Mr. John Greenewald Jr.
Suite 1203
27305 West Live Oak Road
Castaic, CA 91384-4520

FOIPA Request No.: 1383229-000
Subject: Lewis, Jerry

Dear Mr. Greenewald:

The enclosed documents were reviewed under the Freedom of Information Act (FOIA), Title 5, United States Code, Section 552. Below you will find check boxes under the appropriate statute headings which indicate the types of exemptions asserted to protect information which is exempt from disclosure. The appropriate exemptions are noted on the enclosed pages next to redacted information. In addition, a deleted page information sheet was inserted to indicate where pages were withheld entirely and identify which exemptions were applied. The checked exemption boxes used to withhold information are further explained in the enclosed Explanation of Exemptions.

304 pages were reviewed and 246 pages are being released.

Please see the paragraphs below for relevant information specific to your request as well as the enclosed FBI FOIPA Addendum for standard responses applicable to all requests.

- Document(s) were located which originated with, or contained information concerning, other Government Agency (ies) [OGA].
- This information has been referred to the OGA(s) for review and direct response to you.
- We are consulting with another agency. The FBI will correspond with you regarding this information when the consultation is completed.

Please refer to the enclosed FBI FOIPA Addendum for additional standard responses applicable to your request. “Part 1” of the Addendum includes standard responses that apply to all requests. “Part 2” includes additional standard responses that apply to all requests for records about yourself or any third party individuals. “Part 3” includes general information about FBI records that you may find useful. Also enclosed is our Explanation of Exemptions.
For questions regarding our determinations, visit the www.fbi.gov/foia website under “Contact Us.” The FOIPA Request Number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

If you are not satisfied with the Federal Bureau of Investigation’s determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP’s FOIA STAR portal by creating an account following the instructions on OIP’s website: https://www.justice.gov/oip/submit-and-track-request-or-appeal. Your appeal must be postmarked or electronically transmitted within ninety (90) days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked “Freedom of Information Act Appeal.” Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. Alternatively, you may contact the FBI’s FOIA Public Liaison by emailing foipaprocess@fbi.gov. If you submit your dispute resolution correspondence by email, the subject heading should clearly state “Dispute Resolution Services.” Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

☐ See additional information which follows.

The enclosed documents represent the final release of information responsive to your FOIA request.

Duplicate copies of the same document were not processed.

This material is being provided to you at no charge.

Sincerely,

Michael G. Seidel
Section Chief
Record/Information Dissemination Section
Information Management Division

Enclosure(s)
FBI FOIPA Addendum

As referenced in our letter responding to your Freedom of Information/Privacy Acts (FOIPA) request, the FBI FOIPA Addendum provides information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. Part 2 includes standard responses that apply to requests for records about individuals to the extent your request seeks the listed information. Part 3 includes general information about FBI records, searches, and programs.

Part 1: The standard responses below apply to all requests:

(i) 5 U.S.C. § 552(c). Congress excluded three categories of law enforcement and national security records from the requirements of the FOIPA [5 U.S.C. § 552(c)]. FBI responses are limited to those records subject to the requirements of the FOIPA. Additional information about the FBI and the FOIPA can be found on the www.fbi.gov/foia website.

(ii) Intelligence Records. To the extent your request seeks records of intelligence sources, methods, or activities, the FBI can neither confirm nor deny the existence of records pursuant to FOIA exemptions (b)(1), (b)(3), and as applicable to requests for records about individuals, PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that any such records do or do not exist.

Part 2: The standard responses below apply to all requests for records on individuals:

(i) Requests for Records about any Individual—Watch Lists. The FBI can neither confirm nor deny the existence of any individual’s name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (j)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.

(ii) Requests for Records about any Individual—Witness Security Program Records. The FBI can neither confirm nor deny the existence of records which could identify any participant in the Witness Security Program pursuant to FOIA exemption (b)(3) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(3), 18 U.S.C. 3521, and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.

(iii) Requests for Records for Incarcerated Individuals. The FBI can neither confirm nor deny the existence of records which could reasonably be expected to endanger the life or physical safety of any incarcerated individual pursuant to FOIA exemptions (b)(7)(E), (b)(7)(F), and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (b)(7)(F), and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.

Part 3: General Information:

(i) Record Searches. The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching systems or locations where responsive records would reasonably be found. A standard search normally consists of a search for main files in the Central Records System (CRS), an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled by the FBI per its law enforcement, intelligence, and administrative functions. The CRS spans the entire FBI organization, comprising records of FBI Headquarters, FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide; Electronic Surveillance (ELSUR) records are included in the CRS. Unless specifically requested, a standard search does not include references, administrative records of previous FOIPA requests, or civil litigation files. For additional information about our record searches, visit www.fbi.gov/services/information-management/foipa/requesting-fbi-records.

(ii) FBI Records. Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.

(iii) Requests for Criminal History Records or Rap Sheets. The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks — often referred to as a criminal history record or rap sheet. These criminal history records are not the same as material in an investigative “FBI file.” An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at www.fbi.gov/about-us/cjis/identity-history-summary-checks. Additionally, requests can be submitted electronically at www.edo.cjis.gov. For additional information, please contact CJIS directly at (304) 625-5590.

(iv) National Name Check Program (NNCP). The mission of NNCP is to analyze and report information in response to name check requests received from federal agencies, for the purpose of protecting the United States from foreign and domestic threats to national security. Please be advised that this is a service provided to other federal agencies. Private Citizens cannot request a name check.
EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

(b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;

(b)(2) related solely to the internal personnel rules and practices of an agency;

(b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;

(b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;

(b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential sources, including a State, local, or foreign agency or authority or any private institution furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;

(b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or

(b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

(d)(5) information compiled in reasonable anticipation of a civil action proceeding;

(j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;

(k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;

(k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;

(k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;

(k)(4) required by statute to be maintained and used solely as statistical records;

(k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;

(k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;

(k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

FBI/DOJ
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RE: State of Nevada v. Gary Benson

February 22, 2001

Dear Agents,

It was a pleasure to have met with both of you last week. Criminalist left a message on my voicemail that the fingerprint lifted from the letter sent to Lewis was identified as Defendant Benson's right thumb. As a result, I am requesting the following: Please order to compare the latent print lifted from the letter sent to Lewis with the exemplar of the defendant taken by Agent and his assistant on 1/1/00. Please request issue a report of that comparison. After reviewing the copy of that exemplar, it is clear that his thumb was rolled; and is not one of the "deformed fingers." This comparison will avoid any objection raised by the defense against the admission of the exemplar into evidence, as the old exemplars clearly show that they were taken during arrests on prior occasions. That could potentially be prejudicial. This objection and exclusion is avoided by this simple comparison.

Thank you for your courtesies, and I look forward to meeting with both of you again in the future.

Sincerely,

Abbi Silver
Chief Deputy District Attorney
Special Victim's Unit
FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE  Date: 02/27/2001
To: Laboratory  Attn: Latent Fingerprint Unit

From: Las Vegas  
Squad 5, VCMQ  
Contact: SA

Approved By: 
Drafted By: laz

Case ID #: 9A-LV-30409 (Pending)

Title: GARY RANDOLPH BENSON;  
JERRY LEWIS - VICTIM;  
THREATENING LETTER;  
SUBJECT HAS KNOWN MENTAL CONDITION

Synopsis: Set lead to conduct latent fingerprint examination.

Details: A trial preparation meeting was held with Clark County (Nevada) Chief Deputy District Attorney (ADA) Abbi Silver, who will be prosecuting this case. She is concerned about the presentation of certain evidence and has requested a examination of the letter and comparison of fingerprint cards submitted by Las Vegas with EC and lead dated 11/3/2000.

ADA Silver has directed that to avoid potential prejudicial issues related to previously submitted fingerprint cards from previous arrests, that the most recently submitted fingerprint card of Gary Benson be utilized for comparison and trial testimony. The card to be used was obtained on 11/1/2000 at the Clark County Detention Center, identified on the card as Contributor: Metro PD, Las Vegas, NV, date of arrest 5/17/2000, and clearly shows impressions of the right and left thumb and index fingers, but the other three fingers of each hand could not be rolled due to their deformed condition. This is the card that must be utilized.

For the information of the trial is now scheduled to begin on June 18, 2001, and his testimony will be needed.
LEAD(s):
Set Lead 1:

LABORATORY

AT LATENT FINGERPRINT UNIT

Compare latent fingerprint lifted from letter sent to Jerry Lewis by Gary Benson, as previously compared (report of Laboratory dated, 5/19/2000, Lab No. 000505016 HO DY) with fingerprint card of Gary Benson, FBI #534652G, as previously submitted, being the fingerprint card, obtained at the Clark County Detention Center on 11/1/2000. The card is further identified as ORI: NV0020100, Contributor: Metro PD, Las Vegas, Nevada, and showing an arrest date of 5/17/2000.

If any confusion exists as to which fingerprint card of Benson's is to be used for comparison, it is requested that Las Vegas be contacted for clarification.

SUBJECT HAS KNOWN MENTAL CONDITION

**
Case ID: 9A-LV-30409
Serial: 83

Lead 1 Set to: LABORATORY

Total leads set: 1
Total leads not set: 0
THE STATE OF NEVADA vs. BENSEN, GARY RANDOLPH

STEWART L. BELL, CLARK COUNTY DISTRICT ATTORNEY, AND THE STATE OF NEVADA SEND GREETINGS TO:

YOU ARE COMMANDED TO APPEAR BEFORE THE:

YOU MUST CALL (702)585-1297 AFTER 6:00 P.M. THE DAY BEFORE COURT MONDAY THROUGH FRIDAY, TO VERIFY THAT YOU ARE NEEDED AS A WITNESS IN THE ABOVE CASE. IF YOU HEAR THE DEFENDANT'S NAME IN YOUR CASE MENTIONED, YOU MUST APPEAR. HEARING OR SPEECH IMPAIRED PLEASE CALL:TT/TTD RELAY NEVADA TOLL FREE (800) 326-8868 MONDAY THROUGH FRIDAY 8:00 A.M. TO 5:00 P.M.

CHARGES: VIOLATION OF EXTENDED PROTECTIVE ORDER--FBI

PROSECUTOR: ABBI SILVER
DEFENDANT: BENSEN, GARY RANDOLPH

Please check the box above if there are any changes to your address or phone number, and make the changes below.

[Signature]

my signature promise to appear at the place and date indicated thereon.  

DATE  5/15/01
The Veterans Administration Hospital treatment team consisted of [name] recalled that Benson would not take his medications and a court commitment process was initiated. [name] stated that the court commitment process had been begun more than twelve months ago. [name] was not sure if Benson had ever been granted off-grounds privileges, and if he had left the grounds of the hospital it would have been without permission.

[name] recalled that Gary Benson had written a letter to Jerry Lewis, and that the letter stated words to the effect: "Dear Jerry, You're dead. Your friend, Gary Benson." [name] knew about the letter because during a treatment team meeting with Benson, which [name] attended, asked Benson if he had written a letter to Jerry Lewis and what did the letter say. According to [name], "Benson sheepishly replied, 'Yes, I did send the letter,' or something like that."

[name] stated that the treatment team had prior knowledge of Benson's activities of stalking and harassing Jerry Lewis. [name] told Benson that it was not a good thing that he had done and that he shouldn't do it again. Benson replied that he wouldn't do it again. The treatment team was very surprised.
that Benson had the energy to have put together the letter and envelope and to have mailed it.

[Blank line]
did not actually see the letter and stated that [Blank line] of the Veterans Administration Hospital, was the only one to have seen the letter.
The following is noted for the record of the file by SA on June 18, 2001.

A hearing was held at Clark County District Court, Division 17, before Judge Michael Cherry on several pre-trial motions. Judge Cherry granted a prosecution motion to allow for an independent psychological examination of defendant Gary Benson. He also vacated the trial date of June 18, 2001 and reset the jury trial date for November 12, 2001.

Several other motions, including one by the prosecution to allow the introduction of prior bad acts into the trial testimony will be heard at the calendar call approximately a week before the trial. It is the intention of the prosecution to charge Benson as a habitual criminal and to seek life imprisonment.

Attached and made a part of this document is a copy of the prosecution's Motion to Admit Evidence of Other Crimes, Wrongs and Acts.
THE STATE OF NEVADA,

Plaintiff,

-vs-

GARY RANDOLPH BENSON,
#0610909

Defendant.

NOTICE OF MOTION AND MOTION TO ADMIT EVIDENCE OF OTHER CRIMES, WROGNS OR ACTS

DATE OF HEARING: 06-14-01
TIME OF HEARING: 9:00 A.M.

COMES NOW, the State of Nevada, by STEWART L. BELL, District Attorney, through ABBI SILVER, Chief Deputy District Attorney, and files this Notice of Motion and Motion to Admit Evidence of Other Crimes, Wrongs or Acts.

This Motion is made and based upon all the papers and pleadings on file herein, the attached Points and Authorities in support hereof, and oral argument at the time of hearing, if deemed necessary by this Honorable Court.

NOTICE OF HEARING

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that the undersigned will bring the foregoing motion on for setting before the above entitled Court, in Department XVII
thereof, on Thursday, the 14th day of June, 2001, at the hour of 9:00 o'clock a.m., or as soon thereafter as counsel may be heard.

DATED this 4th day of June, 2001.

STEWART L. BELL
DISTRICT ATTORNEY
Nevada Bar #000477

BY ABBI SILVER
Chief Deputy District Attorney
Nevada Bar #003813

POINTS AND AUTHORITIES

FACTS

Jerry Lewis has known the defendant for over ten (10) years. Preliminary Hearing Transcript p. 6, hereinafter referred to as PHT). The defendant had been dating his housekeeper (PHT p. 6). Lewis had received many telephone calls from the defendant during that time period. (PHT p. 6). Additionally, Lewis has seen the defendant many times in court, and has had an opportunity to listen to the defendant speak. (PHT p. 6-7).

On May 3, 1998, Lewis received a telephone call at his residence in Las Vegas, Nevada. Lewis heard a voice which he recognized as the defendant’s, stating “Gary Benson is out, knows where you and your daughter are.” (PHT p. 7 & 13). About a month later, Lewis was physically present at the Defendant’s probation revocation in District Court Department XI. (PHT p. 13). Lewis heard the defendant testify “I said something” when asked about the telephone call content by his attorney (PHT p. 14).

On May 18, 1999, Lewis received yet another telephone call from the defendant. (PHT p. 14). This time, the defendant stated, “I’ll be out in 65 days.” (PHT p. 8 & 14).

By September 21, 1999, Lewis obtained an Extended Order for Protection Against Stalking against the defendant from Justice of the Peace Jennifer Togliatti. (PHT p. 16-17) Lewis and the defendant were present in Justice Court during the proceeding. (PHT p. 16-17)
Within seven (7) months of that hearing, and after his release from prison, on April 11, 2000, Lewis received a letter at his residence. (PHT p. 18 & 26). That letter stated, “Dear Jerry, your dead. Your friend, Gary Benson.” (PHT p. 21). Lewis gave the letter to the FBI, and made copies for the District Attorney’s Office, Sheriff Keller, and Metro Swat. (PHT p. 18).

Lewis testified that between May 3rd of 1998 and April 11th, 2000, he had been in fear for his life because of this defendant. (PHT p. 21). This defendant, “the stalker”, has disrupted his life and his families’ life as well. (PHT p. 21). Over the last ten years, the defendant has threatened Lewis in over 50 telephone calls, and specifically threatened his daughter’s life. (PHT p. 22-23). Years prior, the defendant had gone to Lewis’ home and told his housekeeper he had a gun, and thereafter, went to Lewis’ office an hour later. (PHT p. 24). Lewis sought help from every possible agency in the Justice System, and has spent over $100,000.00 in security for his home. (PHT p. 23).

at the Sheridan VA Medical Center in Sheridan, Wyoming. (PHT p. 40). Since December of 1999, became acquainted with the defendant as he was a patient on her unit. (PHT p. 41). The defendant originally resided within the locked unit because he wanted to leave, and the VA didn’t think he was ready to be on his own. (PHT p. 41-42). worked with the defendant about three (3) times a week. (PHT p. 42).

In early April of 2000, the defendant came up to and said “I sent Jerry Lewis a letter.” (PHT p. 44). When asked him what he wrote to him, the defendant said something like, “I told him he was dead.” (PHT p. 44). At the time, did not know the defendant’s history regarding Lewis, and was surprised that anyone would be angry with Jerry Lewis. (PHT p. 44). The defendant told he sent the letter because he didn’t like Jerry Lewis, and that his ex-wife was his housekeeper. (PHT p. 45). The defendant acknowledged to that he knew Lewis’ address. (PHT p. 46).

Thereafter, the defendant would continually approach and tell her he was worried about having sent the letter, and worried about what they were going to do to him after Jerry Lewis got the letter. (PHT p. 44). When tried to reassure him that he would be fine because he was in a hospital, the defendant told her that “the last time they came and got me.”
The defendant acknowledged that he had violated the restraining order. (PHT p.45). [Redacted] noted that during these conversations the defendant was alert, lucid, able to understand conversations, and answered questions appropriately. (PHT p. 45).

In late April or Early May of 2000, [Redacted] overheard the manager of the unit tell the defendant that he had some visitors, but didn’t tell him who they were. (PHT p. 46). The defendant responded, “they’re going to come and get me and take me away.” (PHT p. 46).

[Redacted] has known the defendant for approximately three (3) years, since November of 1997. (PHT p. 55). Over that time, he has spoken to the defendant 50-100 times. (PHT p. 55). During the time period around April 7, 2000, the defendant called [Redacted] collect from Sheridan, Wyoming several times. (PHT p. 55). During a call, the defendant said, I did something bad. I heard voices and I did something bad, I sent a letter to Jerry Lewis.” (PHT p. 56). Thereafter, they were both concerned about getting the defendant some help from the caseworkers at Sheridan. (PHT p. 56).

In a later conversation with the defendant, the defendant told [Redacted] that the letter he sent Lewis was a threatening letter, something to the effect that he didn’t like Jerry Lewis. (PHT p. 56-57). [Redacted] was aware that the defendant is presently married to [Redacted] not [Redacted] Lewis’ prior housekeeper. (PHT p. 57). [Redacted] gave the FBI his MCI bill showing the dates of the calls from the defendant. (PHT p. 58). That MCI bill confirmed that the defendant called [Redacted] on March 23, April 4 and April 7 of 2000.

The State would like to introduce the following evidence in its case in chief regarding the history of the defendant’s stalking of Jerry Lewis:

Although the defendant had been making telephone calls to Jerry Lewis’ residence and office since 1990. During January of 1994, the telephone calls and the threats appeared to be escalating.

By January 24, 1994, the defendant went to Lewis’ office located on Sahara Avenue and advised a secretary that he had a gun in his possession. The defendant threatened that he “was looking to get Jerry Lewis.” The defendant then told the secretary that, “Jerry Lewis has ruined by marriage to [Redacted] He has invaded my life and my privacy. I am going to show him. And
I am going to get him.” The defendant believed that Jerry Lewis had shown his maid (who happened to be married to the defendant) the defendant’s “rap sheet” from LVMPD.

That same evening on January 24, 1994, at approximately 10:00 p.m., the defendant went to Lewis’ residence, and repeatedly rang the doorbell demanding entry. The defendant threatened he had a firearm, and he was coming into the residence.

The LVMPD Officer responded to the 9-1-1 call. Officer found the defendant in close vicinity of the residence, however, by the time the defendant was apprehended he was not in possession of a firearm. The Defendant told Officer that he went to Jerry Lewis’ residence because Lewis owed him money. The defendant admitted that he had gone to both Lewis’ residence and office that day. The defendant was not arrested at that time, and as a result, continued to make so many telephone calls to Lewis’ residence that Lewis had to take his telephone off the hook.

Days after this incident, the defendant telephoned Lewis’ residence every five minutes, every hour, stating, “I have a gun.”

Within a week, on February 3, 1994, the defendant was served with the first Protective Order against Stalking issued out of Las Vegas Justice Court (See Attached Exhibit 1). Despite the Protective Order, the defendant continued to make telephone calls. Approximately six (6) of the defendant’s calls were intercepted by LVMPD.

The next day, on February 4, 1994, the defendant was arrested for Aggravated Stalking and Violation of Protective Order. On May 15, 1995, after pleading guilty to Aggravated Stalking, the defendant was sentenced to six (6) years in Nevada State Prison. The District Court Judge suspended that sentence for the defendant to complete a probationary period with multiple conditions. (See Attached Exhibit “2”). Within a month of a probation grant, on June 1, 1995, the defendant told that “Voices are telling me to kill Jerry Lewis.”

By March 27, 1997, the defendant’s probation was modified to include his placement in a locked down facility. (See Attached Exhibit “3”). However, by May of 1998, Parole and Probation requested revocation of the defendant’s probation as he had absconded from various facilities, and failed to report as required. Significantly, during the time that the defendant was
an absconder, Jerry Lewis received a telephone call from the defendant stating, "you better watch your daughter, he's out." (PHT p. 7 & 13, and revocation transcript). Coincidently, Lewis' daughter was approximately 6 years old at the time.

During the defendant's revocation proceeding in July of 1998, the defendant acknowledged that he might have called the victim. Based on that hearing, Judge Douglas revoked the defendant's suspended sentence, and the defendant was ordered to serve the remaining 6 year sentence in Nevada State Prison. (PHT p. 14). Because of all of the credit for the time served, the defendant would be released from prison the following year in September of 1999, as his sentence would expire at that time. Prior to the defendant's prison sentence expiring, in May of 1999, Jerry Lewis received a telephone call from his residence from the defendant stating, "Jerry, I'll be out in 65 days." (PHT p. 8 & 14).

Because Jerry Lewis feared any contact from the defendant upon his release from prison, he obtained a second Order for Protection against Stalking from Justice Court. On September 21, 1999, Justice of the Peace Jennifer Togliatti held an evidentiary hearing with the defendant, his attorney and Jerry Lewis. At the conclusion of the hearing, Judge Togliatti granted Lewis' second request for an Extended Order for Protection Against Stalking.

Not only does the State request that this Court grant its motion for other bad acts concerning the defendant's prior conviction for Aggravated Stalking and the defendant's acts leading up to that conviction, but the State also requests that this Court allow the State to present evidence regarding the two phone calls made prior to the September 1999 protection order hearing. Specifically, as a result of those two telephone calls, Jerry Lewis requested an Order prior to the defendant's release from prison. Additionally, the State would like to present statements the defendant made to the media.

The defendant made several statements to the media, including:

1. **Inside Edition broadcast of October 15, 1999:**
   This film coverage shows the defendant in front of the parole board on Oct. 12, 1998. The defendant is wearing jail clothing and is asking to be paroled prior to discharge. The defendant states: "I feel bad for what has happened in the past, and forgive whatever he has done..."
to me or what I've done to him.” The defendant also states, “I am no threat to Jerry Lewis and
his family or the community at this time.”

