is a photostatic copy of the original, which is in the archives of this Penitentiary, under his charge.

THIS STATEMENT IS MADE FOR LEGAL PURPOSES, IF NEEDED.

Guadalajara, Jalisco, August 30, 1972

/s/DOMINGO BANUELOS PONCE

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Guadalajara, Jalisco, June 1, 1971. (u)

Concerning Case No. 28/71, involving KENNETH EDWARD GORDON, JOHN WAYNE HILL, JR., JERRY BUCHANAN, RICHARD NORMAN SUMMERS, for the crime of contraband, and JUAN MARTINEZ MURILLO and JOSE MANUEL PATINO GUERRA, for conspiracy, to resolve the judicial situation, and

CONSIDERING:

1. An agent of the Federal Public Ministry, on May 29 last, arrested KENNETH EDWARD GORDON, JOHN WAYNE HILL, JR., JERRY BUCHANAN, RICHARD NORMAN SUMMERS, JUAN MARTINEZ MURILLO, and JOSE MANUEL PATINO GUERRA, as responsible (the first four) for committing the crime of contraband, and the last two for committing the crime of receiving stolen goods; the first four mentioned above brought foreign made vehicles into this country from a foreign country. The vehicles were brought to this city and sold to the accused MARTINEZ MURILLO and PATINO GUERRA. (u)

This District Court, upon learning of these facts which motivated the arrests, ordered that the cars involved be impounded and that statements be taken from the accused in this case on the same date. The Court also ordered issuance of the proper papers. The following statements were taken, in which the accused confessed to the crimes of which they were charged. (u)

2. First, to establish the crime and to inform the authorities, an Agent of the Federal Public Ministry mentioned above, makes the following statement:

Article 4, Section III, of the National Fiscal Code, states: The crime of contraband is committed by anyone who brings into the country vehicles, importation of which is prohibited by law, or brings in vehicles (u)

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without permission of the proper authority, when such permit is required. (u)

Article 54 states: The penalty shall be from six months to twelve years in prison, for anyone who imports or exports merchandise in international traffic which is prohibited or restricted legally. In the case of importation or exportation of restricted merchandise, when proven, and when the customs duties have not been paid, the sentence will be increased by one-third that mentioned in the previous article. The same penalty will be applied for introducing into the country imported vehicles, which are forbidden or restricted legally, without obtaining permission from the proper authorities. (u)

Therefore, Article 50, Section III, in combination with Section II, of the above-mentioned Code, states that "the crime of receiving stolen goods is committed in contraband matters by whoever helps or cooperates in carrying out the acts referred to in the above Section II, i.e., the businessman who received merchandise illegally imported." (u)

Finally, Article 60, of the above-mentioned Fiscal Code of the Federation, provides that "the crimes of receiving stolen goods in matters of contraband is punishable with a sentence of three days to four years imprisonment." (u)

Now, in the present case, Officer No. 1108 (?) appeared before the Chief of Police of this City and the State Attorney on May 25th, with information from the Chief of Secret Service in this city, to the effect that he was placing at the disposition of the court KENNETH EDWARD GORDON, who admitted that he stole cars in the United States of America, which he brought to this city and sold to, among others, JUAN MANUEL PATINO GUERRA and JULIO CESAR SANCHEZ ASENCIO, agents and businessmen - and that from those arrested, they impounded a pick-up truck, Ford 250 Special Camper, 1971, green, temporary California plates (u)

