

United States District Court
FOR THE

EASTERN DISTRICT OF LOUISIANA

UNITED STATES OF AMERICA

v.

JIM GARRISON, FREDERICK A. SOULE,
SR., ROBERT N. FREY, LOUIS M.
BOASBERG, HARBY S. MARKS, JR.,
ROBERT NIMS, JOHN J. ELMS, JR.,
LAWRENCE L. LAGARDE; JOHN ARUNS
CALLERY & JOHN ELMO PIERCE

Magistrate's Docket No.

Case No.

COMPLAINT for VIOLATION of

U.S.C. Title 18

Sections 1511, 1955, 1952, 2, 371

BEFORE

Name of Magistrate

New Orleans, Louisiana

Address of Magistrate

The undersigned complainant being duly sworn states:

That on or about (see pp. 2 & 3) ~~xxx~~, at or near New Orleans, Louisiana,

in the

Eastern District of Louisiana, JIM GARRISON, FREDERICK A. SOULE, SR.,
ROBERT N. FREY, LOUIS M. BOASBERG, HARBY S. MARKS, JR., ROBERT NIMS,
JOHN J. ELMS, JR., LAWRENCE L. LAGARDE, JOHN ARUNS CALLERY, and JOHN
ELMO PIERCE
did^(s) violate: (continued page 2)

And the complainant states that this complaint is based on the attached affidavit.

And the complainant further states that he believes that he is a

~~material witness~~ in relation to this charge.

Sworn to before me, and subscribed in my presence,

(If name of accused,
do have statement of the essential facts constituting the offense charged.)

(1) The "Organized Crime Control Act of 1970", Title 18, United States Code, §1511 - "Obstruction of state or local law enforcement", in that from on and before October 15, 1970, to the present time, at and near New Orleans, Louisiana, in the Eastern Judicial District of Louisiana, JIM GARRISON, FREDERICK A. SOULE, SR., ROBERT N. FREY, LOUIS M. BOASBERG, HARBY S. MARKS, JR., JOHN J. ELMS, JR., LAWRENCE L. LAGARDE, ROBERT NIMS, JOHN ARUNS CALLERY, JOHN ELMO PIERCE, and other persons both known and unknown, did unlawfully, knowingly and willfully conspire to obstruct the enforcement of the criminal laws of the State of Louisiana and ordinances of the City of New Orleans, to wit, Article 90 of Louisiana Criminal Code, R.S. 14:90 - "Gambling"; the New Orleans City Code, 1956, §27-2.2 - "Same [Gambling generally - Defined] - Prohibited", and §5-58.1(c) - "Authority of [City] Council; grounds for revocation or suspension [of city permits for retail sale of beverages of low alcoholic content ... where illegal gambling is intentionally conducted on the premises]; hearing", with the intent to facilitate illegal gambling businesses, to wit, the illegal operation and use of Bally in-line gambling type pinball machines which are and were placed in public places for use by the general public and upon which payoffs are made for free games accumulated by the player, one or more of the above named persons during the time alleged having committed an act or acts to effect the objects of said conspiracy, and one or more of the above named persons being an official or employee, elected, appointed or otherwise, of the State of Louisiana and a political subdivision of the State of Louisiana, namely, JIM GARRISON, who is District Attorney of Orleans Parish, Louisiana, Captain FREDERICK A. SOULE, SR., of the New Orleans, Louisiana, Police Department who is assigned to the staff of District Attorney JIM GARRISON as an investigator, and Sergeant ROBERT N. FREY, who is Commander of the Vice Squad of the New Orleans, Louisiana, Police Department; and one or more of the other above named persons being engaged or having been engaged during the period alleged in conducting, financing, managing, supervising, directing and owning all or a part of each of said illegal gambling businesses, all of which gambling businesses involve five or more persons who conduct, finance, manage, supervise, direct and own all or a part of said businesses, all of which businesses have been and remain in substantially continuous operation over a period in excess of thirty days and all of which have had a gross revenue of \$2,000 in a single day.