2. Channel 8 News broadcast of the Extended Order Hearing on September of 1999:

This film coverage shows Jerry Lewis and his wife walking up to the Courthouse. Thereafter, this shows the defendant with attorney, bending over during the proceedings and talking with him. Although the defendant is in an orange shirt, there is no other indication he is in custody. Judge Togliatti then warns the defendant “I am spelling it out for you, E-mail, correspondence, phone, cellular, any contact whatsoever of any kind, skywriting, do you understand? The defendant replies, “yes, your honor.”

3. Channel 3 News broadcast of the Extended Order Hearing on September of 1999:

This film coverage shows the defendant’s attorney, assuring Judge Togliatti that when the defendant is released from prison, the defendant intends to leave the State of Nevada. Further, advised Judge Togliatti that the defendant had already made arrangements to fly out of Las Vegas as soon as he could to reside in another state.

4. Inside Edition broadcast of the Extended Order Hearing on September of 1999:

This film coverage shows the Extended Order Hearing and the courtroom with Jerry Lewis, his wife, and the defendant. Thereafter, the defendant tells reporter for Inside Edition (just a voice is heard with the reporters’s face) the following statements:

a. “It’s, over with and I’m just tired of it.”

b. “I apologize. It will never happen again.”

c. “I just want to get on with my life.”- the defendant states this to Judge Togliatti.

5. Extra broadcast of October, 1999:

This film coverage shows interviewing the Defendant after his release from prison (due to his expired sentence). When asked the defendant if he would threaten Jerry Lewis again, the defendant replied, “No, I have my own family to attend, and I have no threats or no intentions of going near him at all.”
Finally, there is film coverage of the defendant speaking to reporter from "Inside Edition in 1995." (This was aired on October 15, 1999, see #1 above). In that clip, the defendant is behind glass in custody stating, "He (Jerry Lewis) thinks that I am a very dangerous person. He takes these extra measures to have me stay away from him."

The State now makes this motion to admit other crimes, wrongs, or bad acts in its case in chief.

ARGUMENT

THE STATE SHOULD BE ALLOWED TO PRESENT EVIDENCE OF OTHER BAD ACTS IN ITS CASE-IN-CHIEF

NRS 48.045(2) provides:

Evidence of other crimes, wrongs or acts is not admissible to prove the character of a person in order to show that he acted in conformity therewith. It may, however, be admissible for other purposes, such as proof of motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident.


The Nevada Supreme Court has held evidence of prior misconduct is admissible in the State's case in chief in many cases. In [Redacted]. State, 101 Nev. 46, 692 P.2d 503 (1985), [Redacted] was charged with shooting a car salesman in the head with a .22 caliber handgun. [Redacted] claimed that the shooting was done during an argument with the car dealer and that it was an accident. The trial court allowed evidence that [Redacted] had previously become embroiled in an argument with a female. He drug her out of her place of employment and shot and killed her with a .22 caliber handgun. The Nevada Supreme Court upheld the trial court's decision to allow such evidence to establish the absence of mistake or accident.

In [Redacted]. State, 101 Nev. 782, 711 P.2d 856 (1985) [Redacted] was charged with killing two young females with a hammer. The two women were kidnapped by [Redacted] and his wife and transported to their fatal destination as part of the "sex slave" fantasy. The trial court allowed evidence that [Redacted] had previously kidnapped two young women from...
shopping mall and thereafter shot and killed them. The high court affirmed the lower court's ruling and allowed such evidence for the purposes of establishing common plan, intent, identity and motive. Id. 101 Nev. at 788.

In ___ State, 122 Nev. 266 (1996), ___ was charged with three (3) counts of burglary which occurred approximately 18 days apart. Two were vehicular burglaries while the third was the burglary of a store. On appeal after his conviction, the defendant alleged that the burglaries were improperly joined and additionally, evidence of a vehicle burglary that occurred two years earlier was improperly admitted before the jury. The Nevada Supreme Court ruled that, not only was joinder of the three burglaries proper, but additionally ruled that the burglaries were "cross admissible in evidence ... to prove ___ felonious intent in entering the vehicle. See NRS 48.045(2);." In addition, the Nevada Supreme Court held that evidence pertaining to the vehicle burglary which occurred two years earlier was properly admitted in order "... to show ___ common plan or scheme and his intention to feloniously enter the vehicles on May 29th and June 16th (two years later). See NRS 48.045(2)."

Pursuant to N.R.S. 48.045(2), and the case law cited above, this Court should grant the State's motion for other bad acts, wrongs, or crimes, in its case-in-chief. The defendant's history of stalking this victim is relevant in that it shows a motive and common scheme or plan on behalf of this defendant. Further, this evidence is relevant to show the defendant's intent to willfully violate this Extended Order Against Stalking, which is an element of the offense. Despite the defendant's mental condition, the State submits that it is relevant to show the defendant's intent to send this letter in violation of a Court order. This evidence is also relevant to show identity of the perpetrator as the person that sent this letter to Jerry Lewis in April of 2000.

The State can meet the burden of proving this evidence by not only clear and convincing evidence, but by evidence beyond a reasonable doubt, through the defendant's prior Judgment of Conviction. The State submits that through its offer of proof, the judgment of conviction, and the totality of the witnesses statements, that it has met its burden of proving by clear and convincing evidence that these acts did occur.
The evidence of the defendant's prior history of stalking Jerry Lewis, and statements made by the defendant prior to sending the letter in April of 2000 are also relevant under the doctrine of "res gestae."

The general rule of law pertaining to the "complete story" or res gestae was set forth by the Nevada Supreme Court in [State v. Izatt, 534 P.2d 1107 (Idaho 1975)]. The facts in the case reveal that he and a co-offender entered a police sponsored store which was fronting as a "fencing" operation. Negotiations were entered into with regard to several items of property, including some bronze wear and a camera. As a result of that conduct, he was indicted for possession of the stolen camera. In finding no error with regard to the evidence dealing with his possession of the bronze wear, which was likewise stolen from the victim at the same time as the camera, the court stated: "Courts have long adhered to the rule that all the facts necessary to prove the crime charged in the indictment, when linked to the chain of events which support that crime, are admissible."

The holding was similar in the recent Nevada Supreme Court decision of [State v. Izatt, 900 P.2d 327 (Nev. 1995)]. There, the defendant was charged with possessing the controlled substance, Methamphetamine, and Cocaine, which was found by officers pursuant to a vehicle stop. The vehicle was stopped following an investigation involving the purchase for sale of a quantity of heroin by defendant[ ] and his son-in-law. The trial court prohibited the prosecution from revealing to the trial jury any evidence pertaining to the uncharged heroin transaction. The Nevada Supreme Court in overruling the trial court stated:

"If the agents are not allowed to testify regarding their surveillance, the State cannot inform the jury how [ ] obtained the drugs or that officers suspected [ ] was participating as a lookout during the purchase of the drugs that were ultimately found in the car he was driving. Without such testimony, the State cannot effectively prosecute the transportation of illegal narcotics charges pending against [ ]"
The charges at issue were contemporaneous to the heroin purchase, arose out of the same transaction, and involved the same participants. The excluded evidence was inextricably intertwined with the charged crimes and completed a story leading up to ultimate arrest.

We conclude that the State's witnesses could not adequately testify about the methamphetamine and cocaine charges without some reference to the heroin sale and the accompanying surveillance activity. The district court, thus abused its discretion by granting the motion in limine. The district court should have admitted the evidence and issued a cautionary instruction to the jury."

It is important to note that the court relied upon *Allan v. State*, 92 Nev 318 (1976), a case where the defendant complained that the trial court erred by admitting evidence of uncharged lewd behavior in a Sexual Assault on Minor case. The *Allan* court explained the complete story doctrine:

> When several crimes are intermixed or blended with one another, or connected such that they form an indivisible criminal transaction and when full proof by testimony, whether direct or circumstantial, of any one of them cannot be given without showing the others, evidence of any or all of them is admissible against a defendant on trial for any offense which is itself a detail of the whole criminal scheme.

*Id* at 7 (citing *Allan*, supra at 321). Ultimately, the *Allan* court found the evidence admissible stating:

> The testimony regarding the additional acts of fellatio, as well as the act of masturbation, was admissible as part of the *res gestae* of the crime charged. Testimony regarding such acts is admissible because the acts complete the story of the crime charged by proving the immediate context of happenings near in time and place. Such evidence has been characterized as the same transaction or the *res gestae*.

*Id* at 8 (citing *Allan*, supra at 320) (see also *State v. Villa Vicenzo*, 388 P.2d 245 (Arizona 1964)) (undercover agent's testimony that the accused made an uncharged sale to a third person while selling to the agent was admissible under *res gestae* and doctrine).

Returning to the facts of the court found that the district court improperly denied the undercover officer from testifying about the uncharged acts. Specifically, the district court erroneously relied on NRS 48.035(1), which provides for the weighing of the relative, probative
and prejudicial value of the evidence. The court recognized that when the complete story doctrine applies:

The determinative analysis is not a weighing of the prejudicial effect of evidence of other bad acts against the probative value of that evidence. If the doctrine of res gestae is invoked, the controlling question is whether witnesses can describe the crime charged without referring to related uncharged acts. If the court determines that the testimony relevant to the charged crime cannot be introduced without reference to uncharged acts, it must not exclude the evidence of the uncharged acts.

Id at 9. The Shade court found that the uncharged acts should be admitted because, “the charges at issue were contemporaneous to the heroin purchase, arose out of the same transaction, and involved the same participants.” Id at 10. Therefore, it was necessary for the officer to be able to explain the events leading up to the arrest of the defendant for sale of controlled substance.

Other Nevada Supreme Court decisions with similar holdings are as follows: v. State, 104 Nev. 547, 763 P.2d 59 (1988). In that case, the defendant was convicted of Burglary and Possession of Credit Card Without Consent of the Owner. Defendant entered a Round Table Pizza Parlor, sat down at a table occupied by, and began eating their pizza and drinking their beer without their permission. The defendant, thereafter, left the pizza parlor and was observed by to burglarize several automobiles. The trial court allowed into evidence testimony that the defendant had helped himself to pizza and beer even though the defendant had not been charged with that conduct. The Nevada Supreme Court ruled that this evidence was admissible in that it bore on the identification of Brackeen by and:

"Additionally, the description of pilfering was admissible as an integral part of narration of the events leading up to removal of the personal property from the vehicles in the parking lot. We have adopted the rule that the State is entitled to present a full and accurate account of the circumstances surrounding the commission of a crime, and such evidence is admissible even if it implicates the accused in the commission of other crimes for which he has not been charged."

Shults v. State, 96 Nev. 742, 616 P.2d 388 (1980) was an appeal from a conviction for murder in the first degree. The trial court had admitted detailed testimony pertaining to a
robbery which had involved the defendant and the victim, but was not directly related to the
murder. It was the position of the State, that the robbery was part of the motive for the murder
since the defendant feared that the victim was going to testify against him with regard to that
crime. In upholding the admission of the fact that the defendant had planned the robbery, gave
orders and divided the money, the Nevada Supreme Court ruled that this was admissible in order
to show motive and to “present a full and accurate account of the circumstances surrounding the
crime.” See also, Lucas v. State, 96 Nev. 428, 610 P.2d 727 (1980) (admitting evidence of
sexually explicit photographs and slides shown to the victim of a sexual assault admissible “to
complete the story of the crime by proving the immediate context of happenings near in time and
place.”). The “complete story” rationale permits the introduction of other crimes evidence so
long as the crime is so interconnected to the acts in question that a witness cannot describe the
act in controversy without referring to the other crime.” See, ___, State, 907 P.2d 978
(Nev. 1995). ____ was reversed because the State’s key witness was able to testify at the
preliminary hearing without ever discussing the uncharged act. In addition, none of the
witnesses who testified about the killing made mention of the uncharged act which consisted of
possession of drugs and the court, therefore, concluded that there was simply no connection
between the drug possession and the murder.

N.R.S. 200.591, Violation of an Extended Protective Order Against Stalking, is a
relatively new crime. That statute was enacted to punish individuals who continue their stalking
behavior even after a victim obtains an Extended Protective Order. This statute was enacted to
convict and punish individuals based on one singular act in violation of that order. Certainly,
the acts leading up to a victim going to Court and obtaining such an order is not only relevant,
it necessary for the jury to understand the case in chief. If the jury did not know the history of
the defendant’s stalking case, then it would not make any sense that Entertainer Jerry Lewis
asked the Court for a Protective Order in September of 1999. The fact that the defendant was
being released from prison, that the defendant was still calling the victim, saying things like, "I’ll
be out in 65 days," is relevant as to why Jerry Lewis sought a protective order. Without this
information, Jerry Lewis’ request would not make sense.
Before evidence of other bad acts are admissible before a jury the court must conduct a hearing. State, 101 Nev. 46, 692 P.2d 503 (1985). Before admitting the evidence of other acts,

"The court must determine three (3) things on the record and outside the presence of the jury: whether admission of the evidence is justified, whether it is proven by clear and convincing evidence, and whether the danger of unfair prejudice substantial outweighs its probative value." Salgado v. State 114 Nev. 1039 (1998).

The Salgado court likewise addressed the issue as to whether or not a formal evidentiary hearing with live witness testimony is required during this hearing. The court concluded that this was not necessary, that indeed the State can meet its obligation through a verbal offer of proof. The court concluded as follows:

Thus, under clear and convincing proof of collateral acts can be established by an offer of proof outside the presence of the jury combined with the quality of the evidence actually presented to the jury.

In supra, the Nevada Supreme Court reminded the trial courts that the efficient administration of justice depends on their conscientious adherence to the dictates of our previous decisions requiring on-the-record hearings." The Nevada Supreme Court upheld a defendant's conviction for attempt murder with use of a deadly weapon despite the fact that a hearing was not held on the record for review. In the State introduced evidence that the defendant and co-defendant attempted to kill a young woman because of her association with a rival gang, and that was a "wannabe" member of the rival gang.

The Nevada Supreme Court emphasized its preference that such a hearing be held to make a record for review, and did not reverse conviction despite the District Court's failure to hold such a hearing, under harmless error analysis.

CONCLUSION

Accordingly, for the foregoing reasons, the State respectfully requests this Court grant its Motion to Admit Evidence of Other Crimes, Wrongs, or Bad Acts in its case-in-chief, as relevant. Thereafter, the State requests that this Court hold a Hearing, wherein the State may make its offers of proof regarding the evidence so that this Court may a record of the
following: 1) that the evidence is relevant 2) that State has met its burden of proving by clear and convincing evidence the prior bad acts occurred, and 3) that the probative value of the evidence outweighs the danger of unfair prejudice.

DATED this __th day of June, 2001.

STEWART L. BELL
DISTRICT ATTORNEY
Nevada Bar #000477

BY ABBI SILVER
Chief Deputy District Attorney
Nevada Bar #003813
CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that service of NOTICE OF MOTION AND MOTION TO ADMIT EVIDENCE OF OTHER CRIMES, WRONGS OR ACTS, was made this 24th day of June, 2000, by facsimile transmission to:

PUBLIC DEFENDER'S OFFICE

[Signature]

da/DVU
THE STATE OF NEVADA,

Plaintiff

vs.

GARY RANDOLPH BENSON,

Defendant

CASE NO. 94PO030X

PROTECTIVE ORDER

THE STATE OF NEVADA,

TO: Any police officer, Sheriff, Marshall, Constable, or Peace Officer in

this State:

THE STATE OF NEVADA;

This matter having come before the Court, and sufficient representati-

having been made that the defendant has committed and/or is commit-

and/or remains a threat to commit the offense(s) of harassment and/or

stalking:

IT IS HEREBY ORDERED that the defendant above named refrain from con-

cting, intimidating, threatening or otherwise interfering with the person

of JERRY LEWIS

To: Any police officer, Sheriff, Marshal, Constable, or Peace Officer in

this State:

IT IS FURTHER ORDERED that the defendant above named stay away from

the following described locations, to-wit:

1) 1701 Waldman, Las Vegas, NV 89106

2) 3160 West Sahara, C-16, Las Vegas, NV 89102.

EXHIBIT "1"
IT IS FURTHER ORDERED

THE DEFENDANT IS HEREBY NOTIFIED that a violation of this Order or any part thereof will subject him/her to the following sanctions:

1. Immediate arrest without a warrant if the peace officer has reasonable cause to believe that (a) a Protective Order has been issued against the defendant above named, (b) that the defendant received a copy of the Order, and (c) that the defendant is acting in violation of the Order.

2. Prosecution for the gross misdemeanor offense of violating a Protective Order which upon conviction is punishable by up to one year in jail and/or a $2,000 fine.

3. Prosecution for contempt of court in addition to prosecution for violation of the Protective Order. Contempt of Court under NRS 199.300, 199.340 is punishable by up to 6 months in jail and/or a $1,000 fine.

IT IS SO ORDERED this 3rd day of February, 1994.

JUSTICE OF THE PEACE

PROOF OF SERVICE UPON DEFENDANT

I, the undersigned, personally served the defendant above named with a copy of this Protective Order on the date set forth below.

Signature __________________________  

2-8-94  
Date of Service
JUDGMENT OF CONVICTION (Plea)

WHEREAS, on the 28th day of February, 1995, the defendant GARY RANDOLPH BENSON, appeared before the Court herein with his counsel and entered a plea of guilty to the crime of AGGRAVATED STALKING (Felony) committed on or between March 1, 1991 and February 4, 1994, in violation of NRS 200.575; and

WHEREAS, thereafter on the 16th day of May, 1995, the defendant being present in Court with his counsel and also being present; the above entitled Court did adjudge the defendant guilty thereof by reason of his plea of guilty and sentenced defendant to SIX (6) years in the Nevada State Prison, sentence suspended, placed on probation for an indeterminate period.

EXHIBIT "2"
not to exceed FIVE (5) years. Conditions: (1) Defendant to
continue counseling with the VA program in San Diego; (2) Have no
contact whatsoever with the victim or the victim's family during
probation. $25.00 Administrative Assessment Fee.

THEREFORE, the Clerk of the above entitled Court is hereby
directed to enter this Judgment of Conviction as part of the record
in the above entitled matter.

DATED this 12th day of June, 1995, in the City of Las Vegas,
County of Clark, State of Nevada.

ADDELLAR D. GUY
DISTRICT JUDGE

94-119141X/SAU
LVMPD DR#9402020494
AGG STALKING - P
TK1

joc\benson.joc\kjh 2
JOCP
STEWART L. BELL
DISTRICT ATTORNEY
Nevada Bar #000477
200 S. Third Street
Las Vegas, Nevada 89155
(702) 455-4711
Attorney for Plaintiff

DISTRIBUT COURT
CLARK COUNTY, NEVADA

THE STATE OF NEVADA,

Plaintiff,

VS.

GARY RANDOLPH BENSON,
#061099

Defendant.

Case No. C119141
Dept. No. XI
Docket S

AMENDED
JUDGMENT OF CONVICTION (PLEA)

WHEREAS, on the 28th day of February, 1995, the Defendant GARY RANDOLPH BENSON appeared before the Court herein with his counsel and entered a plea of guilty to the crime of AGGRAVATED STALKING (Felony), committed on or between March 1, 1991, and February 4, 1994 in violation of NRS 200.575, and

WHEREAS, thereafter on the 16th day of May, 1995, the Defendant being present in Court with his counsel and also being present; the above entitled Court did adjudge the Defendant guilty thereof by reason of his plea of guilty and, in addition to the $25.00 Administrative Assessment Fee, sentenced Defendant to Nevada Department of Prisons for SIX (6) YEARS, SUSPENDED; placed on PROBATION for FIXED period of FIVE (5) YEARS. CONDITIONS:

1. Deft. to continue counseling with the VA program in San Diego.

2. Have no contact whatsoever with the victim or the victim's family during probation.

EXHIBIT "3"
THEREAFTER, on the 25th day of March, 1997, the Defendant appeared in court with his counsel and also being present; and pursuant to a probation violation hearing the Court orders the following: Defendant Benson REINSTATED TO PROBATION, on condition that he enter the Berkshire facility in Phoenix for treatment; to continue taking his medication; and Defendant to be RELEASED to a V.A. representative ONLY.

THEREFORE, the Clerk of the above entitled Court is hereby directed to enter this Judgment of Conviction as part of the record in the above entitled matter.

DATED this 17th day of April, 1997, in the City of Las Vegas, County of Clark, State of Nevada.

MICHAEL L. DOUGLAS

DISTRICT JUDGE
TRANSMIT CONFIRMATION REPORT

NO. : 001
RECEIVER : 702 4555112
TRANSMITTER : DA ADMIN
DATE : JUN 05'01 8:38
DURATION : 12'21
MODE : STD
PAGES : 22
RESULT : OK
FBI FACSIMILE
COVER SHEET

PRECEDENCE
☐ Immediate
☐ Priority
☒ Routine

CLASSIFICATION
☐ Top Secret
☐ Secret
☐ Confidential
☐ Sensitive
☒ Unclassified

Time Transmitted:
Sender's Initials:
Number of Pages: 4
(including cover sheet)

To: C C DISTRICT ATTORNEY
Name of Office

Date: 6/21/01

Facsimile Number: 382-0146

Attn: ABBI SILVER
Name Room Telephone

From: FBI - LAS VEGAS
Name of Office

Subject: GARY RANDOLPH BENSON

Special Handling Instructions: PLEASE DELIVER TO ABBI SILVER

Originator's Name: SA Telephone: 

Originator's Facsimile Number: 383-3519

Approved: 

Brief Description of Communication Faxed: CONTACT INFO RE REPORT OF TELEPHONIC INTERVIEW

WARNING
Information attached to the cover sheet is U.S. Government Property. If you are not the intended recipient of this information, disclosure, reproduction, distribution, or use of this information is prohibited (18.USC, § 641). Please notify the originator or local FBI Office immediately to arrange for proper disposition.
6/20/2001

Personal Information concerning:

Date of Birth: 

Social Security Account Number: 

Mailing Address: 

Residence: 

Residence telephone: 

No Office
Lewis stalker's trial postponed

Judge orders mental health evaluation of Gary Benson

BY PETER O'CONNELL

The trial of the convicted stalker accused of sending a threatening letter to entertainer Jerry Lewis was postponed Monday after a judge ruled that prosecutors may have a mental health expert evaluate the defendant.

Gary Benson, 57, was scheduled to be tried today on a felony charge of violation of an extended protective order.

District Judge Michael Cherry reset the trial for Nov. 12.

In approving Chief Deputy District Attorney Abbi Silver's request for an independent psychological evaluation, Cherry said his own courtroom observations of Benson have caused him concern.

"He never says anything. He's got that faraway look," Cherry said.

Benson was freed from a Nevada prison in September 1999 after completing a six-year sentence for stalking Lewis.

He then moved to Wyoming, but was arrested in May 2000 and accused of violating a court order that prohibits him from having any contact with Lewis. Authorities said Benson's fingerprints were found on a threatening letter sent to the entertainer.

In an affidavit, Lewis said Benson phoned him repeatedly for about five years before his threats escalated in intensity early in 1994.

"Dear Jerry, Your Dead. You friend, Gary Benson," the letter read.

The defense initially opposed the prosecution's request to secure an independent psychological evaluation.

