

DIB:rf

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

NO. 68-420-G-WM

18 USC, Section 2275

M/S \$10,000 - 20 yrs.

18 USC, Section 371

M/S \$10,000 - 5 yrs.

18 USC, Section 837(d)

M/S \$1,000 - 1 yr.

UNITED STATES OF AMERICA :

v. :

ORLANDO BOSCH AVILA :

a/k/a Ernesto :

ANDRES JORGE GONZALEZ GONZALEZ :

a/k/a Bombillo :

BARBARO BALAN GARCIA :

a/k/a Bobby :

MARCO RODRIGUEZ RAMOS :

JESUS DOMINGUEZ BENITEZ :

a/k/a El Isleno :

JOSE DIAZ MOREJON :

a/k/a Tony Prieto :

JORGE LUIS GUTIERREZ ULLA :

a/k/a George Gutierrez :

PAULINO GUTIERREZ :

AEMEER MIRANDA CRUZ :

INDICTMENT

Filed 10-10-68

The Grand Jury charges:

COUNT 1

That from on or about April 15, 1968, up to and including the date of this indictment in the Southern District of Florida and elsewhere the defendants,

ORLANDO BOSCH AVILA, a/k/a Ernesto,
ANDRES JORGE GONZALEZ GONZALEZ, a/k/a Bombillo,
BARBARO BALAN GARCIA, a/k/a Bobby,
MARCO RODRIGUEZ RAMOS,
JESUS DOMINGUEZ BENITEZ, a/k/a El Isleno,
JOSE DIAZ MOREJON, a/k/a Tony Prieto,
JORGE LUIS GUTIERREZ ULLA, a/k/a George Gutierrez,
PAULINO GUTIERREZ, and
AEMEER MIRANDA CRUZ,

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 2275, 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 2275, by knowingly and wilfully causing damage to vessels of foreign registry docked at the Port of Miami, Dodge Island, in the Southern District of Florida within the jurisdiction of the United States, and elsewhere, by placing explosives in or upon said vessels with the intent of injuring and endangering the safety of the said vessels and their cargo.

2. It was a part of said conspiracy that the said defendants and co-conspirators would collect money for the purchase of explosives and equipment to be used in the placement of said explosives on vessels. As a part of the plan to raise money publicity of the explosions accomplished would be sought.

3. It was a part of the said conspiracy that the said defendants and co-conspirators would gather explosives and assemble and prepare weapons and other equipment to be used in causing damage to vessels of foreign registry.

4. It was further a part of said conspiracy that some of the defendants and co-conspirators would train and receive training in underwater demolition.

5. It was also a part of said conspiracy that said defendants and co-conspirators would fire and cause to be fired a 57 mm. recoilless rifle at a vessel of foreign registry docked at Dodge Island in the Southern District of Florida within the jurisdiction of the United States.

6. It was part of said conspiracy that the said defendants and co-conspirators would assemble bombs and cause them to be attached to vessels of foreign registry.

In pursuance and furtherance of said conspiracy and to effect the objects thereof the defendants did commit in the Southern District of Florida within the jurisdiction of the United States, and elsewhere, the following overt acts among others:

1. On or about August 13, 1968, at 1150 S. W. First Street, Miami, Florida, Orlando Bosch Avila and Jose Diaz Morejon, defendants herein, received a package labeled "Dynamite."

2. On or about August 22, 1968, defendants Orlando Bosch Avila, Barbaro Balan Garcia and Jorge Luis Gutierrez Ulla met with Ricardo Morales Navarrete at 735 S. W. First Street, Miami, Florida.

3. On or about August 27, 1968, Orlando Bosch Avila communicated instructions to Ricardo Morales Navarrete.

4. On or about August 27, 1968, Marco Rodriguez Ramos and Jesus Dominguez Benitez engaged in a conversation with each other at 735 S. W. First Street, Miami, Florida.

5. On or about September 15, 1968, Orlando Bosch Avila, Barbaro Balan Garcia, Jose Diaz Morejon and Aimes Miranda Cruz met together at 218 S. W. 16th Avenue, Miami, Florida.

6. On or about September 15, 1968, Orlando Bosch Avila and Paulino Gutierrez traveled from 1029 S. W. First Avenue to the west end of the MacArthur Causeway in Miami, Florida.

7. On or about September 16, 1968, Jorge Luis Gutierrez Ulla drove an automobile on and in the vicinity of the MacArthur Causeway in Miami, Florida.

8. On or about September 16, 1968, Barbara Balan Garcia and Jose Diaz Morejon fired a 57 mm. recoilless rifle at the vessel

SS Polanica at Dodge Island, Dade County, Florida.

9. On or about September 30, 1968, Orlando Bosch Avila, Andres Jorge Gonzalez Gonzalez, Jose Diaz Morejon, Jorge Luis Gutierrez Ulla and Paulino Gutierrez attended a meeting of "Cuban Power" at the Jose Marti Building in Miami, Florida.

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

COUNT II

On or about September 16, 1968,

ORLANDO BOSCH AVILA, a/k/a Ernesto,
BARBARO BALAN GARCIA, a/k/a Bobby, and
JOSE DIAZ MOREJON, a/k/a Tony Prieto,

defendants herein, knowingly, wilfully, and unlawfully, and with the intent to injure and endanger the safety of the vessel, SS Polanica, a vessel of foreign registry, to-wit: Poland, did fire a 57 mm. rifle at said vessel, causing an explosive missile to strike the said vessel at Dodge Island, Dade County, Florida, in the Southern District of Florida within the jurisdiction of the United States; in violation of Title 18, United States Code, Section 2275.

COUNT III

On or about June 6, 1968, at Miami, Dade County, in the Southern District of Florida,

ORLANDO BOSCH AVILA, a/k/a Ernesto,

wilfully and knowingly through the use of telegraph did convey and cause to be conveyed a threat to Gustavo Diaz Ordaz, President of Mexico, to damage and destroy personal property, to-wit: Mexican ships and planes.

for the purpose of interfering with their use for business objectives,
and of intimidating persons pursuing said business objectives; in violation
of Title 18, United States Code, Section 837(d).

COUNT IV

On or about June 6, 1968, at Miami, Dade County, in the Southern
District of Florida,

ORLANDO BOSCH AVILA, a/k/a Ernesto,

wilfully and knowingly through the use of telegraph did convey and cause
to be conveyed a threat to General Francisco Franco to damage and destroy
personal property, to-wit: Spanish ships and planes, for the purpose of
interfering with their use for business objectives, and of intimidating
persons pursuing said business objectives; in violation of Title 18,
United States Code, Section 837(d).

COUNT V

On or about June 6, 1968, at Miami, Dade County, in the Southern
District of Florida,

ORLANDO BOSCH AVILA, a/k/a Ernesto,

wilfully and knowingly through the use of telegraph did convey and cause
to be conveyed a threat to Sir Harold Wilson, Prime Minister of England,
to damage and destroy personal property, to-wit: British ships, for the
purpose of interfering with their use for business objectives, and of
intimidating persons pursuing said business objectives; in violation of
Title 18, United States Code, Section 837(d).

A TRUE BILL

WILLIAM A. MEADOWS, JR.
UNITED STATES ATTORNEY

FOREMAN

By Donald I. Bierman
Assistant United States Attorney