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0255839; another truck of the same make and model, coffee color with red, with temporary California plates 0235834, adapted for family use; that JOHN WAYNE admitted having stolen the first of these vehicles mentioned at the Ford agency in San Diego, California, between 10:00 a.m. and 11:00 a.m. on last May 8th, accompanied by EDWARD GORDON. They came in both vehicles to this city, and talked with MANUEL PATINO and CESAR SANCHEZ, who purchased the vehicle from them because they could get it for 15,000 pesos. WAYNE also stated that on March 22nd of this year, between 3:00 and 4:00 p.m., he stole a Ford Galaxie 500, 1971, from a Ford agency in Las Vegas, Nevada, and in order to be able to drive it in U.S. territory and enter Mexico, he placed on it license plate No. (illegible) from the State of California, which belonged to a Ford car owned by EDWARD GORDON. Two days after arrival in this city, they sold it to MURILLO GUERRA for \$1,000, and EDWARD GORDON was an accomplice in this sale. Most of the vehicles stolen in the U.S. were brought to this city. Most were Chevrolets and Fords, which were sold through the two persons mentioned, whom he had known for a number of years, through other Americans who were also involved in stealing cars in the U.S., among them NORMAN SUMMERS, who lives in Chapala, and another man named DANNY DAVIS, who is based in the State of California. With RICHARD NORMAN, he stole a red Thunderbird in the U.S., which he sold to JUAN MANUEL PATINO. PATINO, in turn, sold the car in Manzanillo, and it is presently bearing Jalisco State plates 10-JVY, owned by a customs agent named CARIAGA (?). (u)

Attached are the police records, statements of the accused, and that of the federal agent. (u)

This same officer went to the State Judicial Police and stated: The following vehicles, a Ford Fairlane, 1969, California plates YS-596; Plymouth, blue, Florida plates 29-W-1647; 1971 pick-up truck, green, provisional plates 0255838 (?), and a Ford pick-up, camper body, California provisional plates 0255814 (?), were impounded. (u)

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ALFONSO LEON GOMEZ, appearing before the Chief of Police of this city, states that the Ford Fairlane, blue, 1969, which was seized by the Secret Service, was purchased by him for 14,000 pesos from JUAN MARTINEZ MURILLO, approximately eight days after it entered the country. He stated that he made this purchase in good faith, since, had he known that the car was stolen, he would not have bought it. (u)

The Secret Service agents of Guadalajara stated to the Federal agent that they intervened only in arresting the accused. (u)

1 The accused, JOHN WAYNE HILL, JR., before the City Chief of Police, states that for 6 years he has been stealing late model cars in his own country, and he believes that to date, he has stolen seventy cars, which he brought to this country to sell. Among those who purchased these vehicles were JUAN PATINO GUERRA and SANCHEZ ASECIO, who sold them..... (illegible). Among the vehicles which he remembers having sold to them was a Ford, 1970, blue, and another Ford, 1969, a Thunderbird, which he sold to a person from Manzanillo. He sold to JULIO CESAR SANCHEZ and PATINO GUERRA about 25 cars, of the same manufacturer and model, at a price of ten to eleven thousand pesos each. The thefts were carried out by entering the car lots, where the keys are available, starting the car, and taking it out on the street. This operation can be carried out as many as thirty times a day. He stated that his friend EDWARD GORDON accompanied him to Mexico twice, each one in a Ford Galaxie 500 which he sold to PATINO GUERRA. He said he met these buyers through RICHARD SUMMERS, who lives in Chapala and is also involved in stealing cars, and who has been in prison in the U.S. for the crime of theft. Before the Agent of the Federal Public Ministry, he confirmed this written statement in the District Court, but he added that it is not true that he has been stealing cars for six years, (u)

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✓ in the United States. He began to do it this year; nor did he steal 70 cars, since he only stole a Ford Galaxie, 1971, in Nevada, 2 in San Diego, California, and a 1971 pick-up truck. He admitted that these vehicles were made in the United States, and that he brought the first car into Mexico via Nogales, where he was issued an import permit. He brought the other in via Tijuana and..... (illegible) he got a temporary import permit..... (illegible). Via legal highways, he came to this city, where he sold one of the cars to PATINO GUERRA and left the other parked on one side of the Hotel Genova. The Thunderbird was in the hands of RICHARD SUMMERS. His friend GORDON did not know that the vehicle he brought to this city was stolen, and therefore, he is not guilty. (u)