The defense withdrew its objection after Cherry cautioned the objection could result in the defense not being permitted to present testimony regarding psychological issues.

The judge said the defense also may pursue an additional psychological evaluation of Benson, who was diagnosed as a schizophrenic in 1963.

Cherry said he wanted to gather as much information as possible on this issue because prosecutors plan to ask the judge to sentence Benson as a habitual criminal should he be convicted at trial.

Benson pleaded guilty in May 1995 to aggravated stalking, a felony. He initially was sentenced to probation, but was ordered to prison after he continued to harass Lewis.

Benson's troubles with Lewis began in the late 1980s, when Benson married the entertainer's housekeeper. The marriage soon ended in divorce. Benson has said Lewis learned about his criminal background and shared the information with the housekeeper.

In an affidavit, Lewis said Benson phoned him repeatedly for about five years before his threats escalated in intensity early in 1994.

"Dear Jerry, Your Dead. You friend, Gary Benson," the letter read.

The trial of Gary Benson was postponed until November while he undergoes an independent psychiatric evaluation. Benson is accused of sending a threatening letter to Jerry Lewis."
September 25, 2001

Dear Agent: __________

I am sure you are very busy with all that has happened. I was hoping you could help me out on a case from LVMPD that you have been involved with through the defendant contacting your organization. I am having trouble getting the certified copies of Judgments of Conviction on ______________________ Stalker. His name is ______________________ The defendant’s state felonies include:

Please let me know if you can get me these certified copies of the Judgements of Convictions. As an aside, I dismissed Benson’s case about a week ago. Thanks again for your help on my murder case. I convicted the defendant of two counts of Murder in the First Degree with Use of Deadly Weapon. The jury sentenced him to four consecutive life-without the possibility of parole sentences. I look forward to hearing from you. Thank you for your courtesies. My number is 455-4822.

Sincerely,

Abbi Silver, Chief Deputy District Attorney
Chief Deputy District Attorney

CLARK COUNTY COURTHOUSE + 200 S. THIRD STREET + P.O. BOX 552211 + Las Vegas, Nevada 89155-2211
(702) 455-4711 + (702) 455-4800 + Fax (702) 455-5101
Precedence: ROUTINE  
Date: 10/28/2001

To: Las Vegas

From: Las Vegas  
Squad 5, VCMQ  
Contact: SA

Approved By:  
Drafted By: laz  

Case ID #: 9A-LV-30409  (Closed)

Title: GARY RANDOLPH BENSON;  
JERRY LEWIS - VICTIM;  
THREATENING LETTER

Synopsis: Close case.

Details: Gary Randolph Benson died of natural causes on August 4, 2001, while in custody in the Clark County Detention Center while awaiting trial and pretrial motions. An autopsy determined that he died of natural causes. A copy of the Las Vegas Review Journal story of August 5, 2001 is attached and made a part of this document.

Chief Deputy Clark County District Attorney Abbi Silver dismissed the case against him in light of his death.

It is recommended that this case be closed.

++

60359.01

GAw-30409-92
Jerry Lewis' stalker dies in jail

Convicted in earlier case, 57-year-old faced life sentence on new charges

By J.M. KALIL
REVIEW-JOURNAL

A convicted stalker facing a second trial for threatening entertainer Jerry Lewis died in jail early Saturday.

Corrections officers found Gary Benson dead in his cell at the Clark County Detention Center at 1:48 a.m., Las Vegas police Lt. Wayne Petersen said.

Benson apparently died in his sleep, Petersen said, but the official cause of his death will be determined by the coroner's office.

The 57-year-old felon was scheduled to go to trial Nov. 12 on felony charges of aggravated stalking and violating a protective order that prohibited him from contacting Lewis.

Benson, a diagnosed schizophrenic who claimed he heard voices commanding him to kill Lewis, had appeared gaunt and distracted in recent court appearances.

Less than seven weeks ago, District Judge Michael Cherry said Benson's demeanor caused him concern.

"He never says anything. He's got that faraway look," Cherry said of Benson in June, before granting a prosecutor's request to postpone the trial so the defendant could undergo a mental health evaluation.

Candi Cazau, a publicist for Lewis, said the entertainer was en route to San Diego on Saturday and unavailable for comment because he is recovering from pneumonia.

"Death is not pleasant, whether it's an enemy or a friend," Cazau said. "Silence is golden, and that's all we're going to say."

Benson was freed from a Nevada prison in September 1999 after completing a six-year sentence for stalking Lewis, known for his starring roles in slapstick comedies and his annual telethons benefitting muscular dystrophy research.

Benson then moved to Sheridan, Wyo., but authorities arrested him less than nine months later for violating a court order prohibiting him from having any contact with Lewis.

Authorities said his fingerprints were found on a threatening letter sent to Lewis in April 2000.
According to the FBI, the letter bore a postmark of Casper, Wyo., and said, "Dear Jerry. Your Dead. Your friend, Gary Benson."

Prosecutors had intended to seek a life sentence for Benson under a state law that sets tough penalties for habitual criminals.

He was sentenced to probation in 1995 after he pleaded guilty to a felony count of aggravated stalking. But a judge revoked the sentence and ordered him to serve six years in prison after Benson continued to harass Lewis.

His troubles with Lewis began in the late 1980s, when he married the entertainer's housekeeper. The marriage soon ended in divorce.

Benson has said Lewis learned about his criminal background and shared the information with the housekeeper. Lewis has said Benson phoned him repeatedly for about five years before his threats escalated in intensity in early 1994.

In January 1994, Benson went to Lewis' home late one night, rang the doorbell, said he had a gun and demanded entry. Police found Benson unarmed outside the home.

This story is located at:
Coroner says stalker died of natural causes

A convicted stalker who died in his jail cell earlier this month while awaiting trial for again stalking entertainer Jerry Lewis died of natural causes.

The Clark County coroner's office said Wednesday that Gary Benson died of coronary artery sclerosis, or hardening of the arteries.

The diagnosed schizophrenic was found dead in his bed at the Clark County Detention Center early Aug. 4.

Benson, 57, was arrested in May 2000 in Sheridan, Wyo., after Lewis reportedly received a letter at his Las Vegas home a month earlier. The letter read: "Dear Jerry, Your Dead." The letter was signed, "Your friend, Gary Benson."

Benson was facing a Nov. 12 trial on charges he violated a protective order and again stalked the entertainer.

Benson had been freed from prison eight months before that April letter after serving six years for stalking Lewis.
FEDERAL BUREAU OF INVESTIGATION

Precedence: ROUTINE

Date: 10/10/2002

To: Las Vegas
Attn: Evidence Control Technician

From: Las Vegas
Squad 5, VCMO
Contact: SA

Approved By: 

Drafted By: 

Case ID #: 5A-LV-30409 (Closed)
66F-LV-A32018-B -1030

Title: GARY RANDOLPH BENSON;
JERRY LEWIS - VICTIM;
EXTORTION

Synopsis: Disposition of bulky evidence.

Details: Benson died of natural causes in August, 2001, while awaiting trial.

Item 1B1 barcode E1686966: Inmate request form regarding Gary Benson has been destroyed

Item 1B2 barcode E1686967: Handwritten letter from Gary Benson has been placed in an FD-340 envelope and placed in the closed file.


Item 1B4 barcode E01768127: Two documents with signature of Gary Benson have been placed in an FD-340 envelope and placed in the closed file.

Item 1B5 barcode E01768197: Original documents from Department of Veteran Affairs have been placed in an FD-340 envelope and sent to the closed file.

9A-LV-30409-93

W 16/10/02
Item 1B6 barcode E01906296: Fingerprint cards of Gary Benson and FBI certified copy of Benson's fingerprints have been placed in the 1A section of the closed file.

Item 1B7 barcode E01906298: Fingerprint cards of have been placed in 1A section of closed file.

Item 1B8 barcode E01906299: Fingerprint cards of Jerry Lewis have been placed in 1A section of closed file.
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # AA.W.30409

On (date) OCTOBER 10, 2002

item(s) listed below were:
- [ ] Received From
- [✓] Returned To
- [ ] Released To
- [ ] Seized

(Name) __________________________________________

(Street Address) LAS VEGAS METROPOLITAN POLICE DEPT.

(City) CLARKNASTICS

Description of Item(s): THREE SHEETS OF HANDWRITING EXEMPLARS
OF GARY RANDOLPH BENSON.
Total Deleted Page(s) = 27
Page 12 ~ b3; b6; b7C;
Page 18 ~ Duplicate;
Page 20 ~ Duplicate;
Page 113 ~ b6; b7C;
Page 114 ~ b6; b7C;
Page 115 ~ b6; b7C;
Page 116 ~ b6; b7C;
Page 117 ~ b6; b7C;
Page 118 ~ b6; b7C;
Page 121 ~ Duplicate;
Page 122 ~ Duplicate;
Page 123 ~ Duplicate;
Page 124 ~ Duplicate;
Page 125 ~ Duplicate;
Page 126 ~ Duplicate;
Page 127 ~ Duplicate;
Page 128 ~ Duplicate;
Page 129 ~ Duplicate;
Page 130 ~ Duplicate;
Page 131 ~ Duplicate;
Page 132 ~ Duplicate;
Page 133 ~ Duplicate;
Page 134 ~ Duplicate;
Page 135 ~ Duplicate;
Page 136 ~ Duplicate;
Page 137 ~ Duplicate;
Page 138 ~ Duplicate;
Page 139 ~ Duplicate;
Page 140 ~ Duplicate;
Page 141 ~ Duplicate;
Page 142 ~ Duplicate;
Page 143 ~ Duplicate;
Page 144 ~ Duplicate;
Page 145 ~ Duplicate;
Page 146 ~ Duplicate;
Page 147 ~ Duplicate;
Page 148 ~ Duplicate;
Page 149 ~ Duplicate;
Page 150 ~ Duplicate;
Page 151 ~ Duplicate;
Page 152 ~ Duplicate;
Page 153 ~ Duplicate;
Page 154 ~ Duplicate;
Page 155 ~ Duplicate;
Page 156 ~ Duplicate;
Page 157 ~ Duplicate;
Page 158 ~ Duplicate;
Page 159 ~ Duplicate;
Page 160 ~ Duplicate;
Page 161 ~ Duplicate;
Page 162 ~ Duplicate;
Page 163 ~ Duplicate;
Page 164 ~ Duplicate;
Page 165 ~ Duplicate;
Page 166 ~ Duplicate;
Page 167 ~ Duplicate;
Page 168 ~ Duplicate;
Page 169 ~ Duplicate;
Page 170 ~ Duplicate;
Page 171 ~ Duplicate;
Page 172 ~ Duplicate;
Page 173 ~ Duplicate;
Page 174 ~ Duplicate;

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Case ID: 9A-LV-30409

LV 1

LV 2! COPY OF LVMPD REPORT DR 87-60527

LV 3

LV 4

LV 5! ORIGINAL NOTES RE INTERVIEW OF

LV 6! ORIGINAL NOTES RE INTERVIEW OF

LV 7! ORIGINAL NOTES RE INTERVIEW OF

LV 8! ORIGINAL NOTES RE INTERVIEW OF

LV 9! FB-441A RE 1B-5

LV 10! INVOICE & REPORT OF EXAM RE: 1B 1,2

LV 11! FD-441A RE 1B 3,1,2;

LV 12! SHERIDAN CTY INCIDENT REPORT RE: ARREST OF GARY RANDOLPH BENSON

LV 13! ORING NTSD RE: INTERVIEW OF GARY RANDOLPH BENSON

LV 14! ORIGINAL HANDWRITING EXEMPLAR

LV 15! ORIG NTS RE INTERVIEW OF

D7 16! LAB #000522010

D7 17! LAB 000505016

LV 18! CERTIF DOCS RE BENSON'S ARREST, CONVICTION, FOR BANK ROBBERY

LV 19! CERTIF COPIES OF BENSON'S ARREST @ LONG BEACH 4/73 FOR NSF CH

LV 20! BENSON'S ARREST, CONVICTION CERTIFIED COPIES OF DOCS 7/81, S

LV 21! INVOICE & RECPT OF EXAM RE 1B-6,7,8

D7 22! LAB-000505016-LAB-000508016

CD IMAGES OF Q1-2,K1-3, SCANNED IMAGES OF K4, 6 PGS

CHAIN OF CUSTODY, 16 PGS NOTES
<table>
<thead>
<tr>
<th>Case ID: 9A-LV-30409</th>
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</thead>
<tbody>
<tr>
<td><strong>LV</strong> 23</td>
</tr>
<tr>
<td><strong>LV</strong> 24</td>
</tr>
<tr>
<td><strong>LV</strong> 25</td>
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<tr>
<td><strong>LV</strong> 26</td>
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<td><strong>LV</strong> 27</td>
</tr>
<tr>
<td><strong>LV</strong> 28</td>
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<tr>
<td><strong>LV</strong> 29</td>
</tr>
<tr>
<td><strong>LV</strong> 30</td>
</tr>
<tr>
<td><strong>LV</strong> 31</td>
</tr>
<tr>
<td><strong>D7</strong> 32</td>
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<tr>
<td><strong>LV</strong> 33</td>
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<tr>
<td>Action Cat/Num</td>
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<td>---------------</td>
</tr>
<tr>
<td>1A1</td>
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<tr>
<td>1A2</td>
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<td>1A3</td>
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Case ID: 9A-LV-30409
Acquired:          
Location:          
Category:          
Contributor:       
Description:       

Command: +
F1=Help F3=Exit F4=Prompt F8=Fwd F12=Cancel F15=Print F21=Case
List Collected Item

<table>
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<tr>
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<tbody>
<tr>
<td>1A10</td>
<td>LV FILE</td>
<td>INVOICE &amp; REPORT OF EXAM RE: 1</td>
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<tr>
<td>1A11</td>
<td>LV FILE</td>
<td>FD-441A RE 1B 3,1,2;</td>
</tr>
<tr>
<td>1A12</td>
<td>LV FILE</td>
<td>SHERIDAN CTY INCIDENT REPORT R</td>
</tr>
<tr>
<td>1A13</td>
<td>LV FILE</td>
<td>ORING NTS RE: INTERVIEW OF GA</td>
</tr>
<tr>
<td>1A14</td>
<td>LV FILE</td>
<td>ORING NTS RE INTERVIEW OF</td>
</tr>
<tr>
<td>1A15</td>
<td>LV FILE</td>
<td>ORING NTS RE INTERVIEW OF</td>
</tr>
<tr>
<td>1A16</td>
<td>D7 FILE</td>
<td>LAB #000522010</td>
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<td>1A17</td>
<td>D7 FILE</td>
<td>LAB 000505016</td>
</tr>
<tr>
<td>1A18</td>
<td>LV FILE</td>
<td>CERTIF DOCS RE BENSON'S ARREST</td>
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</table>

Case ID: 9A-LV-30409
Acquired: > Thru: >
Location: >
Category: > 1A Number: >
Contributor: >
Description: >

Command: >
F1=Help F3=Exit F4=Prompt F7=Backward F8=Forward F12=Cancel F15=Print F21=Case
06/22/01
15:49:16
List Collected Item
ICMIML01

Type a valid action code, then press Enter.
A=Add B=Check-in C=Chain D=Dispose M=Modify P=Print S=Split V=View T=Transfer
Action Cat/Num Location Description
--- --- -----------------------------------
.  1A19 LV FILE CERTIF COPIES OF BENSON'S ARES
.  1A20 LV FILE BENSON'S ARREST, CONVICTION CE
.  1A21 LV FILE INVOICE & RECPT OF EXAM RE 1B-
.  1A22 D7 FILE LAB 000505016 LAB 000508016
.  1A23 LV FILE ORIGINAL NOTES RE INTERVIEW OF

****** End of Data *****

Case ID . . : 9A-LV-30409 Category . > 1A Number > 19...
Acquired . > ....... Thru . . > ....... Contributor . > ................
Location . > ............ ............ Description > ................

Command . . > ........................................................................................................ +
F1=Help F3=Exit F4=Prompt F12=Cancel F15=Print F21=Case
List Collected Item

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<th>Description</th>
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<td>1A24</td>
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<tr>
<td>.</td>
<td>1A25</td>
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<tr>
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<td>1A26</td>
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<tr>
<td>.</td>
<td>1A27</td>
<td>LV FILE</td>
</tr>
<tr>
<td>.</td>
<td>1A28</td>
<td>LV FILE</td>
</tr>
<tr>
<td>.</td>
<td>1A29</td>
<td>LV FILE</td>
</tr>
<tr>
<td>.</td>
<td>1A30</td>
<td>LV FILE</td>
</tr>
</tbody>
</table>

CERTIFIED COPY OF BENSON FINGER PRINT CARDS SA
ORIGINAL FINGER PRINT CARDS - J
ORIGINAL LETTER FROM GARY BENS
SIGNATURE OF BENSON, FROM BANK
ORIGINAL DOCUMENTS W/SIGNATURE
ORIG FD-597 RECEIPT FROM LVMPD

Case ID .. : 9A-LV-30409
Acquired .. > ........... Thru .. > ........... Contributor > ................
Location . > .............. Description > ................

Command .. > ................................................................. +
F1=Help,F3=Exit,F4=Prompt,F12=Cancel,F15=Print,F21=Case
List Collected Item

<table>
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<th>Location</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>1A28</td>
<td>LV FILE</td>
<td>SIGNATURE OF BENSON, FROM BANK</td>
</tr>
<tr>
<td>1A29</td>
<td>LV FILE</td>
<td>ORIGINAL DOCUMENTS W/SIGNATURE</td>
</tr>
<tr>
<td>1A30</td>
<td>LV FILE</td>
<td>ORIG FD-597 RECEIPT FROM LVMPD</td>
</tr>
<tr>
<td>1A31</td>
<td>LV FILE</td>
<td>ORIG FD-192'S RE: 1B 1 - 8</td>
</tr>
</tbody>
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****** End of Data ******

Case ID . : 9A-LV-30409
Acquired . : > ........  Thru . : > ........  Contributor > ................
Location . : > ........................................ Description > ............

Command . : > ............................................................................... +
F1=Help,F3=Exit,F4=Prompt,F7=Bkwd,F12=Cancel,F15=Print,F21=Case
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<td>X</td>
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<td>6/14/87</td>
<td>✓</td>
<td>Copy &amp; LVMPD Record DR 57-6955</td>
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<tr>
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<td>6/12/98</td>
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<td>6/12/98</td>
<td>X</td>
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</tr>
<tr>
<td>5</td>
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<td>6/15</td>
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<td>6/10/00</td>
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<td>6/21/00</td>
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<tr>
<td>16</td>
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<td></td>
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</tbody>
</table>
By

To Be Returned □ Yes □ No  Receipt Given □ Yes □ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6(e), Federal Rules of Criminal Procedure □ Yes □ No

Title:

Reference: ____________________________________________(Communication Enclosing Material)

Description: □ Original notes re interview of

[Blank space]
Field File No. LV-9-A-983-1A
Serial # of Originating Document
Oo and File No. Las Vegas
Date Received 5-10-87
From
(Name of Contributor)
LVMPD, 400 East Stewart Avenue
(Address of Contributor)
Las Vegas, Nevada
(City and State)
By
(Name of Special Agent)
To Be Returned □ Yes □ No Receipt Given □ Yes □ No
Grand Jury Material - Disseminate Only Pursuant to Rule 6(e), Federal Rules of Criminal Procedure □ Yes □ No
Title:
Reference: (Communication Enclosing Material)
Description: □ Original notes re interview of

Copy of LVMPD Report
DR 87-60527
Officer's Report 87-60527

EXTORTION IN PROGRESS

Subject

Division Reporting... I.S.D. Division of Occurrence... I.S.D.

Date and Time Occurred... 5/6/87 Location of Occurrence... 3305 W. SPRING MTN. RD.

DETAILS:

VICTIM:

LEWIS, JERRY
WMA, DOB: 3/16/26
SS# 144-12-6399
BUS. PHONE: 362-9730
BUS. ADDRESS: 3305 W. Spring Mtn.
Las Vegas, NV 89102

POSSIBLE SUSPECT ONLY:

ALIAS: ______________________

ISD INVOLVED:

GEN ASGNMT/SWING

OTHER JURISDICTION INVOLVED:

FBI AGENTS: __________________
AGENT ______________________________________

DETAILS:

On 5/6/87 at approximately 1630 hours received information from of the I.S.U.
Unit that an extortion situation may be in progress, and the victim was Jerry Lewis. A meeting was set-up with Mr. Lewis at his hotel room at the Bally Grand where he was presently performing.

then met with Mr. Lewis at approximately 1830 hours and received the following information. Mr. Lewis stated that he was being extorted out of $250,000.00; and he had information reference this situation. Mr. Lewis stated, first of all, that he has had trouble over the years with an unknown male adult going throughout the California area; passing himself off as Mr. Lewis' son.

Mr. Lewis showed this detective a copy of a newspaper clipping from a San Gabriel Valley Tribune Newspaper dated 4/22/87. In this article, it states that ______

Date and Time of This Report... 5/6/87 Officer... Per. No... 0412

Approved... Officer... Per. No...

SIGNATURE...
In this portrait there is a profile shot of a white male adult wearing a dark suit; presumably this is the person portraying himself as a son of comedian/entertainer Jerry Lewis.

The newspaper article also indicates that the pastor is the one standing in the center. Mr. Lewis states he does not recognize this subject from the photo but he definitely can state that this is not one of his sons.

Mr. Lewis went on to state that on this particular date, being 5/6/87 at approximately 1615 hours, he had an occasion to be in his office located at Spring Mountain Road and intercepted a call going to his residence. According to Mr. Lewis his phone set-up permits him to intercept calls from his office or his home and to either place.

Mr. Lewis stated that when he answered the phone the first thing he heard was a voice on the phone stating, "This is a recording, but you better listen; I will continue telling everyone I am your son unless you give me $250,000.00 in cash in the next 10 days or I'll get you at the MGM Bally. I will contact you soon."

Mr. Lewis stated that this message was repeated two other times and it sounded to him as though it was the original tape recording, simply repeated over again and again on the tape.

Mr. Lewis stated he did not recognize the voice and it should be noted that he has not talked with this person who is impersonating him as his son. Mr. Lewis stated during the interview that approximately 40 years ago Mr. Lewis did have an encounter with a subject stating that he was his son. However, he did not know this subject and to the best of his knowledge he should not state that this is the same person, due to the time involved.

Mr. Lewis stated that he wanted to cooperate with authorities, however, he was in fear of his safety and welfare as well as his wife.
then contacted and appraised him of the situation, as well as. After these briefings it was determined that the best course of action would be to contact the FBI due to the fact that it may be an interstate situation.

FBI agents were contacted and Agent and responded to LVMPD. They were appraised of the situation and given copies of the crime report and a copy of a voluntary statement. Also a copy of the note that Jerry Lewis made while he was listening to the recording. These officers then responded to the Bally Grand and again interviewed Mr. Lewis, at which time it was determined that the FBI would become involved in the case.

This activity was to be coordinated between the FBI and Mr. Lewis and his family. Agents advised this detective that they would be getting in touch with Metro's I.S.U. Unit and coordinate the investigation through that detail.