(2) The "Organized Crime Control Act of 1970", Title 18, United States Code, §1955 - "Prohibition of illegal gambling businesses", and §2 - "Principals", in that at and near New Orleans, Louisiana, in the Eastern Judicial District of Louisiana, JIM GARRISON, FREDERICK A. SOULE, SR., ROBERT N. FREY, LOUIS M. BOASBERG, HARBY S. MARKS, JR., JOHN J. ELMS, JR., LAWRENCE L. LAGARDE, ROBERT NIMS, JOHN ARUNS CALLERY, JOHN ELMO PIERCE, and other persons, both known and unknown, did unlawfully, knowingly and willfully, from on and before October 15, 1970, to the present time, conduct and aid and abet each other in the conduct of illegal gambling businesses in violation of the criminal laws of the State of Louisiana and ordinances of the City of New Orleans, to wit, the operation and use of Bally in-line gambling type pinball machines which are placed in public places for use by the general public and for which payoffs are made on games won by the players in violation of Article 90 of Louisiana Criminal Code, R.S. 14:90 - "Gambling"; the New Orleans City Code, 1956, §27-2.2 - "Same [Gambling generally - Defined] - Prohibited", and §5-58.1(c) - "Authority of [City] Council; grounds for revocation or suspension [of city permits for retail sale of beverages of low alcoholic content ... where illegal gambling is intentionally conducted on the premises]; hearing", all of which illegal gambling businesses involve five or more persons who conduct, finance, manage, supervise, direct and own all or a part of such businesses, and all of which

businesses have been and remain in substantially continuous operation for a period in excess of thirty days and have had gross revenue of \$2,000 on a single day.

(3) Title 18, United States Code, §1952 - "interstate and foreign travel or transportation in aid of racketeering enterprises", and §2 - "Principals", in that from on and before July 1, 1966, to the present time, at and near New Orleans, Louisiana, in the Eastern Judicial District of Louisiana, JIM GARRISON, FREDERICK A. SOULE, SR., ROBERT N. FREY, LOUIS M. BOASBERG, HARBY S. MARKS, JR., JOHN J. ELMS, JR., LAWRENCE L. LAGARDE, ROBERT NIMS, JOHN ARUNS CALLERY, JOHN ELMO PIERCE, and other persons both known and unknown, did unlawfully, knowingly and willfully use and cause to be used in interstate commerce between the State of Illinois and the Eastern Judicial District of Louisiana, transportation facilities of common carriers for the shipment of Bally in-line gambling type pinball machines and parts therefor, with the intent to promote, manage, establish and carry on, and facilitate the promotion, management, establishment and carrying on of an unlawful activity, to wit, the operation and use of Bally in-line gambling type pinball machines which are placed in public places for use by the general public and for which payoffs are made on games accumulated by the players in violation of Article 90 of Louisiana Criminal Code, R.S. 14:90 - "Gambling", and thereafter the above named persons did perform and cause to be performed acts to promote, manage, establish, carry on, and facilitate the promotion, management, establishment and carrying on of said unlawful activity; and further that the above named persons did aid and abet each other in the above named pursuits and acts.

(4) Title 18, United States Code, §371 - "Conspiracy to commit offenses or to defraud United States", in that JIM GARRISON, FREDERICK A. SOULE, SR., ROBERT N. FREY, LOUIS M. BOASBERG, HARBY S. MARKS, JR., JOHN J. ELMS, JR., LAWRENCE L. LAGARDE, ROBERT NIMS, JOHN ARUNS CALLERY, JOHN ELMO PIERCE, and other persons both known and unknown, did unlawfully, knowingly and willfully conspire to commit offenses against the United States, the State of Louisiana, and the City of New Orleans, to wit, Title 18, United States Code, §§1955, 1952 and 2, Article 90 of Louisiana Criminal Code, R.S. 14:90 - "Gambling"; the New Orleans City Code, 1956, §27-2.2 - "Same [Gambling generally - Defined] - Prohibited", and §5-58.1(c) - "Authority of [City] Council; grounds for revocation or suspension [of city permits for retail sale of beverages of low alcoholic content ... where illegal gambling is intentionally conducted on the premises]; hearing", said offenses more particularly described in Paragraphs (2) and (3) above, which are incorporated herein, one or more of the above named persons having committed an act or acts to effect the objects of the conspiracy.