KENNETH EDWARD GORDON, before the Chief of Police of this city, stated that he met JOHN WAYNE in Santa Clara, California, about 5 years ago when he was a bartender. He said they have traveled to Mexico on two occasions together. The first time they brought a Ford Galaxie, 1971, light green, which car remained in Mexico, because they returned by train. He did not know it was stolen. He said that the station wagon which was seized is his property, which he purchased at Paul Swanson Ford, Cupertino, California. He said that he is not involved in stealing cars in the United States, and that he met PATINO GUERRA through JOHN WAYNE, but he did not know about their business. He stated that the day they brought the Ford Galaxie, he saw a subject named JULIO, but he did not talk with him. Before the agent of the Public Federal Ministry, he confirmed this statement and added that he wished to show a document proving that the station wagon which was taken from him is his property. In making a preparatory statement before this Federal Court, he confirmed his earlier statements, and added that the first time he entered the country, he was in the company of JOHN WAYNE, JUAN and DONNA JOHNSON, about the last of March or the first of April of this year. The car they brought in belonged to JOHN WAYNE, i.e., (u)

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the Ford Galaxie 1971, which was manufactured in the United States. They crossed the frontier at Nogales as tourists, and came on to this city. After that, he does not know what happened to the vehicle. X(u)

JERRY BUCHANAN, before the Chief of Police of this city, stated that concerning the theft of cars, it is not true that he steals cars; that last year in April, he was arrested in this city for having purchased a station wagon which came in with contraband, brought in by an unknown person. This vehicle was a Plymouth Barracuda, blue, Florida plates 89T1647. This car was loaned to him by a person named "MEL," whom he met in the restaurant of the Hotel Genova, and he was to return it to the same place. He stated that the objects which were found in the vehicle ..... (illegible) were not his, and he does not know why they were there. Before the Agent of the Federal Public Ministry mentioned above, he confirms this statement and adds that he knows nothing about the activities of the person who loaned him the vehicle, and that to date, he has not looked for him. In making this preparatory statement in this District Court, he confirmed previous statements and adds that he does not know any of the people who were arrested with him, that the Plymouth was taken from him at about 9:30 to 10:00 p.m., in front of his home, that he does not know where this man comes from, but he believes he was an American. He reaffirmed that the car was loaned by a person whom he met at the Hotel Genova whom he was to drive around the city; that he has been in this country on various occasions as a tourist, and that the first time was in 1963. X(u)

RICHARD NORMAN SUMMERS, before the Chief of the City Police in this city, states that in a certain way, he was involved in the theft of cars in the United States. He admits that he has purchased ten cars and served as an intermediary in twelve others, and among the persons to whom he sold were LUIS and ROBERTO CUEVAS, who bought two Chevrolets, 1964, for \$3,000 each, and that these cars were picked up by Customs. He states that he sold three X(u)

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stolen cars to JUAN MARTINEZ MURILLO. One was a Ford Galaxie, 1968, for 8,000 pesos; another Ford, with air conditioning, for 10,000 pesos, and the last, another airconditioned Ford, for 10,000 pesos. He sold to JUAN MANUEL PATINO GUERRA a Chevrolet Impala, 1968; a Ford, 1968, and a Ford LTD with Arizona plates, 1968 or 1967, for 10,000 pesos each. To JULIO CESAR SANCHEZ ASENCIO, he sold four, a Chevrolet Impala 1968, a 1969 Ford Galaxie, another pick-up, 1968, and another car, the description of which he does not recall, for 10,000 pesos each. All these cars were sold to the above-mentioned buyers with their knowledge that the cars were stolen. He stated he got these cars for AL MORA, who lives in California, and they were brought to Mexicali. Before the representative of the Federal Public Ministry, he confirms this statement. In giving a preparatory statement before the Federal Court, he stated that it is true that he gave the statement which appears as his to the Chief of the City Police, but that he did so with a promise from the police that he would avoid prison. This statement was given as just another report, rather than as a confession, and that he confirmed it before the Agent of the Federal Public Ministry. When questioned by the Court, he replied that all the cars were manufactured in the United States, that they were brought to this city by various people, whose names he does not know, who arrived at his home in Chapala to contact him for AL MORO, and that he only put them in contact with buyers JUAN MARTINEZ MURILLO, JOSE MANUEL PATINO GUERRA, and JULIO CESAR SANCHEZ ASENCIO, to whom the cars were sold without any documentation, at a price of 2,000 pesos each. He states that on occasion, he received nothing, and at other times,..... (illegible) he intervened as an intermediary in ten operations, i.e., he sold them to the above-mentioned buyers. (u)