I have no further information at this time regarding this situation. For any further information refer to any and all reports under the above DR Number.

RT/ke
5/7/87
Universal Case File Number: 9A LV 20409 - 103
Field Office Acquiring Evidence: LV
Serial # of Originating Document:
Date Received: 5/11/93

From: J. Lewis
(Name of Contributor)
(Address of Contributor)

By: [Blank]
(Name of Special Agent)

To Be Returned: Yes No
Receipt Given: Yes No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e), Federal Rules of Criminal Procedure: Yes No

Title: [Blank]

Reference: [Blank]
(Communication Enclosing Material)

Description: Original notes re interview of [Blank]
Universal Case File Number 91-34-30407
Field Office Acquiring Evidence LV
Serial # of Originating Document
Date Received 5/1/98
From SEABURY LEWIS
(Name of Contributor)
(Address of Contributor)
By
(State)
(Name of Special Agent)
To Be Returned ☐ Yes ☐ No
Receipt Given ☐ Yes ☐ No
Grand Jury Material - Disseminate Only Pursuant to Rule 6(e), Federal Rules of Criminal Procedure ☐ Yes ☐ No
Title:

Reference:

Description: ☐ Original notes re interview of
Universal Case File Number: 9A-LV: 30-89 - 10-S

Field Office Acquiring Evidence: LAS VEGAS

Serial # of Originating Document: 

Date Received: 4/24/89

From: (Name of Contributor)

V.A. HOSP

(Address of Contributor)

SALT LAKE CITY

(City and State)

By: (Name of Special Agent)

To Be Returned: yes/no

Receipt Given: yes/no

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)

Federal Rules of Criminal Procedure: yes/no

Title:

Reference: (Communication Enclosing Material)

Description: Original notes re interview of

[Additional lines for description]
TELEPHONIC

VA - 5lc

4/24

b6

11/99

b7c

FORT SHERIDAN, WYOMING, VA HOSPITAL

UNABLE TO CARE FOR HIMSELF

WIFE UNABLE TO CARE FOR SELF OR HIM

(307) 672-3473

GARY BENSON called

($ from VA)

told him he wrote

death letter to Lewis.

VETERANS HOSP. SLC.

500 FOOTHILL BLD 84148

SLC, UT.

(801) 582-1565
KNOWS OF BENSON'S WHEREABOUTS
<table>
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<th>Field</th>
<th>Details</th>
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<td>LAS VEGAS</td>
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<td>4/24/07</td>
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<td>By</td>
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<td>☑ Original notes re interview of</td>
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</tr>
</tbody>
</table>
Benson was off his medications.

He heard voices.

Sent letters to Jerry Lewis.

Made threats, did something bad.

Benson told his case worker:

Told him about 1 week to 2 weeks ago.

Called you about. Hasn't come yet.

I will fax copy of phone bills.

Without case from Benson.
Universal Case File Number 94.W. 30409 - 10-7

Field Office Acquiring Evidence Yes

Serial # of Originating Document ____________________________

Date Received 4/24/99

From ____________ (Name of Contributor)

VA HOSPITAL (Address of Contributor)

SHERIDAN, WY. (City and State)

By ____________ (Agent)

To Be Returned □ Yes □ No

Receipt Given □ Yes □ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)

Federal Rules of Criminal Procedure □ Yes □ No

Title: ____________________________________________________

Reference: ______________________________________________

(Communication Enclosing Material)

Description: □ Original notes re interview of

_________________________________________________________________________________

_________________________________________________________________________________
SUSPECTED BENSON DID IT.
ADMITTED TO STAFF MEMBER THAT
HE HAD POSSIBILITY THAT SENT LETTER.

RELEASE OF PATIENT INFORMATION

MEDICAL RELEASE OF INFORMATION

307) 672 - 3473 X

ASSOC. CHIEF OF STAFF FOR MENTAL HEALTH PROGRAM

DIRECT
Universal Case File Number: 9A-LV-30469 10
Field Office Acquiring Evidence: √
Serial # of Originating Document: 
Date Received: 5/3 (v)
From: __________________________ (Name of Contributor)
Address of Contributor: ______________________
City and State: ______________________
By: __________________________ (Name of Special Agent)
To Be Returned: ○ Yes □ No
Receipt Given: ○ Yes □ No
Grand Jury Material - Disseminate Only Pursuant to Rule 6(e)
Federal Rules of Criminal Procedure: ○ Yes □ No

Title: __________________________
Reference: __________________________ (Communication Enclosing Material)
Description: ○ Original notes re interview of __________________________

[Handwritten text below the description field]
QUESTIONS FOR
IN GA @ 9PM

1. WHEN DID YOU SPEAK TO BENSON? A/27 IN PM

2. HOW DID YOU KNOW IT WAS HIM? RECOGNIZED HIS VOICE FROM PREVIOUS INTERVIEW. DISTINCT SPEECH. WORDS SLURRED.

3. WHERE DID YOU REACH HIM? BENSON CALLED XTRA-800 # MY THRU 54-76709. BENSON HAD SENT LETTER TO BENSON @ VA LETTER FROM LEWIS (ADMISSIONS) ON 4/17/85

4. AT WHAT TELEPHONE NUMBER?

5. WHAT DID HE SAY TO YOU? (EXACTLY)

6. HOW DID YOU GET ON TO THE STORY ABOUT THE LETTER? TOLD DURING INTERVIEW
IDENTIFIERS

TRUE NAME:

ALIASES:

DOB:

SSN:

EMPL. ADDR: "EXTRA" (NEWS MAG. SHOW)
1840 VICTORY BLVD. GLENDALE CA 91201

EMPL. PH.: 818 972-0502

POSITION:

BEST WAY TO REACH:

ON BROADCAST:
S want in letter
b - your dead

b - gone new bad time

letter I violated respr. order

letter jeff you dead

signed my name

I made it I knew it was bad but I couldn't get it back

I don't really want to read

I'm just depressed

I tried to come yesterday

but they came & got me

in seymour. I'm not

under guard.
Universal Case File Number: GA-LY-30409-1A-9
Field Office Acquiring Evidence: ToBeReturned
Serial # of Originating Document: 5/25/00
Date Received: 5/25/00
From: (Name of Contributor)
(Address of Contributor)

To Be Returned: Yes
Receipt Given: No
Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure: Yes
Title:

Reference: (Communication Enclosing Material)

Description: Original notes re-interview of

FD-340 (Rev. 8-7-97)
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<th>FBI Lab</th>
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<td>5/19/100</td>
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<td>Regr</td>
<td>4195 8320 1181</td>
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Evidence Control Custodian
Universal Case File Number: 9A-W-304091-A-10

Field Office Acquiring Evidence: _____________

Serial # of Originating Document: 30

Date Received: 5/31/00

From: FBI HQ

(Name of Contributor)

(Address of Contributor)

By: _____________

(Name of Special Agent)

To Be Returned: No

Receipt Given: No

Grand Jury Material - Disseminate Only Pursuant to Rule 6(e)

Federal Rules of Criminal Procedure: No

Title:

Reference: _____________

(Communication Enclosing Material)

Description: Original notes re interview of Invoice & Report of Exam

ce 18112
To: SAC, Las Vegas  
(Squad 5, VCMO)  

Date: May 10, 2000  

Case ID No.: 9A-LV-30409  
Lab No.: 000505016 HO  
000508016 HO  

Reference: Communications dated April 24, 2000 and May 5, 2000  

Your No.:  
Title: GARY RANDOLPH BENSON; JERRY LEWIS - VICTIM; THREATENING LETTER;  

Date specimens received: May 5, 2000 and May 8, 2000  

Specimens received May 5, 2000 under cover of communication dated April 24, 2000 (000505016 HO):  

Q1 Envelope postmarked "CASPER WY 826 PM 6 APR 2000" bearing the hand printed address "MR. Jerry Lewis 1701 WALDMAN LAS Vegas N.V. 89102" (1B2)  

Q2 Page bearing handwritten letter beginning "Dear Jerry Your Dead..." (1B2)  

K1 Carbon copy of Inmate Request Form bearing the known writing GARY BENSON (1B1)  

K2 Fingerprint card of JERRY LEWIS  

K3 Fingerprint card of  

Enclosures (2)  

Page 1 of 2  

This Report is Furnished for Official Use Only
Specimens received May 8, 2000 under cover of communication dated May 5, 2000 (000508016 HO):

K4 Three (3) pages bearing known writing of GARY RANDOLPH BENSON

Remarks:

The results of the questioned document examinations are included in this report. The latent fingerprint examinations are continuing and you will be subsequently advised concerning the results and the disposition of the Q1, Q2, K2, and K3 specimens. Questions concerning the latent fingerprint examinations should be directed to (202) 324-6236.

Specimens K1 and K4 are returned herewith.

A digital record of the submitted specimens is retained.
Report of Examination

Examiner Name: 
Unit: Questioned Documents
Case ID No.: 9A-LV-30409

Date: May 10, 2000
Phone No.: 
Lab No.: 000505016 HO
000508016 HO

Results of Examinations:

No watermarks, indented writing, or other physical characteristics were observed on the Q1 and Q2 specimens which would further assist in determining their immediate origin.

The Q1 and Q2 specimens were searched in the Anonymous Letter File without effecting an identification. Representative copies of these specimens have been added to this file for future reference.

No conclusion was reached whether GARY RANDOLPH BENSON, writer of the K1 and K4 specimens, did or did not prepare the writing on the Q1 and Q2 specimens due to distortion in the questioned writing.

Observations for Investigative Assistance

Distorted writing generally does not contain the normal handwriting characteristics of the writer. Therefore, it is unlikely this questioned writing can be definitively associated with its writer through a handwriting examination.
Universal Case File Number: 9A-111-30409

Field Office Acquiring Evidence: 

Serial # of Originating Document: 

Date Received: 6/18/00

From: FBI

(Name of Contributor)

(Address of Contributor)

By: 

To Be Returned: No

Receipt Given: No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure: No

Title: 

Reference: (Communication Enclosing Material)

Description: Original notes re interview of

FD: 4411a re: 183, 1, 2

(FD: 4411a re: 183, 1, 2)
<table>
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<tr>
<th>Field</th>
<th>Information</th>
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<td>Attention</td>
<td>Evidence Control Custodian</td>
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FD-441a (Rev. 4-21-86)
Field File No. __________________________________________
Serial # of Originating Document ___________________________
OO and File No.  9A CV 30409 - 1A - 1K
Date Received  5.5.00
From  Sheridan City Sheriff's Office
      (Name of Contributor)
      (Address of Contributor)
(City and State)
By ___________________________________________________
      (Name of Special Agent)
To Be Returned ☐ Yes ☐ No  Receipt Given ☐ Yes ☐ No
Grand Jury Material - Disseminate Only Pursuant to Rule 6(e), Federal Rules
of Criminal Procedure ☐ Yes ☐ No
Title:  Jerry Lewis - victim;  Threatening Letter
Reference:  ____________________________  (Communication Enclosing Material)
Description:  ☐ Original notes re interview of
             Sheridan City Inmate
             Report re arrest of
             Jerry Randolph Benson
Incident Date/Time: 05/04/00 18:12
To: 05/04/00 19:45
Report Date/Time: 05/04/00 19:04

Complainant: 
Address: 
Address: 
City/State: 
Phone: 

Drugs Involved: 0.00 of 0.00 of 0.00 of

<table>
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<th>Type</th>
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<th>Statute</th>
<th>Attn/Comp</th>
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Person(s) Involved:

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<tr>
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<th>Name</th>
<th>DOB</th>
<th>Address</th>
<th>City/State</th>
<th>Phone</th>
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<tbody>
<tr>
<td>Offender</td>
<td>BENSON,GARY RANDOLPH</td>
<td>06/25/43</td>
<td>1001 FEATHERSTONE</td>
<td>SALT LAKE CITY,UT 84106</td>
<td>801-685-0372</td>
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</table>

Location: S15 - VA HOSPITAL
Entry Method: 
Referral: 
Children: 
Evidence Taken: Photo: Fingerprint(s): Other: 

Status: PENDING PRO: Exp. Crd. Status: Status Date: 

Reporting Officer: 
Supervisor: 
Entered By: 

(This information is furnished upon authorized request. It is to be treated as privileged and confidential matter and is not to be distributed outside your agency unless so authorized.)
## VICTIM/SUBJECT SECTION

<table>
<thead>
<tr>
<th>Name</th>
<th>BENSON, GARY RANDOLPH</th>
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<tbody>
<tr>
<td>Address</td>
<td>1001 FEATHERSTONE</td>
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<tr>
<td>City</td>
<td>SALT LAKE CITY, UT 84106</td>
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<tr>
<td>Phone</td>
<td>301-685-0372</td>
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<td>094-38-8817</td>
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Subject # 1 - Offender

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<td>Face</td>
<td>Mustache</td>
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(This information is furnished upon authorized request. It is to be treated as privileged and confidential matter and is not to be distributed outside your agency unless so authorized.)
INICIAL REPORT:

On 05/04/00 at 1700 hours Sheriff Hofmeier handed me a felony warrant for Gary Benson, (DOB) 06/25/43. I was informed that this subject was currently at the VA Hospital, in Sheridan.

ACTION TAKEN:

I met the VA police and they took me to Gary Benson. Gary was placed under arrest, handcuffed- double locked and searched. Gary was transported and incarcerated in the Sheridan County Jail.

(THIS INFORMATION IS FURNISHED UPON AUTHORIZED REQUEST. IT IS TO BE TREATED AS PRIVILEGED AND CONFIDENTIAL MATTER AND IS NOT TO BE DISTRIBUTED OUTSIDE YOUR AGENCY UNLESS SO AUTHORIZED.)
Field File No. ________________________________
Serial # of Originating Document ________________________________
OO and File No. 9A-UV-30409 - 1A-VB
Date Received 5-5-00
From ________________________________
(Name of Contributor)
(Address of Contributor)

By ________________________________
(Name of Special Agent)
To Be Returned ☐ Yes ☐ No Receipt Given ☐ Yes ☐ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6(e), Federal Rules
of Criminal Procedure ☐ Yes ☐ No

Title: Gary Randolph Benson
Jerry Lewis - Victim
Theremy Litten

Reference: ________________________________
(Communication Enclosing Material)

Description: ☑ Original notes re interview of
Gary Randolph Benson
Advice of Rights

Right to remain silent

Anything you say can and will be used against you in court.

You have the right to talk to a lawyer before questioning.

You have a right to the presence of an attorney during questioning.

If you cannot afford one a lawyer can be appointed for you.

You have the right to stop answering questions at any time.
waived right to an attorney
understands rights
Will answer questions

Gary Randolph Benson, 56
DOB: 6-25-43, POB: Bridgeport, Conn
SSN: 094 38 8817

worked for Jerry Lewis, Las Vegas
last was 1977, divorced

does not remember medication
does not remember writing letter
Feeling depressed around April 5, 2000
at VA. Under a lot of stress at this time, medications not right.
Fingers locked in position from medication, cannot write

no current sad feelings, do not want to kill him;
need to take care of self rather than worry about Jerry Lewis.

shovel his perp sheet. Fired his wife; caused wife to lose job after
Field File No. __________________________________________

Serial # of Originating Document  9A-LV-30409-14

OO and File No. 9A-LV-30409-14

Date Received  5-5-00

From Gary Randolph Benson
(Name of Contributor)

(Address of Contributor)

(City and State)

By _______________________________________
(Name of Special Agent)

To Be Returned □ Yes X No  Receipt Given □ Yes □ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6(e), Federal Rules of Criminal Procedure □ Yes □ No

Title: Gary Randolph Benson
Jerry Lewis - victim
Threatening Letter

Reference: _______________________________________
(Communication Enclosing Material)

Description: □ Original notes re interview of

original handwriting

Exemplar
Field File No. __________________________
Serial # of Originating Document 9A-LV-30409-1
OO and File No. 9A-LV-30409-1
Date Received 5-23-80
From __________________________
(Name of Contributor)
(Address of Contributor)
By __________________________
(Name of Special Agent)
To Be Returned □ Yes □ No Receipt Given □ Yes □ No
Grand Jury Material - Disseminate Only Pursuant to Rule 6(e), Federal Rules of Criminal Procedure □ Yes □ No
Title: ________________
Threatening Letter
Reference: __________________________
(Communication Enclosing Material)
Description: □ Criminal notes re interview of
__________________________
11

5/23/00 7pm

SN: 

DOB: 

- Special needs, 3/ly 86

in Dec 99 since coming

1st week of April 2010 - became confused
he kept calling his family
1st told them he was dead.

Asked why? Because he didn't
like her

came home again the same day

Told her

figured he knew this address from her

at the time seemed alert on mentale

Begun physically & mentally unable to
take care of self.

was worried about letter came to her pearl

times a week, told her he was afraid
of being arrested because of letter.

was depressed about a lot of things, family

in self-love.

No signs of violence, no weapons.

Did not think he would be capable of hurting them.
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Universal Case File Number: 4A.LV.36409 - 1A-18
Field Office Acquiring Evidence: 802-VEGAS SAN DIEGO
Serial # of Originating Document: 76
Date Received: 1/3/01
From: SAN DIEGO DIVISION, FBI
(Name of Contributor)
(Address of Contributor)
(City and State)
By: SA
(Name of Special Agent)

To Be Returned: ☐ Yes ☐ No
Receipt Given: ☐ Yes ☐ No
Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure: ☐ Yes ☐ No
Title:

Reference: ________________________________
(Communication Enclosing Material)

Description: ☐ Original notes re interview of

CERTF. DOCUMENTS RE BENSON'S ARREST, CONVICT. FOR BANK ROBBERY 9/77, SAN DIEGO.

______________________________
The undersigned complainant being duly sworn states:

That on or about September 12, 1977, at San Diego, California, in the Southern District of California

(1)

by force and violence and by intimidation, knowingly and willfully take from the presence of another, namely approximately $866 belonging to and in the care, custody, control, management and possession of a federally-insured bank, namely the Bank of America, 3333 Rosecrans, San Diego, California, which was then a bank whose deposits were insured by the Federal Deposit Insurance Corporation (FDIC). GARY RANDOLPH BENSON did assist in the robbery of the Bank of America, 3333 Rosecrans, by suggesting the bank to be robbed, by preparing the demand note, by driving the getaway vehicle and sharing in the proceeds.

And the complainant states that this complaint is based on

(See attached affidavit.)

And the complainant further states that he believes that the witnesses are material witnesses in relation to this charge.

Sworn to before me, and subscribed in my presence, September 23, 1977.

EDWARD A. INFANTE
United States Magistrate.
STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

AFFIDAVIT

I, being first duly sworn, depose and say:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI), stationed at San Diego, California.

2. On September 12, 1977, at approximately 12:20 AM, the Bank of America, 3333 Rosecrans, San Diego, California, was robbed by a Negro male who obtained $866.

3. Victim teller at the Bank of America, 3333 Rosecrans, advised Special Agent (SA) FBI, that he was conducting bank business at approximately 12:20 AM when a Negro male approached his teller window and presented a demand note which stated, "This is a hold-up. Put all money in bag. Do what is said and no one gets hurt." The robber obtained $866, which did include bills whose serial numbers had been pre-recorded by the bank. Observed the robber take the money and exit the south door of the bank.

4. Described the robber as a Negro male, approximately 25 years of age, approximately 6'0" tall, 190 pounds, black hair - short cropped natural, light complexion, wearing a sport shirt with a criss-cross or rectangular pattern, possibly green or beige in color. The surveillance camera at the Bank of America, 3333 Rosecrans, was activated during the robbery by victim teller and photographs obtained by that surveillance camera depicted a Negro male who appeared to be approximately 25 years of age, light complexion, black short-cut natural with wide sideburns, mustache, sport shirt with both sleeves rolled up to the elbow, a watch on his left wrist with a dark band and a handful of money. The photograph was identified by the victim teller as the man who robbed him and showed the robber exiting the south entrance of the bank.
Subscribed to and sworn to before me this 13th day of September, 1977.

Edward A. P. P. A. n. o. i. g. s.

5. SA [Redacted] advised that he interviewed a witness who observed a Negro male, who matched the above description, running from the direction of the bank toward a vehicle which was described as a 1972 Lincoln, brown in color, California License 300 EAP. Investigation by the FBI determined this vehicle to currently be registered to Gary Randolph Benson, 3880 Greenwood, San Diego, California.

6. Robbery Detail, San Diego Police Department (SDPD), San Diego, California, advised SA [Redacted] after viewing the surveillance photograph taken by the Bank of America, 3333 Rosecrans, that the individual in that photograph was known to him as [Redacted] advised that the photograph was also shown to [Redacted] SDPD, who also independently identified the individual in the photograph as [Redacted] continued that records of the SDPD showed a recent arrest photograph taken June 10, 1977, and a comparison of the two photographs indicated that [Redacted] was identical with the robber of the Bank of America, 3333 Rosecrans, San Diego, California.

7. [Redacted] advised on September 12, 1977, that investigation by the SDPD led to the arrest of [Redacted] and his subsequent incarceration at San Diego County Jail. [Redacted] advised that approximately $396 was recovered along with the shirt and watch worn by [Redacted] in the robbery.

8. On September 13, 1977, [Redacted] interviewed Gary Randolph Benson at 3880 Greenwood, at his trailer. Benson, during interview, admitted his participation in the robbery of the Bank of America, 3333 Rosecrans, as the driver of the getaway vehicle, the individual who prepared the demand note and as having shared in the proceeds of the robbery. Benson also viewed a photograph of the individual who robbed the bank and stated that that individual was positively [Redacted] Benson produced $254 of bank robbery monies which he stated was given to him by [Redacted]

9. Assistant U.S. Attorney [Redacted], San Diego, California, was contacted by SA [Redacted], given the above facts, and authorized the arrest of Benson for robbery.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
May 1977 Grand Jury

UNITED STATES OF AMERICA,
Plaintiff,
v.
GARY RANDOLPH BENSON,
Defendant.

The Grand Jury charges:

COUNT ONE

Beginning at a date unknown to the Grand Jury and continuing up to and including September 12, 1977, in San Diego County, in the Southern District of California, defendants and GARY RANDOLPH BENSON did combine, conspire, confederate, and agree together and with each other to commit an offense against the laws of the United States, to wit, to violate Title 18, United States Code, Section 2113(a) by robbery of the funds of the Bank of America, 3333 Rosecrans, San Diego, California; in violation of Title 18, United States Code, Section 371.

OVERT ACTS

In pursuance of the said conspiracy, and to further the objects thereof, the following overt acts, among others were
committed in the Southern District of California and elsewhere:

1. On or about September 12, 1977, defendant GARY RANDOLPH BENSON travelled to the vicinity of the Bank of America, 3333 Rosecrans, San Diego, California, within the Southern District of California.

2. On or about September 12, 1977, defendant GARY RANDOLPH BENSON drove a vehicle within the Southern District of California.

3. On or about September 12, 1977, defendant GARY RANDOLPH BENSON entered the Bank of America, 3333 Rosecrans, San Diego, California, within the Southern District of California.
COUNT TWO

On or about September 12, 1977, in San Diego County, in the Southern District of California, defendants                      and GARY RANDOLPH BENSON, by force, violence, and intimidation, did take from the person and presence of                      about $866.00 in money belonging to and in the care, custody, control, management and possession of the Bank of America, 3333 Rosecrans, San Diego, California, the deposits of which were then insured by the Federal Deposit Insurance Corporation; in violation of Title 18, United States Code, Section 2113(a).

A TRUE BILL:

TERRY J. KNOEPP
United States Attorney

[Signature]

Foreman

Thirtieth instant and certify on 12·27·00
That the foregoing document is a true, full and correct copy of the original on file in my office and in my legal custody.

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
United States District Court
FOR THE
SOUTHERN DISTRICT OF CALIFORNIA

United States of America

v.

GARY RANDOLPH BENSON (2)

On this 21st day of February, 1978, came the attorney for the government and the defendant appeared in person and by counsel, of Federal Defenders

It Is ADJUDGED that the defendant upon his plea of guilty has been convicted of the offense of conspiracy to commit bank robbery, in violation of 18 USC 371 and 18 USC 2113(a), as charged in count one of the indictment in two counts

and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

It Is ADJUDGED that the defendant is guilty as charged and convicted.

on count one

It Is ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for the maximum period of time authorized by law and for a study as prescribed in 18 USC 4205(d), the results of such study to be furnished this Court within three (3) months or such additional time not exceeding three (3) months as the Court may grant, whereupon the sentence of imprisonment herein imposed shall be subject to modification in accordance with 18 USC 4205(c).

It Is ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as a commitment of the defendant.

HOWARD B. TURRENTINE

United States District Judge.

Filed: February 21, 1978
United States District Court
FOR THE
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

No. 77-0681 - Criminal

GARY RANDOLPH BENSON

To any U.S. Marshal or any other authorized officer:

You are hereby commanded to arrest GARY RANDOLPH BENSON and bring him forthwith before the United States District Court for the Southern District of California in the city of San Diego to answer to an indictment charging him with conspiracy to commit bank robbery; bank robbery unauthorized absence from jurisdiction of bond in violation of 18 USC 371
18 USC 2113(a)

Dated at San Diego, California on September 11, 1978

Ball fixed at $__________________________

WILLIAM W. LUDY, Clerk.

RICHARD I. BELLMAN Deputy Clerk.

RETURN

District of ____________

Received the within warrant the day of ____________ 19 and executed same.

By ________________________________

Clerk, U.S. District Court
SOUTHERN DISTRICT OF CALIFORNIA
Warrant for Arrest of Defendant (Rev. 7-52)

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF CALIFORNIA

v.

GARY RANDOLPH BENSON

No. 77-0681 - Criminal

To any U.S. Marshal or any other authorized officer:

You are hereby commanded to arrest GARY RANDOLPH BENSON and bring him forthwith before the United States District Court for the Southern District of California in the city of San Diego to answer to an indictment charging him with conspiracy to commit bank robbery; bank robbery

UNAUTHORIZED ABSENCE FROM JURISDICTION OF BOND

in violation of 18 USC 371
18 USC 2113(a)

Dated at San Diego, California on September 11, 1978

Bail fixed at $5,000

WILLIAM W. LUDDY, Clerk.

RICHARD I. BELLMAN, Deputy Clerk

RETURN

Received the within warrant the day of 19 and executed same:

Defendant returned from Arizona on a Writ of Habeas Corpus, arraigned, found guilty, sentenced October 30, 1978, warrant returned unexecuted.

JAMES B. IAFFON

UNITED STATES MARSHAL

By

November 12, 1978

Arthur R. Ellerbee, Deputy

That the foregoing document is a full, true and correct copy of the original on file in my office and in my legal custody.

Clerk, U.S. District Court
Southern District of California
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA )

vs ) MODIFIED JUDGMENT

GARY RANDOLPH BENSON (2) ) NO. 77-0681 - Criminal

On the 21st day of February 1978 came the attorney for the government, and the defendant appeared in person and by counsel, of Federal Defenders.

IT WAS ADJUDGED that the defendant upon his plea of guilty was convicted of the offense of conspiracy to commit bank robbery, in violation of 18 USC 371 and 18 USC 2113(a), as charged in count one of the indictment in two counts.

and the Court having asked the defendant whether he had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

IT WAS ADJUDGED that the defendant was guilty as charged and convicted.

IT WAS ADJUDGED that on count one the defendant was committed to the custody of the Attorney General or his authorized representative for imprisonment for the maximum period of time authorized by law for a study as prescribed by 18 USC 4205(d), et al.,

AND THEN ON THE 30TH DAY OF OCTOBER 1978, the Court having received and considered the report of such study, and the defendant being present and with counsel, of Federal Defenders.

IT WAS ADJUDGED that on count one the defendant was committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of five years and pursuant to 18 USC 4205(b)(2) the Court specified that the defendant shall become eligible for parole at such time as may be determined by the United States Parole Commission.

AND NOW ON THIS 13TH DAY OF FEBRUARY 1979, it appearing to the Court to be in the interest of justice to modify the sentence heretofore imposed, IT IS ORDERED AND ADJUDGED that on count one the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for the period of time served.

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

HOWARD B. TURRENTINE, U.S. DISTRICT JUDGE

Filed: February 13, 1979
WILLIAM W. LUDBY, Clerk
By RICHARD I. BELLMAN, Deputy

FEDERAL DEFENDERS
Universal Case File Number         94-IV. 30469 - IA-19
Field Office Acquiring Evidence       2808 Bells Long Beach RA
Serial # of Originating Document       77
Date Received                        1/18/81

From                                      Long Beach RA
                                        (Name of Contributor)
                                        FBI Los Angeles Div.
                                        (Address of Contributor)

By                                           
                                        (City and State)

To Be Returned □ Yes □ No
Receipt Given □ Yes □ No
Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure □ Yes □ No

Title:

Reference: ______________________________  (Communication Enclosing Material)

Description: □ Original notes re interview of

CENTRE, COPIES OF BENSON'S ADDRESS @ LONG BEACH 4/73

FOR NSF CHECKS & DISPOSITIONS OF COURT CASES

______________________________
______________________________
______________________________
IN THE MUNICIPAL COURT OF, LONG BEACH
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
THE PEOPLE OF THE STATE OF CALIFORNIA
Plaintiff.

v.

GARY RANDOLPH BENSON,
Defendant.

Filed:
APR 2 1973

10S

STATE
OF

v.

B. J. LeGate

Presently appeared before me this 13th day of
April, 1973,

B. J. LeGate

of the County of Los Angeles who, being first duly sworn on oath upon information and belief, complains
and says

That on or about the 1st day of
February, 1973

and in the County of Los Angeles, State of California, the crime of ISSUING CHECK WITHOUT
SUFFICIENT FUNDS, in violation of Section 650c, Penal Code of California, a felony, was committed.

GARY RANDOLPH BENSON

who, at the time and place last above-mentioned, did wilfully, unlawfully, fraudulently and feloniously make,
issue and deliver to Sears Roebuck and Company

a check and draft for the payment of money in the sum of

One Hundred Eighty-Five and 65/100

Dollars ($185.65)

issued to:

United California Bank

a corporation.

knowing at the time of such making, drawing, uttering and delivering that he had not sufficient
funds in, or credit with, said bank to meet the said check and draft and all other checks, drafts and orders
for the payment of money then and there outstanding, to aid upon its presentation for payment the said defendant or any of
said above named persons may be dealt with according to law.

XX

Sheriff and sworn to before me on

XX

Issued by EVELLE J. YOUNG, District Attorney

Bail Recommended

XX

Deputy

XX

CIF No. (Location)

Unknown

WITNESSES:

DEFENDANT IN CUSTODY
LONG BEACH BRANCH
APRIL 3, 1973

BAIL CASHED

CIVILIAN - 2 HRS.

9-2-73 9:00 am

P.D. appr

3730 S
COUNT II

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in Count I, plaintiff further complains and says:

That within three years last past, at and in the County of Los Angeles, State of California, the crime of ISSUING CHECKS WITHOUT SUFFICIENT FUNDS, in violation of Section 476a, Penal Code of California, a felony, was committed by

GARY RANDOLPH BENSON

who did willfully, knowingly, feloniously and fraudulently make, draw, utter and deliver checks and drafts for the payment of money, the total amount of which exceeds One Hundred Dollars ($100.00), hereinafter listed:

<table>
<thead>
<tr>
<th>DATE</th>
<th>PAYEE</th>
<th>BANK</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-26-73</td>
<td>Sears Roebuck &amp; Co.</td>
<td>Wells Fargo Bank</td>
<td>$70.47</td>
</tr>
<tr>
<td>1-27-73</td>
<td>Sears Roebuck &amp; Co.</td>
<td>Wells Fargo Bank</td>
<td>$118.06</td>
</tr>
</tbody>
</table>

Knowing at the time of such making, drawing, uttering and delivering, that he had not sufficient funds in, nor credit with, said bank to meet the said check and draft and all other checks, drafts and orders upon such funds, then and there did feloniously, in full upon its presentation for payment, the said defendant at all of said times having the intent then and there to cheat and defraud said persons and corporation(s).

Said complaint therefore prayed that a warrant may be issued XX the arrest of the defendant who may then be dealt with according to law.

XX

[Signature]

XX

Issued by EVELLE J. YOUNG, District Attorney

Bail Recommended

XX

[Signature]

XX

WITNESSES

[Signature]
COUNT III

For a further and separate cause of complaint, being a different offense of the same class of
crimes and offenses as the charge set forth in all preceding counts
herein, complaint, further complaint and says:

That on or about the 27th day of January, 1973, at and in the County
of Los Angeles, State of California, the crime of ISSUING CHECK WITHOUT SUFFI-
CIENT FUNDS, in violation of Section 476a, Penal Code of California, a felony, was commit-
ted by

GARY RANDOLPH BENSON

who, at the time and place last above stated, did wilfully, unlawfully, fraudulently and feloniously
make, draw, utter and deliver to May Company

a check and draft for the payment of money in the sum of

One hundred sixty-three---------and22/100dollars @ 163.22

drawn upon a bank, to wit: Wells Fargo Bank

May Company, a corporation.

The total amount of all checks, drafts and orders, that the defendant is charged in the several
counts above, in the making and uttering, exceeds the sum of One Hundred Dollars ($100.00).

Said XXXXcount therefore prays that a warrant may XXXXed for the arrest of the defendant
who may their bond, and according to law.

XXXX

Subscribed and sworn to before me on XXXX

Issued by EVEILLE J. YOUNGER, District Attorney

By: XXXX

Deputy

WITNESS XXXXX

XXXXX

No. (or other)
COUNT IV

For a further and separate cause of complaint, being a different offense of the same class of

crime and offenses as the charge set forth in All preceding counts

beheld, complainant further complains and says:

That on or about the 16th day of February, 1973, at and in the County

of Los Angeles, State of California, the crime of ISSUING CHECK WITHOUT SUFFI-
CIENT FUNDS, in violation of Section 476a, Penal Code of California, was com-

mitted by

GARY RANDOLPH BENSON

who, at the time and place last aforesaid, did wilfully, unlawfully, fraudulently and feloniously

make, draw, utter and deliver to Sears, Roebuck and Company

a check and draft for the payment of money in the sum of

Two hundred ninety-nine thousand two hundred and twenty dollars ($299,220)
drawn upon a bank in the name of Bank of California

knowing of the time of such make, draw, drawing, issuing and delivering, that the said bank did not have suf-
cient funds on deposit or credit with said bank to meet the said check and draft and all other checks, drafts

and orders upon such funds, then outstanding, in full upon its presentation for payment; the said
defendant at or of said times having the intent then and there to cheat and defraud

Sears, Roebuck and Company, a corporation.

The total amount of all checks, drafts and orders, that the defendant is charged in the several

counts of this proceeding with making and uttering, exceeds the sum of One Hundred Dollars ($100.00).

Said therefore prays that a warrant be issued for the arrest of the defendant

who may then be brought according to law.

Subscribed and sworn to before me on 25th day of February, 1973

[Signature]

Issued by EVELENE YOUNG, District Attorney

Bail Recommended 

[Signature]
COUNT V

For a further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in all preceding counts hereby complained of, and says:

That on or about the 16th day of February, 1973, at and in the County of Los Angeles, State of California, the crime of ISSUING CHECK WITHOUT SUFFICIENT FUNDS, in violation of Section 676a, Penal Code of California, a felony, was committed by

GARY RANDOLPH BENSON

who, at the time and place last aforesaid, did willfully, unlawfully, fraudulently and intentionally make, draw, issue and deliver to Wallach's Music City a check and draft for the payment of money in the sum of

One hundred eighty-three dollars and 01/100 dollars ($183.01) drawn upon a bank to wit: Bank of California

knowing of the fact that the funds upon which said check and draft would be paid, were insufficient, and that the said check and draft would not be paid when presented for payment, thereby causing said Wallach's Music City to suffer a loss of $183.01.

The total amount of all checks, drafts and orders, that the defendant is charged to the several counts of the complaint with making and uttering, exceeds the sum of One Hundred Dollars ($100.00).

The plaintiff therefore prays that a warrant may be issued for the arrest of the defendant who may then be dealt with according to law.

Subscribed and sworn to before me

[Signature]

Judge of the above entitled Court

Issued by EVILLE L. YOUNGER, District Attorney

By

[Signature]

Deputy

WITNESSES

[Signature]

[Signature]

[Signature]
COUNT VI

For an further and separate cause of complaint, being a different offense of the same class of crimes and offenses as the charge set forth in all preceding counts, brought complaint further complains and says:

That on or about the 11th day of February, 1973, at and in the County of Los Angeles, State of California, the crime of ISSUING CHECK WITHOUT SUFFICIENT FUNDS, in violation of Section 476a, Penal Code of California, a felony, was committed by

GARY RANDOLPH BENSON

who, at the time and place last aforesaid, did willfully, unlawfully, fraudulently and intentionally make, draw, utter and deliver to Continental Airlines

a check and draft for the payment of money in the sum of

Two hundred thirty-six -------and 00/100 Dollars ($236.00)

drawn upon a Bank to wit:

Bank of California

knowing at the time of such making, drawing, uttering and delivering, that he had not sufficient funds in, or credit with, said bank to meet the said check and draft and all other checks, drafts and orders upon said bank to be paid therefor, in full presentation for payment, the said defendant at all times having insufficient funds to meet and discharge

Continental Airlines, a corporation.

The total amount of all checks, drafts and orders, that the defendant is charged in the several counts of this pleading, with making and uttering, exceeds the sum of One Hundred Dollars ($100.00).

Said complaint therefore prays that a warrant may be issued for the arrest of the defendant who may then be dealt with according to law.

Subscribed and sworn to before me on

April 13, 1973

[Signature]

JOSEPH P. RUSCH

Issued by: Officier of the District Attorney

GEORGE S. ZUSKIS, Deputy

WITNESSES

[Signature]

[Signature]

$[Blank]

WITNESSES

[Signature]

[Signature]
THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED IS A FULL, TRUE, AND CORRECT COPY OF THE ORIGINAL ON FILE AND OF RECORD IN MY OFFICE. DEC 21 2000

ATTEST ____________________

JOHN A. CLARKE, CLERK

Executive Officer/Clerk of the Superior Court of California, County of Los Angeles.

By ___________________________, Deputy

DAWN O'KAFOE
SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

The People of the State of California, Plaintiff,

v.

GARY RANDOLPH BENSON

Defendant.

No. A 013 551

INFORMATION
ISSUING CHECK WITHOUT SUFFICIENT FUNDS (Sec. 476a, P.C.)

COUNT I

The said GARY RANDOLPH BENSON

is accused by the District Attorney of and for the County of Los Angeles, State of California, by this Information, of the crime of ISSUING CHECK WITHOUT SUFFICIENT FUNDS, in violation of Section 476a, Penal Code of California, a felony, committed as follows:

That the said GARY RANDOLPH BENSON

within three years last past, at and in the County of Los Angeles, State of California, did wilfully, unlawfully, feloniously and fraudulently make, draw, utter and deliver checks and drafts for the payment of money, the total amount of which exceeds One Hundred Dollars ($100.00), fraudulent intent

DATE       FAYER       BANK                  AMOUNT

2/1/73       Sears, Roebuck & Co.   United California Bank    $185.65

knowing at the time of such making, drawing, uttering and delivering, that he had not sufficient funds in, or credit with, said bank to meet the said check and draft and all other checks, drafts and orders upon such funds, then outstanding, in full upon its presentation for payment, the said defendant at all of said times having the intent then and there to cheat and defraud said persons and corporation(s).


XXXXXX District Attorney
for the County of Los Angeles, State of California

By XXXXX Deputy
COUNT II

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charges set forth in Count I hereof.

the said GARY RANDOLPH BENSON

is accused by the District Attorney of and for the County of Los Angeles, State of California, by this Information, of the crime of ISSUING CHECK WITHOUT SUFFICIENT FUNDS, in violation of Section 476a, Penal Code of California, a felony, committed as follows:

That the said GARY RANDOLPH BENSON

within three years last past, at and in the County of Los Angeles, State of California, did willfully, wantonly, feloniously and fraudulently make, draw, utter and deliver checks and drafts for the payment of money, the total amount of which exceeds One Hundred Dollars ($100.00), hereafter listed:

<table>
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<th>BANK</th>
<th>AMOUNT</th>
</tr>
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<tbody>
<tr>
<td>1/26/73</td>
<td>Sears, Roebeck &amp; Co.</td>
<td>Wells Fargo Bank</td>
<td>$70.47</td>
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<td>1/27/73</td>
<td>Sears, Roebeck &amp; Co.</td>
<td>Wells Fargo Bank</td>
<td>$118.06</td>
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knowing at the time of such making, drawing, uttering and delivering, that he had not sufficient funds in, or credit with, said bank to meet the said check and draft and all other checks, drafts and orders upon such funds, then outstanding, in full upon its presentation for payment; the said defendant at all of said times having the intent then and there to cheat and defraud said persons and corporation(s).

Filed in open Superior Court of the State of California, County of Los Angeles, on motion of the District Attorney of said County.

DATE:

WILLIAM J. SNYDER, Clerk

By: ___________________________

Deputy

By: ___________________________

Deputy

XXX... XXX... XXX... XXX... District Attorney for the County of Los Angeles, State of California.
COUNT III

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charges set forth in all preceding counts hereof.

the said GARY RANDOLPH BENSON

is accused by the District Attorney of and for the County of Los Angeles, State of California, by this Information, of the crime of ISSUING CHECK WITHOUT SUFFICIENT FUNDS, in violation of Section 476a, Penal Code of California, a felony, committed as follows:

That the said GARY RANDOLPH BENSON

within three years last past, at and in the County of Los Angeles, State of California, did willfully, unlawfully, feloniously and fraudulently make, draw, utter and deliver checks and drafts for the payment of money the total amount of which exceeds One Hundred Dollars ($100.00), hereinafter listed:

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<th>BANK</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/27/73</td>
<td>May Company</td>
<td>Wells Fargo Bank</td>
<td>$163.22</td>
</tr>
</tbody>
</table>

knowing at the time of such making, drawing, uttering and delivering, that he had not sufficient funds in, or credit with, said bank to meet the said check and draft and all other checks, drafts and orders upon such funds, then outstanding, in full upon its presentation for payment; the said defendant at all of said times having the intent then and there to cheat and defraud said persons and corporation(s).
COUNT IV

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charges set forth in all preceding counts hereof,

the said GARY RANDOLPH BENSON

is accused by the District Attorney of and for the County of Los Angeles, State of California, by this information, of the crime of ISSUING CHECK WITHOUT SUFFICIENT FUNDS, in violation of Section 402a, Penal Code of California, a felony, committed as follows:

That the said GARY RANDOLPH BENSON

within three years last past, at and in the County of Los Angeles, State of California, did willfully, unlawfully, feloniously and fraudulently make, draw, utter and deliver checks and drafts for the payment of money, the total amount of which exceeds One Hundred Dollars ($100.00), hereinafter listed:

<table>
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<tr>
<th>DATE</th>
<th>PAYER</th>
<th>BANK</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/16/73</td>
<td>Sears, Roebuck &amp; Co.</td>
<td>Bank of California</td>
<td>$299.20</td>
</tr>
</tbody>
</table>

knowing at the time of such making, drawing, uttering and delivering, that he had not sufficient funds in or credit with, said bank to meet the said check and draft and all other checks, drafts and orders upon such funds, then outstanding, in full upon its presentation for payment; the said defendant at all of said times having the intent then and there to cheat and defraud said persons and corporation(s).
COUNT V

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charges set forth in all preceding counts hereof,

the said GARY RANDOLPH BENSON

is accused by the District Attorney of and for the County of Los Angeles, State of California, by this Information, of the crime of ISSUING CHECK WITHOUT SUFFICIENT FUNDS, in violation of Section 470a, Penal Code of California, a felony, committed as follows:

That the said GARY RANDOLPH BENSON

within three years last past, at and in the County of Los Angeles, State of California, did willfully, unlawfully, fraudulently, make, draw, utter and deliver checks and drafts for the payment of money, the total amount of which exceeds One Hundred Dollars ($100.00), hereinafter listed:

<table>
<thead>
<tr>
<th>DATE</th>
<th>PAYEE</th>
<th>BANK</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/16/73</td>
<td>Wallach's Music City</td>
<td>Bank of California</td>
<td>$183.01</td>
</tr>
</tbody>
</table>

knowing at the time of such making, drawing, uttering and delivering, that he had not sufficient funds in, or credit with, said bank to meet the said check and draft and all other checks, drafts and orders upon such funds, then outstanding, in full upon its presentation for payment; the said defendant at all times having the intent then and there to cheat and defraud said persons and corporations.

Filed in the Superior Court of the State of California, County of Los Angeles, on motion of the District Attorney of said County.

DATED:
WILLIAM O. BOYDA, Clerk

Xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx, District Attorney
for the County of Los Angeles, State of California

By Xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
Deputy
COUNT VI

For a further and separate cause of action, being a different offense of the same class of crimes and offenses as the charges set forth in all preceding counts hereof.

the said GARY RANDOLPH BENSON

is accused by the District Attorney of and for the County of Los Angeles, State of California, by this information, of the crime of ISSUING CHECK WITHOUT SUFFICIENT FUNDS, in violation of Section 507a, Penal Code of California, a felony, committed as follows:

That the said GARY RANDOLPH BENSON

within three years last past, at and in the County of Los Angeles, State of California, did willfully, unlawfully, feloniously and fraudulently make, draw, utter and deliver checks and drafts for the payment of money, the total amount of which exceeds One Hundred Dollars ($100.00), hereinafter noted:

<table>
<thead>
<tr>
<th>DATE</th>
<th>PAYEE</th>
<th>BANK</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>2/11/73</td>
<td>Continental Airlines</td>
<td>Bank of California</td>
<td>$236.06</td>
</tr>
</tbody>
</table>

knowing at the time of such making, drawing, uttering and delivering, that he had not sufficient funds in, or credit with, said bank to meet the said check and draft and all other checks, drafts and orders upon such funds, then outstanding, in full upon its presentation for payment; the said defendant at all of said times having the intent then and there to cheat and defraud said persons and corporation.