JOSE MARTINEZ MURILLO, before the Chief of Police of this City, states that it is true that he purchased from RICHARD HERMAN three cars, one Ford Galaxie, 1966, (u)

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which he gave to Dr. ADALBERTO GOMEZ RODRIGUEZ, for which he paid 10,000 pesos; another Ford Galaxie which he purchased for the same amount and sold to ALFONSO LEON GOMEZ for 14,000 or 16,000 pesos, in May of the year before last; a Ford Fairlane, 1969, which he bought from ELISEO JAUREGUI for 8,000 pesos and sold to ALFONSO LEON GOMEZ for 14,000 in December or January of last year, and that he has in his possession a 1960 Chevrolet, as a guarantee for 1,500 pesos which he loaned to a man whose name and address he does not remember, but who is a shoemaker. He advised that the vehicles to which he has been referring, when he accepted them, had no papers showing legal status in this country. Before the Agent of the Federal Public Ministry mentioned above, he confirmed this statement and adds that concerning the car which he gave to Dr. GOMEZ RODRIGUEZ, GOMEZ RODRIGUEZ gave him 2,000 or 3,000 pesos, but not as payment. He says that it is true that the cars were purchased from RICHARD NORMAN, and the price paid for them was low, considering the models and the condition of the car. He said he never checked who were the people who brought the cars to NORMAN, nor did he worry about asking for any details on the matter. After making a preparatory statement before this Federal Court, he states it is correct, and in answer to a question from the Court, he stated that he only had business relations with RICHARD NORMAN and that he purchased vehicles only under the conditions mentioned in his statements; that he realized that the vehicles were of foreign manufacture, but he did not worry about the papers. RICHARD NORMAN agreed to deliver the papers, but he never did so. (u)

JOSE MANUEL PATINO GUERRA, before the Chief of Police in this city, states that the only time he purchased American cars was from RICHARD NORMAN, and it was only a 1967 Chevrolet. He knows JOHN WAYNE and knows he is involved in cars. He dealt with this man, but only as a commission man, on a 1970 red Thunderbird, which he sold to IGNACIO HERNANDEZ; a Ford Galaxie 1971, white, which he sold to CESAR NAVARRETE ESPANA, and that the above-mentioned buyers are Customs men (?) in Manzanillo; a Ford station wagon, (u)

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bronze and white, 1971, which is in the possession of a priest at Jelotlan de los Dolores. He said that he thinks JOHN WAYNE sold him about 25 cars. Before the representative of the Federal Public Ministry, he confirmed this statement and added that as an agent, he intervened in the operations, and the buyers received the documents which the American gave them, and, in addition, the buyers knew about the papers which should be filled out, and which were given to them. The proof of this is that they paid their money and received their cars. In making this preparatory statement before the District Judge, he confirmed the previous statements and adds that he only had connections with JOHN WAYNE, and he worked as an intermediary between WAYNE and the buyer. He admitted he realized that the cars were of foreign origin and manufacture, but since he was only the manager or agent in the exchange, he took no interest in whether the documents were in proper form, since that was the problem of Customs. (u)

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