JOSEPH P. BUSCH, District Attorney for the County of Los Angeles, State of California

By: [Signature]

JOHN M. PROVENZANO, Deputy
THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED IS A FULL, TRUE, AND CORRECT COPY OF THE ORIGINAL ON FILE AND OF RECORD IN MY OFFICE.

[Signature]

JOHN A. CLARKE, CLERK

Ex: Officer/Clerk of the Superior Ct: California, County of Los Angeles.
By: [Signature]

DAWN OKAFOR
DEPARTMENT OF THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Honorable: Richard M. Bean

Judge

Deputy Sheriff

CASE NO.: 401-2561

PEOPLE OF THE STATE OF CALIFORNIA

vs.

O1 BENSON, GARY RANDOLPH

Counsel for Plaintiff

Counsel for Defendant

PROBATION IS REVOKED.

NATURE OF PROCEEDINGS: PROBATION AND SENTENCE

DEFENDANT FOUND TO BE IN VIOLATION OF PROBATION.

PROBATION IS REVOKED.

APPLICATION DENIED. SENTENCE AS INDICATED BELOW.

Whereas the said defendant having...pleaded...pled to in this court the crime of ISSUING CHECK WITHOUT SUFFICIENT FUNDS, IN VIOLATION OF SECTION 476a, PENAL CODE, A FELONY, AS CHARGED IN COUNTS I AND IV OF THE INFORMATION.

It is therefore ordered, adjudged and decreed that the said defendant be punished by imprisonment in the

- County Jail of the County of Los Angeles for the term of 

- California Institution for Men for the term prescribed by law.

DEFENDANT TO BE GIVEN CREDIT FOR TIME ALREADY SERVED 240 DAYS IN CUSTODY.

SENTENCE TO RUN CONCURRENTLY WITH ANY OTHER SENTENCE HERETOFOR ORDERED IN ANY OTHER CASE.

It is further ordered that the defendant be remanded into the custody of the Sheriff of the County of Los Angeles

- to be by him delivered into the custody of the Director of Corrections at the California State Institution

- Men 

- Chico.

ENTERED

OCT. 4, 1976

JOHN J. ORRIGAN, JUDG.

CLERK AND CLERK OF THE SUPERIOR COURT

JUDGMENT
THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED IS A FULL, TRUE, AND CORRECT COPY OF THE ORIGINAL ON FILE AND OF RECORD IN MY OFFICE.

ATTEST ____________________________

JOHN A. CLARKE, CLERK

Executive Officer/Clerk of the Superior Court of California, County of Los Angeles.

By Dawn Okapu, Deputy

DAWN OKAPOR
<table>
<thead>
<tr>
<th>Nature of Proceedings</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Criminal Proceedings Resumed/Adjourned</td>
<td></td>
</tr>
<tr>
<td>Defendant Ordered Delivered to Department of Corrections per Sec. 11003.03 Penal Code.</td>
<td></td>
</tr>
<tr>
<td>Supplemental Probation Report Ordered</td>
<td></td>
</tr>
<tr>
<td>Probation Denied. Sentence is Imposed as follows:</td>
<td></td>
</tr>
<tr>
<td>Sentenced to State Prison for Term Prescribed by Law.</td>
<td></td>
</tr>
<tr>
<td>Committed to California Youth Authority.</td>
<td></td>
</tr>
<tr>
<td>Imprisoned in Los Angeles County Jail, for Term of</td>
<td></td>
</tr>
<tr>
<td>Fined in Sum of</td>
<td></td>
</tr>
<tr>
<td>Plus penalty assessment, to be paid to county clerk.</td>
<td></td>
</tr>
<tr>
<td>Sentence is Suspended.</td>
<td></td>
</tr>
<tr>
<td>Probation Granted for Period of</td>
<td></td>
</tr>
<tr>
<td>Probation to be without formal supervision</td>
<td></td>
</tr>
<tr>
<td>Spend first</td>
<td></td>
</tr>
<tr>
<td>Pay fine of</td>
<td></td>
</tr>
<tr>
<td>Not drink any alcoholic beverage and stay out of places where they are the chief item of sale.</td>
<td></td>
</tr>
<tr>
<td>Not use or possess any narcotic, dangerous or restricted drug or associated paraphernalia except with valid prescription and stay away from places where drugs are sold.</td>
<td></td>
</tr>
<tr>
<td>Not associate with persons known by you to be narcotic or drug users or dealers.</td>
<td></td>
</tr>
<tr>
<td>Submit to periodic urinalysis tests as directed by the probation officer.</td>
<td></td>
</tr>
<tr>
<td>Have no blank checks in possession, not write any portion of any checks, have blank checks on which you may make them.</td>
<td></td>
</tr>
<tr>
<td>Not gamble or engage in any gambling activities or have paraphernalia thereof in possession, and not be present in places where gambling or bookmaking is conducted.</td>
<td></td>
</tr>
<tr>
<td>Not associate with persons known by you to be narcotic or drug users or dealers.</td>
<td></td>
</tr>
<tr>
<td>Cooperate with P.O. in a plan for</td>
<td></td>
</tr>
<tr>
<td>Support dependents as directed by probation officer.</td>
<td></td>
</tr>
<tr>
<td>Seek and maintain employment as approved by the P.O.</td>
<td></td>
</tr>
<tr>
<td>Maintain residence as approved by the P.O.</td>
<td></td>
</tr>
<tr>
<td>Under the terms of any order of commitment to an institution of the department of mental health.</td>
<td></td>
</tr>
<tr>
<td>Supranumerary drivers license to clerk of court to be returned to clerk.</td>
<td></td>
</tr>
<tr>
<td>Fines are a motor vehicle unless lawfully licensed and insured.</td>
<td></td>
</tr>
<tr>
<td>Not drive a motor vehicle unless lawfully licensed and insured.</td>
<td></td>
</tr>
<tr>
<td>Submit your person and property to search or seizure at any time of the day or night by any law enforcement officer with or without a warrant.</td>
<td></td>
</tr>
<tr>
<td>Obedience laws, orders, rules and regulations of the probation dept and of the court.</td>
<td></td>
</tr>
</tbody>
</table>

**DOCKET 2 3 566**

**DEFENDANT TO BE GIVEN CREDIT FOR TIME ALREADY SERVED OF 0 days.**

**STAY OF EXECUTION GRANTED TO:***

**SECTION 33090 VEHICLE CODE DOES NOT APPLY.***

**ORDER OF FORFEITING BAIL VACATED. BAIL REINSTATED ON FILING OF REASSURANCE AND PAYMENT OF $100,000.***

**DEFENDANT APPEARING.***

**ORDER OF DISCHARGE.***

**MINUTE ORDER**

**Date:**
THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED IS A FULL, TRUE, AND CORRECT COPY OF THE ORIGINAL ON FILE AND OF RECORD IN MY OFFICE.

ATTEST DEC 21 2000

JOHN A. CLARKE, CLERK

Executive Officer/Clerk of the Superior Court of California, County of Los Angeles.

By DAWN OKAFOR, Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Honorable CHARLES C. STRATTON
JUDGE

CASE NO.

STATE OF CALIFORNIA

vs.

DAVID B. DICKSON

DAVID R. RYAN

MOTIONS

NATURE OF PROCEEDINGS

Motion Pursuant to Section 988.6, PC, Granted/Denied/Withdrawn/Continued to

Defendant Personally and All Counsel Waive Time for Trial.

TO COURT:

IN COURT:

MOTION FOR PROBATION DEPARTMENT, REQUEST FOR IMMEDIATE SENTENCE.

FURTHER ORDER AS FOLLOWS:

Considered the defendant has shown...
THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED IS A FULL, TRUE, AND CORRECT COPY OF THE ORIGINAL ON FILE AND OF RECORD IN MY OFFICE: DECEMBER 21, 2000

ATTEST

JOHN A. CLARKE, CLERK

Executive Officer/Clerk of the Superior Court of California, County of Los Angeles.

By

DAWN OKAY, Deputy
Universal Case File Number: 94. LV-38469 - IA-20
Field Office Acquiring Evidence: REA, SAN FRANCISCO
Serial # of Originating Document: 71
Date Received: 1/8/01

From: SAN FRANCISCO DIVISION FBI
(Name of Contributor)
(Address of Contributor)
(City and State)

To Be Returned: Yes □ No □
Receipt Given: Yes □ No □
Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure: Yes □ No □

Title: 

Reference: __________________________ (Communication Enclosing Material)

Description: Original notes re interview of

PENSON'S ANNOYING CONVICTION CERTIFIED COPIES
OF DOCUMENTS 7/81, SAN MATEO: STOLEN PROPERTY
STOLEN CREDIT CARDS
IN THE MUNICIPAL COURT OF THE NORTHERN JUDICIAL DISTRICT, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA [No. 777-4315F]

vs

GARY RANDOLPH BENSON
525 Michigan Avenue
Chicago, Illinois

COMPLAINT — CRIMINAL

[felony]

SECTION 496 PENAL CODE
SECTION 484g(b) PENAL CODE
SECTION 484e(1) PENAL CODE (Misdemeanor)

DEFENDANT

THE UNDERSIGNED, on information and belief, hereby accuses the above named defendant of the crimes of felony and misdemeanor as follows:

COUNT I — VIOLATION SECTION 496 PENAL CODE, CALIFORNIA:

That the defendant, on or about July 16, 1981, in the Northern Judicial District, County of San Mateo, State of California, did wilfully, unlawfully and feloniously buy, receive, conceal, sell, withhold, and aid in concealing, selling, and withholding property, to wit, the property of which had been stolen knowing that said property had been stolen.

///

///

///
COUNT II - VIOLATION SECTION 484g(b) PENAL CODE, CALIFORNIA:
That the defendant, on or about July 16, 1981, in the Northern Judicial District, County of San Mateo, State of California, did willfully, unlawfully and feloniously, with intent to defraud, obtain money, goods, services, and a thing of value, in excess of Two Hundred Dollars ($200), from PACIFIC SOUTHWEST AIRLINES by representing without the consent of the cardholders, that he was the holder of a credit card.

COUNT III - VIOLATION SECTION 484e(1) PENAL CODE, CA. (Misdemeanor)
That the defendant, on or about July 16, 1981, in the Northern Judicial District, County of San Mateo, State of California, did willfully and unlawfully acquire a credit card from another without the cardholder's and issuer's consent and with knowledge that a credit card had been acquired from another without said cardholder's and issuer's consent, with the intent to use, sell and transfer it to a person other than the issuer and the cardholder.

Executed at So. San Francisco, California, on July 17, 1981. I declare under penalty of perjury that the foregoing is true and correct.

PFW:fp 7/17/81
SPIA PD
STATE OF CALIFORNIA
COUNTY OF SAN MATEO

1. Peggy Thornton, the Clerk of the Superior Court of the

aforesaid County, do hereby certify that the foregoing is a full and

true correct copy of the original on file in my office, and that I have
carefully compared same with the original.

Witness my hand and seal of the Superior Court

This 8th day of December 2000

Clerk of the Superior Court of California, County of San Mateo

By

Deputy Clerk
IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF SAN MATEO

The People of the State of California,
Plaintiff,

vs.

GARY RANDOLPH BENSON

Defendant.

RE-ORDER ADMITTING DEFENDANT TO PROBATION

The above-named defendant having pled nolo contendere in this Court of the Section 496 Penal Code (Felony-Receiving Stolen Property)

on the day of , 1981, and having made application for probation, and the Court having considered the report of the Probation Officer in the above entitled case;

IT IS HEREBY ORDERED by this Court that the imposition of sentence be suspended, and said defendant be admitted to probation, for a period of years from the date of this order, upon the following terms and conditions:

1. Probationer shall be under the supervision and control of the Probation Officer of this County, shall report as directed and obey all reasonable and proper instructions given by said Probation Officer.

2. Probationer shall seek employment and, as far as possible, remain employed during the term of this probation.

3. Probationer shall obey all laws and, unless otherwise instructed by the Probation Officer, shall abstain from the use of all intoxicating liquors.

4. Probationer shall not leave this State without first securing permission from the Probation Officer and is further required to at all times keep his Probation Officer advised of his whereabouts.

5. Probationer shall enter and complete and actively participate in the program at the V. A. Hospital and not to be released without approval of the program director and/or probation officer.
The People of the State of California
-Vs-

GARY RANDOLPH BENSON

Court No. C-10485

DONE IN OPEN COURT THIS 11th DAY OF January 1983

FRANK PIOMBO
HONORABLE
JUDGE OF THE ABOVE-ENTITLED COURT

The undersigned hereby certifies that he has read the foregoing Order for Probation and understands the same and agrees to conduct himself strictly in accordance with said terms.

#48153 WJ:1ab DON HENEGY SHERIFF

BY

GARY RANDOLPH BENSON
Defendant

(over)

4020 (B)
Rev. 12/76
NOTICE TO PROBATIONER

Thoroughly familiarize yourself with the conditions of your probation, as a violation of any of the terms of probation will render you liable to penalties while, if you faithfully perform your duties, you are entitled to some privileges:

PENALTIES AND PRIVILEGES:

1. The Court or Judge thereof, in the order granting probation, may suspend the imposition or the execution of the sentence; and if you faithfully fulfill all the conditions of probation this suspension will remain in effect (1203.1 Penal Code).

2. The Court shall have authority at any time during the term of probation to revoke, modify, terminate or change its order of suspension or imposition or execution of sentence (1203.3 Penal Code).

3. At any time during your probationary period any Probation Officer or Peace Officer may, without a warrant or other process, rearrest you and bring you before the Court, and if the Court has reason to believe that you have violated any of the terms of your probation, it may revoke and terminate your probation and pronounce or execute sentence or issue a Bench Warrant (1203.2 Penal Code).

4. After your probation has terminated and if you have fulfilled the conditions of your probation and are not serving a sentence, or on probation for any offense, or charged with the commission of any offense, you have the right (except for some vehicle code violations cases) to apply to the Court to withdraw your plea of guilty and enter a plea of not guilty, or if you have been convicted, have the verdict set aside and thereupon the Court shall dismiss the accusation or information against you and you shall thereafter be released from all penalties and disabilities resulting from the offense of which you had been convicted. (1203.4 (a) & (b) Penal Code).

IN THE EVENT THE COURT ORDERS MONIES PAID THROUGH THE PROBATION DEPARTMENT: Payment of said monies can be done through the mail in the form of a money order or cashier's check made payable to:

SAN MATEO COUNTY PROBATION DEPARTMENT

Addressed to:
ADULT PROBATION
COUNTY GOVERNMENT CENTER #4602
REDWOOD CITY, CALIFORNIA 94063
<table>
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<tr>
<th>Section</th>
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<td>853.6(j)</td>
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<td>61.5 P.C.</td>
<td>Mage's Code</td>
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<tr>
<td>YES</td>
<td>Mage's Code</td>
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<tr>
<td>NO</td>
<td>Mage's Code</td>
</tr>
</tbody>
</table>

**Reason for Non-Release:**
- PER SECTION 853.6(j) OF THE PENAL CODE (CIRCLE ONE OR MORE)
- 123456789 (SEE TABLE ON REVERSE)
### A. Law Enforcement Information

**Arresting/Booking Agency**: S.F.P.D./Sheriff's Office

**Booking No.**

- **Local No.**
- **DOB**

**Reason for Release**

- 849B (3) PC
- 849B (1) PC
- CPL.
- Arrestee Exon.
- ASCERT. EVID. INSUFF.
- Further Invest.
- Released to Other Agency
- Other

**I.D. Numbers**

- **Charges at Disposition**
  - 1203.03 PC
- 1370 PC
- ST. HOSP.
- Other

- **Type**
- M

**Warrant No.**

- **Charge 1** (SEC., CODE)
- **Charge 2** (SEC., CODE)
- **Charge 3** (SEC., CODE)
- **Charge 4** (SEC., CODE)

**Reason for Rejection**

- 849.5 PC
- 1772 PC
- Other

**C. Court Information**

- **Type of Filing**
  - Information
  - Certification
  - Indictment

**Date Filed**

- **File No.** C10485

**Consolidated File No.**

- **L.C. Jud. Dist. No.**

**Type of Trial**

- Jury

**Finding/Verdict of Not Guilty-Insane**

**Sentence**

- CYA
- JAIL
- FINE
- RESTITUTION
- OTHER

- **Probation**
- 17 PC

**Prison**

- SUS

**Date of Sentence**

- **True Name**

**Date of Sentence**

- 1-21-76

**Sentence**

- CYA
- JAIL
- FINE
- RESTITUTION

**Probation**

- 17 PC

**Prison**

- SUS

**Remarks**

Remaining, counts dismissed and prior stricken pursuant to negotiated plea.
The People of the State of California, to the Sheriff of San Mateo County, Greeting:

YOU ARE COMMANDED to receive and detain defendant in your custody on the charge of violation of Section 496, 484g(b), 484e(1) of the Penal Code, a Misdemeanor/Felony as charged in the complaint on file herein:

For: Preliminary Hearing * on July 28, 1981 @ 9:00 am (date of next appearance)

It is ordered that defendant be admitted to bail in the sum of $2,500.00

and be directed to appear as stated above.

For: __________ with credit for time served _________ days.

(jail term imposed)

-Probation granted/not granted.

Dated: July 17, 1981

JUDGE OF THE MUNICIPAL COURT
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO

THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff

vs. GARY RANDOLPH BENSON, Defendant

DECLARATION CONCERNING PLEA OR CHANGE OF PLEA TO
GUILTY OR NOLO CONTENDERE; AND FINDING AND ORDER

I, the above named defendant in the above-entitled criminal action, and in support of my motion, which will be made in open court personally and by my attorney, to change my plea(s) to

☐ to plead ☐ guilty ☐ nolo contendere, do declare:

1. My attorney in this action is

2. I am charged in the information in this action with having violated

☐ 496 PC; ☐ 484(g)(b) PC; ☐ 484(e)(a) PC and one prior felony conviction under 667.5(b)

3. I desire to ☐ plead ☐ change my plea(s) to ☐ nolo contendere

☐ 496 PC. ☐ (667.5(a)

4. I ☐ do ☐ do not understand the nature of the charge(s) against me.

5. I ☐ have ☐ have not discussed the nature of the charge(s) against me and the possible defenses thereto with my attorney.

6. My attorney ☐ has ☐ has not explained my constitutional rights to: a trial by jury, confront witnesses against me, the process of the Court to compel the attendance of witnesses on my behalf, the right to remain silent or, if I so choose, to testify for myself.

7. I ☐ do ☐ do not realize that I give up these rights by pleading guilty or nolo contendere.

☐ I understand that a plea of nolo contendere has the same legal effect as a plea of guilty.

8. I understand that if I am not a citizen, conviction of the offense for which I have been charged may have the consequences of deportation, exclusion from admission to the United States or denial of naturalization.

9. My decision to ☐ change my plea(s) to ☐ plead nolo contendere ☐ has been made freely and voluntarily, without threat or fear to me or anyone closely related to or associated with me.

☐ My attorney ☐ has ☐ has not explained that the maximum penalty, including penalty assessments, which could be imposed as a result of my plea(s) of guilty or nolo contendere is

☐ 3 yr State Prison, followed by four (4) years

Penalty

County Clerk Form 206 (revised Jan. 1978) CRIMINAL-Plea Or Change Of Plea
11. I have been induced to plead guilty or nolo contendere by any promise or representation of a lesser sentence, probation, reward, immunity, or anything else, except 1. Cts. I and II to be dismissed. 2. Prior alleged under 667.5 PC to be stricken. 3. Sentence not to exceed the low term of 16 mos.

(NOTE: Any agreement on sentence where probation is granted may still subject a defendant to the maximum penalty (see #10 above) if probation is later violated.)

12. I understand that the matter of probation and sentence is to be determined solely by the Court and will not be decided until the report and recommendation by the Probation Department has been considered.

The Court reserves the right to withdraw its consent to any sentence limitation agreement; and, in that event, I will be permitted to withdraw my plea(s) of guilty or nolo contendere and all charges will be reinstated.

EXECUTED in San Mateo County, California on 9/23/81.

[Signature]

(Defendant's signature)

states that he is the above-named defendant's attorney in the above-entitled action, he personally read and explained the contents of the above declaration to the defendant; he personally observed the defendant fill in, date and sign said declaration; he, after having investigated this case and the possible defenses thereto, concurs in defendant's plea(s) of guilty or nolo contendere to the charge(s) as set forth by the defendant in the above declaration as basis for the plea(s).

DATED: 9/23/81

(Attorney's signature)

The People of the State of California, plaintiff in the above-entitled criminal action, by and through its attorney, concur and stipulate there is a factual basis for the plea(s).

DATED: 9/23/81

KEITH C. SORENSON, District Attorney

by

Deputy Assistant District Attorney

FINDINGS AND ORDER

The defendant personally, and by his attorney in open court having this date entered a plea of guilty or nolo contendere, and having been advised as to his rights, said plea is hereby accepted and ordered entered. The Court finds that the defendant made a knowing, intelligent and voluntary waiver of the above rights.

DATED: 23 JEG 1981

[Signature]

JUDGE

County Clerk Form 206 (revised Jan. 1978)

CRIMINAL-PLEA OR CHANGE OF PLEA
STATE OF CALIFORNIA
COUNTY OF SAN MATEO

Peggy Thomas, the Clerk of the Superior Court of the above
named County, do hereby certify that the foregoing is a full, true
and correct copy of the original on file in my office, and that I have
carefully compared same with the original.

Witness my hand and seal of said Superior Court.

This 27th day of December 2000
Clerk of the Superior Court of California, County of San Mateo

By: __________________________

Deputy Clerk
Criminal proceedings suspended, Sheriff ordered to deliver Defendant to the Department of Corrections Diagnostic Facility at Vacaville, CA/Corona, CA for diagnosis and evaluation pursuant to Sec. 1203.03 PC for a temporary period not to exceed ninety days.

Defendant and counsel waived time for sentencing.

Defendant waived formal arraignment for judgment and states there is no legal cause why sentence should not now be pronounced.

Imposition of sentence suspended. Defendant sentenced per attachment. Sentence suspended.

Probation denied. Formal/court probation granted for a period of ________.

Conditions of probation accepted by defendant.

Defendant advised of period of parole pursuant to Section 1170.1 PC.

Defendant advised of right to appeal, appeal procedure and right to appointed counsel pursuant to Rule 250, California Rules of Court.

Defendant failing to appear, without sufficient excuse

Bail forfeited o.r. revoked.

Bench warrant ordered issued with no bail/bail fixed at $__________.

Defendant appearing bench warrant recalled ________ bail/o.r. reinstated.

Motion for issuance of bench warrant/forfeiture of bail/revocation of o.r. submitted/continued to __________.

Motion for reduction of bail/release o.r. is granted/denied.

Bail reset at $__________ ordered to appear.

Defendant remanded ________ on bail ________ o.r. ________ ordered to appear.

Bail exonerated ________.
STATE OF CALIFORNIA
COUNTY OF SAN MATEO

I, Peggy Thompson, the Clerk of the Superior Court of the State of California in and for the County of San Mateo, do hereby certify that the foregoing is a true and correct copy of the record in file in my office, and that it was carefully compared with the original.

This 8th day of December, 2000

By: [Signature]

[Stamp]
IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN MATEO

The People of the State of California,
Plaintiff,

vs.

GARY RANDOLPH BENSON

Defendant.

ORDER ADMITTING DEFENDANT TO PROBATION

The above-named defendant having pled nolo contendere in this Court of the
offense of Section 496 Penal Code (Felony-Receiving Stolen Property)
on the 23rd day of September, 1981, and having made application for probation, and the Court having considered the report of the Probation Officer in the above entitled case;

IT IS HEREBY ORDERED by this Court that the imposition of sentence be suspended, and said defendant be admitted to
probation, for a period of three (3) years from the date of this order, upon the following terms and conditions:

1. Probationer shall be under the supervision and control of the Probation Officer of this County, shall report as directed and obey all reasonable and proper instructions given by said Probation Officer.

2. Probationer shall seek employment and, as far as possible, remain employed during the term of this probation.

3. Probationer shall obey all laws and, unless otherwise instructed by the Probation Officer, shall abstain from the use of all intoxicating liquors.

4. Probationer shall not leave this State without first securing permission from the Probation Officer and is further required to at all times keep his Probation Officer advised of his whereabouts.

5. Probationer shall participate in a program of counseling/therapy or hospitalization either on an inpatient basis or outpatient basis, as directed by the probation officer.

#4020 (A)
Rev. 12/76
The People of the State of California

_vs_

GARY RANDOLPH BENSON

DONE IN OPEN COURT THIS 21st DAY OF January, 1982

HONORABLE ZERNE P. HANING
JUDGE OF THE ABOVE-ENTITLED COURT

The undersigned hereby certifies that he has read the foregoing Order for Probation and understands the same and agrees to conduct himself strictly in accordance with said terms.

JCO: mb
#48153

GARY RANDOLPH BENSON
Defendant

Rev. 12/76
NOTICE TO PROBATIONER

Thoroughly familiarize yourself with the conditions of your probation; as a violation of any of the terms of probation will render you liable to penalties while, if you faithfully perform your duties, you are entitled to some privileges.

PENALTIES AND PRIVILEGES:

1. The Court or Judge thereof, in the order granting probation, may suspend the imposition or the execution of the sentence; and if you faithfully fulfill all the conditions of probation this suspension will remain in effect (1203.1 Penal Code). DVI. 03

2. The Court shall have authority at any time during the term of probation to revoke, modify, terminate or change its order of suspension or imposition or execution of sentence (1203.3 Penal Code).

3. At any time during your probationary period any Probation Officer or Peace Officer may, without a warrant or other process, arrest you and bring you before the Court, and if the Court has reason to believe that you have violated any of the terms of your probation, it may revoke and terminate your probation and pronounce or execute sentence or issue a Bench Warrant (1203.2 Penal Code).

4. After your probation has terminated and if you have fulfilled the conditions of your probation and are not serving a sentence, or on probation for any offense, or charged with the commission of any offense, you have the right (except for some vehicle code violations cases) to apply to the Court to withdraw your plea of guilty and enter a plea of not guilty, or if you have been convicted, have the verdict set aside and thereupon the Court shall dismiss the accusation or information against you and you shall thereafter be released from all penalties and disabilities resulting from the offense of which you had been convicted. (1203.4 (a) & (b) Penal Code).

IN THE EVENT THE COURT ORDERS MONIES PAID THROUGH THE PROBATION DEPARTMENT:
Payment of said monies can be done through the mail in the form of a money order or cashier's check made payable to:

SAN MATEO COUNTY PROBATION DEPARTMENT

Addressed to:
ADULT PROBATION
COUNTY GOVERNMENT CENTER #4602
REDWOOD CITY, CALIFORNIA 94063
STATE OF CALIFORNIA  
COUNTY OF SAN MATEO

Peggy Thompson, the Clerk of the Superior Court of the above-mentioned County, do hereby certify that the foregoing is a full, true and correct copy of the original on file in my office, and that I have carefully compared same with the original.

This 8TH day of December, 2020

Clerk of the Superior Court of California, County of San Mateo

Deputy Clerk
<table>
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<tr>
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<th>CHARGE 2 (SEC. CODE)</th>
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**REMARKS:**
Remaining counts dismissed and prior stricken pursuant to negotiated plea.
STATE OF CALIFORNIA
COUNTY OF SAN MATEO

I, Peggy Thompson, the Clerk of the Superior Court of the above
named County, do hereby certify that the foregoing is a full, true
and correct copy of the original on file in my office, and that I have
carefully compared same with the original.

Witness my hand and seal of said Superior Court

This 8th day of December 2000

Clerk of the Superior Court, County of San Mateo

By

[Seal]
Universal Case File Number 9ALW-70409-1A

Field Office Acquiring Evidence

Serial # of Originating Document

Date Received 7/4/01

From FBI HQ (Name of Contributor)

(Address of Contributor)

By

To Be Returned ☐ Yes ☐ No

Receipt Given ☐ Yes ☐ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)

Federal Rules of Criminal Procedure ☐ Yes ☐ No

Title:

Reference: (Communication Enclosing Material)

Description: ☐ Original notes re interview of

Invoice & Req. of Exam.

re 1B 6, 7, 8
To: SAC, Las Vegas
     Squad 5, VCMO (P)

Date: January 11, 2001

Case ID No.: 9A-LV-30409
Lab No.: 001109022 DY

Reference: Communication dated November 3, 2000

Your No.:  

Title: GARY RANDOLPH BENSON; JERRY LEWIS - VICTIM; THREATENING LETTER;

Date specimens received: November 9, 2000

Specimens:

K6 Inked fingerprints of GARY RANDOLPH BENSON,
K7 Elimination inked fingerprints of JERRY LEWIS
K8 Elimination inked fingerprints of

The result of the latent print examination is included in this report.

Specimens K6 through K8 are enclosed, along with a certified copy of the fingerprint card and record for GARY RANDOLPH BENSON. The requested curriculum vitae for Fingerprint Specialist is also enclosed.

Enclosures (5)
Report of Examination

Examiner Name: [ ]

Date: January 11, 2001

Unit: Latent Print

Case ID No.: 9A-LV-30409

Lab No.: 001109022 DY

Results of Examinations:

The fingerprints of GARY RANDOLPH BENSON (K6), recorded by the Metro Police Department, Las Vegas, Nevada, arrest date May 17, 2000, were compared with the fingerprints of GARY RANDOLPH BENSON, recorded on September 8, 1978, by the United States Marshal Service, Tucson, Arizona, #00670-008, and on file in this Bureau under file #534652G, and they are fingerprints of one and the same individual.

The elimination fingerprints of [ ] (K8), recorded by the FBI, Las Vegas Division, on November 3, 2000, were compared with the fingerprints of [ ] (K3), submitted by the FBI, Las Vegas Division with communication dated April 24, 2000, Laboratory #000505016, and they are fingerprints of one and the same individual.
Universal Case File Number: QA, LV-36409 -1A-AS
Field Office Acquiring Evidence: LV
Serial # of Originating Document: 
Date Received: 6/20/2001

From: 
(Name of Contributor)
(Address of Contributor)
(City and State)

By: 
(Name of Special Agent)

To Be Returned: ☑ Yes ☐ No
Receipt Given: ☑ Yes ☐ No
Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e) Federal Rules of Criminal Procedure: ☑ Yes ☐ No

Title: 

Reference: ____________________________ (Communication Enclosing Material)

Description: ☐ Original notes re interview of

______________________________

______________________________

______________________________

______________________________

______________________________
was member of treatment team on special needs unit. / from memory

recalled that Benson wrote letter. Benson wouldn't take meds.

got court commitment. process began more than 12 mo. ago.

surprised that Benson had energy to put letter together.

only one who actually saw the letter

posed quest. to Benson. Benson confirmed

"sheepishly" yes i did send the letter (as best recalled.)

team had knowledge of prior acts of stalking.

said not good thing to do. Benson said wouldn't do again.

not sure if Benson even had off-ground privileges. if left grounds may have been b/c permission.

5/20/01 [tel com]
<table>
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<th>Information</th>
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<td>LV.</td>
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<td>Serial # of Originating Document</td>
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<td>11/1/2007</td>
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<td>FBI IDENTIFICATION DIV.</td>
</tr>
<tr>
<td></td>
<td>(Name of Contributor)</td>
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<tr>
<td></td>
<td>(Address of Contributor)</td>
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<tr>
<td></td>
<td>(City and State)</td>
</tr>
<tr>
<td>By</td>
<td></td>
</tr>
<tr>
<td>To Be Returned</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Receipt Given</td>
<td>☐ Yes ☐ No</td>
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<td>Grand Jury Material - Disseminate Only Pursuant to Rule 6 (c)</td>
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<tr>
<td>Federal Rules of Criminal Procedure</td>
<td>☐ Yes ☐ No</td>
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<td>Federal Taxpayer Information (FTI)</td>
<td>☐ Yes ☐ No</td>
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<td>Title</td>
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<td>(Communication Enclosing Material)</td>
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<tr>
<td>Description</td>
<td>☐ Original notes re interview of</td>
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- [Name of Contributor] (Copy of [Name of Contributor])
- [Date of Interview] (Copy of Interview)
- [Location of Interview]
- [Name of Person Interviewed] (Copy of Interview)
- [Name of Person Interviewed] (Copy of Interview)
- [Date of Interview] (Copy of Interview)

From bulky evidence...
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<th>FINGERPRINT LOCATION</th>
<th>FINGERPRINT IMAGE</th>
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<td>R. THUMB</td>
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<tr>
<td>L. THUMB</td>
<td>![L. Thumb Fingerprint]</td>
</tr>
<tr>
<td>R. INDEX</td>
<td>![R. Index Fingerprint]</td>
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<tr>
<td>L. INDEX</td>
<td>![L. Index Fingerprint]</td>
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<tr>
<td>R. MIDDLE</td>
<td>![R. Middle Fingerprint]</td>
</tr>
<tr>
<td>L. MIDDLE</td>
<td>![L. Middle Fingerprint]</td>
</tr>
<tr>
<td>R. LITTLE</td>
<td>![R. Little Fingerprint]</td>
</tr>
<tr>
<td>L. LITTLE</td>
<td>![L. Little Fingerprint]</td>
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<tr>
<td>S. THUMB</td>
<td>![S. Thumb Fingerprint]</td>
</tr>
<tr>
<td>S. LITTLE</td>
<td>![S. Little Fingerprint]</td>
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**Final Disposition:**

- **Date:** 9-6-78
- **Sex:** M
- **Race:** W
- **Height:** 72
- **Weight:** 150
- **Eyes:** BLU
- **Hair:** BON
- **Place of Birth:** TUCSON, ARIZ
- **Date of Birth:** 6-25-43

**Social Security Number:** 940567353108090678

**Alias:**

- BENSON
- BUSH
- AZUSMORE

**Contributor:** RANDOLPH

**Narcotics:**

- LEAVE BLANK

**FBI Record Number:** 00670-008

**Other Identifying Information:**

- LEAVE BLANK
- LEAVE BLANK

**Disposal:**

- LEAVE BLANK

**Notes:**

- Aid/Abet Escape
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<tr>
<th>EMPLOYER: If U.S. GOVERNMENT, INDICATE SPECIFIC AGENCY, IF MILITARY, LIST BRANCH OF SERVICE AND SERIAL NO.</th>
<th>SELF</th>
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<tr>
<td>RESIDENCE OF PERSON FINGERPRINTED</td>
<td>1210 PALM AVE., SAN DIEGO, CA</td>
</tr>
<tr>
<td>SCARS, MARKS, TATTOOS, AND AMPUTATIONS</td>
<td>ENL</td>
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<th>Basis for Caution</th>
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<th>Photo Available</th>
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<th>NO</th>
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<table>
<thead>
<tr>
<th>Instructions</th>
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</thead>
<tbody>
<tr>
<td>1. Unless otherwise provided by regulation in your state, fingerprints are to be submitted directly to FBI IDENTIFICATION DIVISION. Forward immediately for most effective service.</td>
</tr>
<tr>
<td>2. FINGERPRINTS SHOULD BE SUBMITTED BY ARRESTING AGENCY ONLY. MULTIPLE PRINTS ON SAME CHARGE SHOULD NOT BE SUBMITTED BY OTHER AGENCIES SUCH AS JAIL, RECEIVING AGENCIES, ETC. REQUEST COPY OF FBI IDENTIFICATION RECORD FOR ALL OTHER INTERESTED AGENCIES IN ERC BELOW. GIVE COMPLETE MAILING ADDRESS, INCLUDING ZIP CODE.</td>
</tr>
<tr>
<td>3. TYPE OR PRINT ALL INFORMATION.</td>
</tr>
<tr>
<td>4. NOTE AMPUTATIONS IN PROPER FINGER BLOCKS.</td>
</tr>
<tr>
<td>5. LIST FINAL DISPOSITION IN BLOCK ON FRONT ONLY. NOT TO BE SUBMITTED. DO NOT SUBMIT FORM PRIOR TO FINAL DISPOSITION. IF FINAL DISPOSITION NOT AVAILABLE, SUBMIT REPORT OF PRE-TRIAL OR ARRESTING AGENCY DISPOSITION, E.G., RELEASED, NO FORMAL CHARGE, BAIL, TURNED OVER TO IN THE ARREST DISPOSITION BLOCK PROVIDED ON THIS SIDE.</td>
</tr>
<tr>
<td>6. MAKE CERTAIN ALL IMPRESSIONS ARE LEGIBLE, FULLY ROLLED AND CLASSIFIABLE.</td>
</tr>
<tr>
<td>7. CAUTION: OR CE BOX ON FRONT IF CAUTION STATEMENT INDICATED, BASIS FOR CAUTION, ETC. MUST BE GIVEN.</td>
</tr>
<tr>
<td>8. MISCELLANEOUS NUMBER MUST BE SHOWN AND MIGHT INCLUDE SUCH NUMBERS AS MILITARY SERVICE, PASSPORT AND/or SERVICES ADMINISTRATION IDENTIFY TYPE OF NUMBER.</td>
</tr>
<tr>
<td>9. PROVIDE STATUTE CITATION, IDENTIFYING SPECIFIC STATUTE (EXAMPLE: PL 82, CRIMINAL CODE) CITATION INCLUDING ANY SUB-SECTION.</td>
</tr>
<tr>
<td>10. ALL INFORMATION REQUESTED IS ESSENTIAL.</td>
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SEND COPY TO: Fed. Bf. of Investigation Phoenix, Arizona 85013

REPLY DESIRED? | YES | NO |
<table>
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REPLY WILL BE SENT IN ALL CASES IF SUBJECT FOUND TO BE WANTED.

If collect wire or collect telephone reply desired, indicate here. Wire sent on all known to be wanted.

RECORDED SEP 26, 1976 IDENT. DIV. 67
United States of America  
Federal Bureau of Investigation

January 8, 2001

In Accordance with Title 28, Section 1733, U.S. Code, I hereby certify that the annexed paper is a true copy of the record and/or fingerprints presently maintained in the Criminal Justice Information Services Division of this Bureau, of

GARY RANDOLPH BENSON  
FBI Number 534 652 G

In witness whereof, I have hereunto set my hand and caused the seal of the Federal Bureau of Investigation to be affixed, on the day and year first above written.

[Signature]

David R. Loesch  
Assistant Director in Charge  
Criminal Justice Information Services Division
This is to certify that Assistant Director in Charge David R. Loesch, is a duly authorized custodian of records of the Criminal Justice Information Services (CJIS) Division of the Federal Bureau of Investigation (FBI) and a custodian of the FBI seal for the purpose of authentication of CJIS Division records as true copies.

Louis J. Freeh
Director
THE ENCLOSED RECORD WITH THE FBI NUMBER 534652G AND IAFIS CONTROL NUMBER (ICN) ISIS0003000005098595 IS BEING PROVIDED AS THE RESULT OF SUBJECT CRIMINAL HISTORY RESPONSE REQUEST.

DATA RELATED TO THIS RECORD WAS REQUESTED FROM THE FOLLOWING:

NEW JERSEY  - STATE ID/NJ615541A
FBI       - FBI/534652G

SINCE THIS RESPONSE CONTAINS NATIONAL FINGERPRINT FILE (NFF) REGULATED DATA, THE RESPONSE MAY NOT BE COMPLETE. IF THE RESPONSE IS INCOMPLETE, PLEASE CONTACT THE CRIMINAL JUSTICE INFORMATION SERVICES DIVISION, IDENTIFICATION AND INVESTIGATIVE SERVICES SECTION OR THE STATE BUREAU(S) TO REQUEST A COMPLETE RECORD.
THE FOLLOWING FBI IDENTIFICATION RECORD FOR 534652G IS FURNISHED FOR OFFICIAL USE ONLY.

DESCRIPTORS ON FILE ARE AS FOLLOWS:

NAME BENSON, GARY RANDOLPH

<table>
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<tr>
<th>SEX</th>
<th>RACE</th>
<th>BIRTH DATE</th>
<th>HEIGHT</th>
<th>WEIGHT</th>
<th>EYES</th>
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<tr>
<td>MALE</td>
<td>WHITE</td>
<td>1943/06/25</td>
<td>600</td>
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BIRTH CITY: UNREPORTED
PLACE OF BIRTH: CONNECTICUT

PATTERN CLASS:
RS RS LS RS LS LS LS LS LS LS LS LS LS RS AU AU

OTHER BIRTH DATES: NONE
SCARS-MARKS-TATTOOS: NONE
SOCIAL SECURITY NUMBER: 094-38-8817
MISC NUMBERS: NONE

ALIAS NAME(S):
- BENSON, CHINO
- BENSON, GARY
- BENSON, GARY RANDOLPH
- BENSON, GRAY RANDOLPH

END OF COVER SHEET.
BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY
SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

FBI IDENTIFICATION RECORD

WHEN EXPLANATION OF A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE
DIRECTLY WITH THE AGENCY THAT FURNISHED THE DATA TO THE FBI.

NAME
BENSON, GARY RANDOLPH

SEX RACE BIRTH DATE HEIGHT WEIGHT EYES HAIR BIRTH PLACE
M W 1943/06/25 600 141 BLU BRO CONNECTICUT

FINGERPRINT CLASS PATTERN CLASS
21 12 55 07 08 RS RS LS RS LS LS LS LS
18 11 06 10 05 RS RS
AU
AU

1-ARRESTED OR RECEIVED 1968/08/05
AGENCY-POLICE DEPARTMENT MIAMI (FL0130600)
AGENCY CASE-A52958
CHARGE 1-DC

COURT-
CHARGE-DC
SENTENCE-
NOLLE PROSSE REL TO VA HOSP

2-ARRESTED OR RECEIVED 1968/12/25
AGENCY-METRO-DADE PD-CRB MIAMI (FL0130000)
AGENCY CASE-120353
CHARGE 1-ESCAPE MENTAL PATIENT

COURT-
CHARGE-ESCAPE MENTAL PATIENT
SENTENCE-
CHGS DROPPED

3-ARRESTED OR RECEIVED 1970/04/05
AGENCY-POLICE DEPARTMENT NEW YORK (NY0303000)
AGENCY CASE-B797643 NAME USED-BENSON, GARY
CHARGE 1-MISD UNTAXED CIGARETTES

END OF PART 1 - PART 2 TO FOLLOW
- FBI IDENTIFICATION RECORD - FBI NO-534652G

4-ARRESTED OR RECEIVED 1970/11/14
AGENCY-SHERIFF'S OFFICE JACKSONVILLE (FL0160000)
AGENCY CASE-209-935
CHARGE 1-CCW

COURT-
CHARGE-CCW
SENTENCE-
30 DAS CITY FARM & $2 CC

5-ARRESTED OR RECEIVED 1973/03/21 SID- CA04894433
AGENCY-SHERIFF'S OFFICE NORWALK (CA0190000)
AGENCY CASE-2363699 NAME USED-BENSON,GARY R
CHARGE 1-NSF CHECKS
CHARGE 2-CRIME ON GOVT RESERVATION

6-ARRESTED OR RECEIVED 1973/04/11 SID- CA04894433
AGENCY-POLICE DEPARTMENT LONG BEACH (CA0194100)
AGENCY CASE-285244
CHARGE 1-NSF CHECKS-FEL

COURT-
CHARGE-NSF CHECKS-FEL
SENTENCE-
FORMAL PROB PROCEEDINGS SUSP 36 MOS 186 DAS JL

7-ARRESTED OR RECEIVED 1974/09/27
AGENCY-POLICE DEPARTMENT NORFOLK (VA1170000)
AGENCY CASE-168342
CHARGE 1-WORTHLESS CHECKS-9 MISD CHGS
CHARGE 2-WORTHLESS CHECKS-6 FEL CHGS
CHARGE 3-DEFRAUD INNKEEPER

COURT-
CHARGE-WORTHLESS CHECKS-9 MISD CHGS
SENTENCE-
1-9 NOLLE PROS
CHARGE-WORTHLESS CHECKS-6 FEL CHGS
SENTENCE-
12 MOS UPON EACH CHG
CHARGE-DEFRAUD-INNKEEPER
SENTENCE-
12 MOS SUSP 2 1/2 YRS SUP PROB

END OF PART 2 - PART 3 TO FOLLOW
8-ARRESTED OR RECEIVED 1974/10/16
AGENCY-POLICE DEPARTMENT NORFOLK (VA1170000)
AGENCY CASE-168342
CHARGE 1-WORTHLESS CHECK

COURT-
CHARGE-WORTHLESS CHECK
SENTENCE-
NOLLE PROS

9-ARRESTED OR RECEIVED 1975/04/02
AGENCY-POLICE DEPARTMENT NORFOLK (VA1170000)
AGENCY CASE-168342
CHARGE 1-WORTHLESS CHECK

COURT-
CHARGE-WORTHLESS CHECK
SENTENCE-
$25 & 30 DAS JSS

10-ARRESTED OR RECEIVED 1976/09/07 SID- CA04894433
AGENCY-SHERIFF'S OFFICE SAN DIEGO (CA0370000)
AGENCY CASE-833110
CHARGE 1-FORG CR CARD

COURT-
CHARGE-484-A-2 PC
SENTENCE-
DISM

11-ARRESTED OR RECEIVED 1976/10/08, SID- CA04894433
AGENCY-BUREAU OF IDENT SACRAMENTO (CA0349400)
AGENCY CASE-B77254 NAME USED-BENSON, GRAY RANDOLPH
CHARGE 1-CT 1 NSF CHECK-PROB REV
CHARGE 2-CT 4 NSF CHECK

COURT-
CHARGE-CT 1 NSF CHECK-PROB REV
SENTENCE-
6 MOS-14 YRS PROB REV
CHARGE-CT-4-NSF-CHECK
SENTENCE-
6 MOS-14 YRS CC, 6-5-77. PAROLED TO SAN DIEGO CQ DISCHARGED 10-1-78

END OF PART 3 - PART 4 TO FOLLOW
PART 4

- FBI IDENTIFICATION RECORD - FBI NO-534652G

12-ARRESTED OR RECEIVED 1977/09/13
AGENCY-METRO CORR CTR SAN DIEGO (CA037017C)
   AGENCY CASE-16722 NAME USED-BENSON, GARY RANDOLPH
   CHARGE 1-BANK ROBBERY BY FORCE

13-ARRESTED OR RECEIVED 1978/09/06
AGENCY-USM TUCSON (AZUSM0200)
   AGENCY CASE-00670-008
   CHARGE 1-AID/ABET ESCAPE
   COURT-
   CHARGE-AID/ABET ESCAPE
   SENTENCE-
   DISM

14-ARRESTED OR RECEIVED 1979/03/19 SID- CA04894433
AGENCY-SHERIFF'S OFFICE SAN DIEGO (CA0370000)
   AGENCY CASE-140060
   CHARGE 1-FEL CHECKS NSF

15-ARRESTED OR RECEIVED 1979/09/24 SID- TX02650001
AGENCY-POLICE DEPARTMENT HOUSTON (TXHPD0000)
   AGENCY CASE-331703
   CHARGE 1-THEFT

16-ARRESTED OR RECEIVED 1981/07/16 SID- CA04894433
AGENCY-SHERIFF'S OFFICE REDWOOD CITY (CA0410000)
   AGENCY CASE-206986 NAME USED-BENSON, GARY RANDLPH
   CHARGE 1-REC ETC KNOWN STLN PROP
   CHARGE 2-PT CREDIT CARD

17-ARRESTED OR RECEIVED 1982/10/09 SID- CA04894433
AGENCY-POLICE DEPARTMENT LOS ANGELES (CA0194200)
   AGENCY CASE-1422956B
   CHARGE 1-GT FROM PERSON-F
   COURT-
   CHARGE-GT FROM PERSON-F
   SENTENCE-
   JL .90 DAS, 24 MOS SW PROB, 26 DAS CTS & GT & WT

END OF PART 4 - PART 5 TO FOLLOW
18-ARRESTED OR RECEIVED 1982/11/08  SID- CA04894433
AGENCY-SHERIFF'S OFFICE REDWOOD CITY (CA0410000)
AGENCY CASE-206986
CHARGE 1-REC ETC KNOWN STLN PROP

19-ARRESTED OR RECEIVED 1982/12/31  SID- CA04894433
AGENCY-SHERIFF'S OFFICE REDWOOD CITY (CA0410000)
AGENCY CASE-206986
CHARGE 1-VIO PROB/REC ETC KNOWN STLN PROP

20-ARRESTED OR RECEIVED 1984/11/26
AGENCY-LAS VEGAS MET PD LAS VEGAS (NV0020100)
AGENCY CASE-610909
CHARGE 1-DRAW & PASS CHECKS

COURT-
CHARGE-MISD CHECKS
SENTENCE-
PLEADED, REST OF $1222

21-ARRESTED OR RECEIVED 1985/04/30
AGENCY-LAS VEGAS MET PD LAS VEGAS (NV0020100)
AGENCY CASE-610909
CHARGE 1-POSS STLN CREDIT CARD
CHARGE 2-ATT BURG

COURT-
CHARGE-POSS STLN CREDIT CARD
SENTENCE-
DISM
CHARGE-ATT BURG
SENTENCE-
DISM

22-ARRESTED OR RECEIVED 1985/11/17
AGENCY-LAS VEGAS MET PD LAS VEGAS (NV0020100)
AGENCY CASE-610909
CHARGE 1-POSS STLN CREDIT CARD-3 CTS
CHARGE 2-REC STLN CREDIT CARD-3 CTS

COURT-
CHARGE-ATT POSS FORGED INST
SENTENCE-
PG, 5 YRS PROB, RESTN

END OF PART 5 - PART 6 TO FOLLOW
FBI IDENTIFICATION RECORD - FBI NO-534652G

23-ARRESTED OR RECEIVED 1994/02/04 SID- NV01584291
AGENCY-LAS VEGAS MET PD LAS VEGAS (NV0020100)
AGENCY CASE-610909 NAME USED-BENSON, GARY R
CHARGE 1-AGG STALKING-F

24-ARRESTED OR RECEIVED 1995/06/07 SID- CA04894433
AGENCY-SHERIFF'S OFFICE SAN DIEGO (CA0370000)
AGENCY CASE-95138961A
CHARGE 1-FUGITIVE
CHARGE 2-STALKING
CHARGE 3-VIOL PAROLE

RECORD UPDATED 2001/01/04

ALL ARREST ENTRIES CONTAINED IN THIS FBI RECORD ARE BASED ON FINGERPRINT COMPARISONS AND PERTAIN TO THE SAME INDIVIDUAL.

THE USE OF THIS RECORD IS REGULATED BY LAW. IT IS PROVIDED FOR OFFICIAL USE ONLY AND MAY BE USED ONLY FOR THE PURPOSE REQUESTED.
NEW JERSEY CRIMINAL HISTORY DETAILED RECORD

USE OF THIS RECORD IS GOVERNED BY FEDERAL AND STATE REGULATIONS. UNLESS FINGERPRINTS ACCOMPANIED YOUR INQUIRY, THE STATE BUREAU OF IDENTIFICATION CANNOT GUARANTEE THIS RECORD RELATES TO THE PERSON WHO IS THE SUBJECT OF YOUR REQUEST. USE OF THIS RECORD SHALL BE LIMITED SOLELY TO THE AUTHORIZED PURPOSE FOR WHICH IT WAS GIVEN AND IT SHALL NOT BE DISSEMINATED TO ANY UNAUTHORIZED PERSONS. TO ELIMINATE A POSSIBLE DISSEMINATION VIOLATION, AND TO COMPLY WITH FUTURE EXPUNGEMENT ORDERS, THIS RECORD SHALL BE DESTROYED IMMEDIATELY AFTER IT HAS SERVED ITS INTENDED AND AUTHORIZED PURPOSES. ANY PERSON VIOLATING FEDERAL OR STATE REGULATIONS GOVERNING ACCESS TO CRIMINAL HISTORY RECORD INFORMATION MAY BE SUBJECT TO CRIMINAL AND/OR CIVIL PENALTIES. THIS RECORD IS CERTIFIED AS A TRUE COPY OF THE CRIMINAL HISTORY RECORD INFORMATION ON FILE FOR THE ASSIGNED STATE IDENTIFICATION NUMBER.

STATE ID NO. 615541A FBI NO. 534652G DATE REQUESTED. 01/08/2001
NAME: BENSON, GARY R.
SEX RACE BIRTH DATE HEIGHT WEIGHT EYES HAIR BIRTH PLACE
M W 06/25/1943 600 155 BLU BRO CT

RECEIVING AGENCY: WVFBINFOO U.S. CITIZEN: YES
FPC: 21105307071511061006 AFIS NO: 550801 III: MULTI STATE

SOCIAL SECURITY NUMBERS
094-38-8817

ARREST 001 ARRESTED 08/08/1975 AGENCY CASE NO: 2227
AGENCY: NJ0081800 WASHINGTON TWP PD SEWELL GLOUCESTER
001 CNT NJ2A151-41A CARRYING PROHIBITED

SUMMONS/WARRANT
NO: W124733
AGENCY: NJ008013A

DISPOSITION: NO BILL
001 CNT: NJ2A136-1 DEG: LARC

INDICTMENT/ACCUSATION
NO: I386-75
AGENCY: NJ008013J

DISPOSITION: DISMISSED
001 CNT: NJ2A151-41 DEG: 0 CARRYING PROHIBITED

ARREST 002 ARRESTED 03/09/1976 AGENCY CASE NO: A877615
AGENCY: NJNPS0316 A-TACTICAL PATROL UNIT #3
001 CNT NJ2A151-41A CARRYING PROHIBITED

INDICTMENT/ACCUSATION
NO: 1572-75J

DISPOSITION DATE: 02/22/1977
CRIMINAL HISTORY DIVERSION PROGRAM AND FELONY CONVICTION SUMMARY

- **PRE-TRIAL INTERVENTION**: 000
- **CONDITIONAL DISCHARGE**: 000
- **FELONY CONVICTIONS**: 000
- **VIOLATION OF PROBATION**: 000

When a missing disposition is required, do not contact the State Bureau of Identification (SBI). You must contact the agency that furnished the pending data to the SBI. Should you have information regarding an update or a correction to this record, please contact the SBI at (609) 882-2000, extension 2902 or 2899.
2 FINGERPRINT CARDS OF
1. LOOP

THE LINES BETWEEN CENTER OF LOOP AND DELTA MUST SHOW

2. WHORL

THESE LINES RUNNING BETWEEN DELTAS MUST BE CLEAR

3. ARCH

ARCHES HAVE NO DELTAS

TO OBTAIN CLASSIFIABLE FINGERPRINTS:

1. USE BLACK PRINTER'S INK,
2. DISTRIBUTE INK EVENLY ON INKING SLAB,
3. WASH AND DRY FINGERS THOROUGHLY,
4. ROLL FINGERS FROM NAIL TO NAIL, AND AVOID ALLOWING FINGERS TO SLIP.
5. BE SURE IMPRESSIONS ARE RECORDED IN CORRECT ORDER,
6. IF AN AMPUTATION OR DEFORMITY MAKES IT IMPOSSIBLE TO PRINT A FINGER, MAKE A NOTATION TO THAT EFFECT IN THE INDIVIDUAL FINGER BLOCK.
7. IF SOME PHYSICAL CONDITION MAKES IT IMPOSSIBLE TO OBTAIN PERFECT IMPRESSIONS, SUBMIT THE BEST THAT CAN BE OBTAINED WITH A MEMO STAPLED TO THE CARD EXPLAINING THE CIRCUMSTANCES.
8. EXAMINE THE COMPLETED PRINTS TO SEE IF THEY CAN BE CLASSIFIED, BEARING IN MIND THAT MOST FINGERPRINTS FALL INTO THE PATTERNS SHOWN ON THIS CARD (OTHER PATTERNS OCCUR INFREQUENTLY AND ARE NOT SHOWN HERE).

THIS CARD FOR USE BY:

1. LAW ENFORCEMENT AGENCIES IN FINGERPRINTING APPLICANTS FOR LAW ENFORCEMENT POSITIONS *
2. OFFICIALS OF STATE AND LOCAL GOVERNMENTS FOR PURPOSES OF EMPLOYMENT, LICENSING, AND PERMITS, AS AUTHORIZED BY STATE STATUTES AND APPROVED BY THE ATTORNEY GENERAL OF THE UNITED STATES, LOCAL AND COUNTY ORDINANCES, UNLESS SPECIFICALLY BASED ON APPLICABLE STATE STATUTES.
3. U.S. GOVERNMENT AGENCIES AND OTHER ENTITIES REQUIRED BY FEDERAL LAW.**
4. OFFICIALS OF FEDERALLY CHARTERED OR INSURED BANKING INSTITUTIONS TO PROMOTE OR MAINTAIN THE SECURITY OF THOSE INSTITUTIONS.

INSTRUCTIONS:

* 1. PRINTS MUST FIRST BE CHECKED THROUGH THE APPROPRIATE STATE IDENTIFICATION BUREAU, AND ONLY THOSE FINGERPRINTS FOR WHICH NO DISQUALIFYING RECORD HAS BEEN FOUND LOCALLY SHOULD BE SUBMITTED FOR FBI SEARCH.
2. PRIVACY ACT OF 1974 (PL 93-579) REQUIRES THAT FEDERAL, STATE, OR LOCAL AGENCIES INFORM INDIVIDUALS WHOSE SOCIAL SECURITY NUMBER IS REQUESTED WHETHER SUCH DISCLOSURE IS MANDATORY OR VOLUNTARY. BASIS OF AUTHORITY FOR SUCH SOUCTION, AND USES WHICH WILL BE MADE OF IT.
** 3. IDENTITY OF PRIVATE CONTRACTORS SHOULD BE SHOWN IN SPACE "EMPLOYER AND ADDRESS" THE CONTRIBUTOR IS THE NAME OF THE AGENCY SUBMITTING THE FINGERPRINT CARD TO THE FBI.
4. FBI NUMBER, IF KNOWN, SHOULD ALWAYS BE FURNISHED IN THE APPROPRIATE SPACE.
5. MISCELLANEOUS NO. RECORD OTHER ARMED FORCES NO. PASSPORT NO. (PP), ALIEN REGISTRATION NO. (AR), PORT SECURITY CARD NO. (PS), SELECTIVE SERVICE NO. (SS), VETERANS ADMINISTRATION CLAIM NO. (VA).
TO OBTAIN CLASSIFIABLE FINGERPRINTS:
1. USE BLACK PRINTER'S INK.
2. DISTRIBUTE INK EVENLY ON INKING SLAB
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4. FBI NUMBER, IF KNOWN, SHOULD ALWAYS BE FURNISHED IN THE APPROPRIATE SPACE.
Universal Case File Number: 9A LW 20409 - 1A-26
Field Office Acquiring Evidence: LV
Serial # of Originating Document: 
Date Received: 11/03/2000
From: JEREMY LEWIS
(Name of Contributor)
(Address of Contributor)
(City and State)
To Be Returned: □ Yes □ No
Receipt Given: □ Yes □ No
Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e) Federal Rules of Criminal Procedure:
□ Yes □ No
Federal Taxpayer Information (FTI):
□ Yes □ No
Title:
Reference: (Communication Enclosing Material)
Description: □ Original notes re interview of
ORIGINATING FINGERPRINT
Firm Bulky Evidence.
2 FINGERPRINT CARDS OF
JERRY LEWIS.
1. LOOP

TO OBTAIN CLASSIFIABLE FINGERPRINTS:
1. USE BLACK PRINTER'S INK.
2. DISTURB INK EVENLY ON INKING SLAB.
3. WASH AND DRY FINGERS THOROUGHLY.
4. ROLL FINGERS FROM NAIL TO NAIL, AND AVOID ALLOWING FINGERS TO SLIP.
5. BE SURE IMPRESSIONS ARE RECORDED IN CORRECT ORDER.
6. IF AN AMPUTATION OR DEFORMITY MAKES IT IMPOSSIBLE TO PRINT A FINGER, MAKE A NOTATION TO THAT EFFECT.
7. IF SOME PHYSICAL CONDITION MAKES IT IMPOSSIBLE TO OBTAIN PERFECT IMPRESSIONS, SUBMIT THE BEST THAT CAN BE OBTAINED WITH A MEMO STAPLED TO THE CARD EXPLAINING THE CIRCUMSTANCES.
8. EXAMINE THE COMPLETED PRINTS TO SEE IF THEY CAN BE CLASSIFIED, BEARING IN MIND THAT MOST FINGERPRINTS FALL INTO THE PATTERNS SHOWN ON THIS CARD (OTHER PATTERNS OCCUR INFREQUENTLY AND ARE NOT SHOWN HERE).

2. WHORL

3. ARCH

THIS CARD FOR USE BY:
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3. U.S. GOVERNMENT AGENCIES AND OTHER ENTITIES REQUIRED BY FEDERAL LAW.**
4. OFFICIALS OF FEDERALLY CHARTERED OR INSURED BANKING INSTITUTIONS TO PROMOTE OR MAINTAIN THE SECURITY OF THOSE INSTITUTIONS.

INSTRUCTIONS:
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2. PRIVACY ACT OF 1974 (P.L. 93-579) REQUIRES THAT FEDERAL, STATE, OR LOCAL AGENCIES INFORM INDIVIDUALS WHOSE SOCIAL SECURITY NUMBER IS REQUESTED WHETHER SUCH DISCLOSURE IS MANDATORY OR VOLUNTARY, BASIS OF AUTHORITY FOR SUCH DISCLOSURE, AND USES WHICH WILL BE MADE OF IT.
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4. FBI NUMBER, IF KNOWN, SHOULD ALWAYS BE FURNISHED IN THE APPROPRIATE SPACE.

MISCELLANEOUS NO. RECORD; OTHER ARMED FORCES NO., PASSPORT NO. (PP), ALIEN REGISTRATION NO. (AR), PORT SECURITY CARD NO. (PS), SELECTIVE SERVICE NO. (SS), VETERANS ADMINISTRATION CLAIM NO. (VA).

FD-258 (REV. 12-29-82)
1. LOOP

CENTER OF LOOP

DELTA

THE LINES BETWEEN CENTER OF LOOP AND DELTA MUST SHOW

2. WHORL

DELTA

THESE LINES RUNNING BETWEEN DELTAS MUST BE CLEAR

3. ARCH

ARCHES HAVE NO DELTAS

TO OBTAIN CLASSIFIABLE FINGERPRINTS:
1. USE BLACK PRINTER’S INK.
2. Distribute ink evenly on inking slab.
3. Wash and dry fingers thoroughly.
4. Roll fingers from nail to nail, and avoid allowing fingers to slip.
5. Be sure impressions are recorded in correct order.
6. If an amputation or deformity makes it impossible to print a finger, make a notation to that effect in the individual fingerprint block.
7. If some physical condition makes it impossible to obtain perfect impressions, submit the best that can be obtained with a memo stapled to the card explaining the circumstances.
8. Examine the completed prints to see if they can be classified, bearing in mind that most fingerprints fall into the patterns shown on this card (other patterns occur infrequently and are not shown here).

THIS CARD FOR USE BY:
1. LAW ENFORCEMENT AGENCIES IN FINGERPRINTING APPLICANTS FOR LAW ENFORCEMENT POSITIONS*
2. OFFICIALS OF STATE AND LOCAL GOVERNMENTS FOR PURPOSES OF EMPLOYMENT, LICENSING, AND PERMITS, AS AUTHORIZED BY STATE STATUTES AND APPROVED BY THE ATTORNEY GENERAL OF THE UNITED STATES, LOCAL AND COUNTY ORDINANCES, UNLESS SPECIFICALLY BASED ON APPLICABLE STATE STATUTES DO NOT SATISFY THIS REQUIREMENT.*
3. U.S. GOVERNMENT AGENCIES AND OTHER ENTITIES REQUIRED BY FEDERAL LAW.**
4. OFFICIALS OF FEDERALLY CHARTERED OR INSURED BANKING INSTITUTIONS TO PROMOTE OR MAINTAIN THE SECURITY OF THOSE INSTITUTIONS.

INSTRUCTIONS:
* Prints must first be checked through the appropriate state identification bureau, and only those fingerprints for which no disqualifying record has been found locally should be submitted for FBI search.
** Privacy Act of 1974 (P.L. 93-579) requires that federal, state, or local agencies inform individuals whose social security number is requested whether such disclosure is mandatory or voluntary, basis of authority for such solicitation, and uses which will be made of it.
** Identity of private contractors should be shown in space “Employer and address”. The contractor is the name of the agency submitting the fingerprint cards to the FBI.
4. FBI number, if known, should always be furnished in the appropriate space.
MISCELLANEOUS NO. - RECORD: OTHER ARMED FORCES NO., PASSPORT NO. (PP), ALIEN REGISTRATION NO. (AR), PORT SECURITY CARD NO. (PS), SELECTIVE SERVICE NO. (SS), VETERANS’ ADMINISTRATION CLAIM NO. (VA).
Universal Case File Number 94-LV-30409 - 1A - 27

Field Office Acquiring Evidence LV.

Serial # of Originating Document ________________________________

Date Received 4/11/2009

From ________________________________

(Name of Contributor)

(Address of Contributor)

(City and State)

By ________________________________

To Be Returned ☐ Yes ☐ No

Receipt Given ☐ Yes ☐ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e) Federal Rules of Criminal Procedure ☐ Yes ☐ No

Federal Taxpayer Information (FTI) ☐ Yes ☐ No

Title: ________________________________

Reference: ________________________________ (Communication Enclosing Material)

Description: ☐ Original notes re interview of

ORIGINAL LETTER FROM GARY BENSON

FROM BILLY END.
Universal Case File Number: 9AM130409 - 1A - 28
Field Office Acquiring Evidence: LVI
Serial # of Originating Document:
Date Received: 5/1/2001
From:
(Name of Contributor)
(Address of Contributor)
(City and State)
By:

To Be Returned: [ ] Yes [ ] No
Receipt Given: [ ] Yes [ ] No

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e) Federal Rules of Criminal Procedure

Federal Taxpayer Information (FTI):
[ ] Yes [ ] No

Title:

Reference:
(Communication Enclosing Material)

Description: [ ] Original notes re interview of

SIGNATURE OF BENSON
From Party Evidence
Universal Case File Number ____________________
Field Office Acquiring Evidence L.V.
Serial # of Originating Document
Date Received 5/18/2007
From DEC of VETERAN AFFAIRS
(Name of Contributor)

(Address of Contributor)

(City and State)

By ______________________

To Be Returned ☐ Yes ☐ No
Receipt Given ☐ Yes ☐ No
Grand Jury Material - Disseminate Only Pursuant to Rule 6 (e)
Federal Rules of Criminal Procedure ☐ Yes ☐ No
Federal Taxpayer Information (FTI) ☐ Yes ☐ No

Title: ______________________

Reference: ______________________

(Communication Enclosing Material)

Description: ☐ Original notes re interview of
ORIGINAL DOCUMENTS W/ SIGNATURE
of BENSON FROM BURKY EVIDENCE
Universal Case File Number: 9A-LV-30409 - 1A-30
Field Office Acquiring Evidence: LAS VEGAS
Serial # of Originating Document: 
Date Received: 10/10/2002
From: 
(Name of Contributor)

(Address of Contributor)
(City and State)

By: 

To Be Returned: ☐ Yes ☐ No
Receipt Given: ☐ Yes ☐ No
Grand Jury Material - Disseminate Only Pursuant to Rule 6(e)
Federal Rules of Criminal Procedure: ☐ Yes ☐ No
Federal Taxpayer Information (FTI): ☐ Yes ☐ No

Title: 

Reference: 
(Communication Enclosing Material)

Description: ☐ Original notes re interview of

CRIMINALISTICS.

DRUG, FD 5917 RECEIPT From LVMPD
UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Receipt for Property Received/Returned/Released/Seized

File # AA LV 30409

On (date) OCTOBER 10, 2002

item(s) listed below were:
☐ Received From
☒ Returned To
☐ Released To
☐ Seized

(Name) ____________

(Street Address) LAS VEGAS METROPOLITAN POLICE DEPT.
(City) CRIMINALISTICS

Description of Item(s): THREE SHEETS OF HANDWRITING EXEMPLARS OF GARY RANDOLPH BENSON.
Universal Case File Number: 94-LV-30409-1A-3I

Field Office Acquiring Evidence: LV

Serial # of Originating Document: 

Date Received: 11/19/02

From: 

(Address of Contributor)

(City and State)

By: 

To Be Returned: □ Yes □ No

Receipt Given: □ Yes □ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6(c)

Federal Rules of Criminal Procedure: □ Yes □ No

Federal Taxpayer Information (FTI): □ Yes □ No

Title: 

Reference: 

(Communication Enclosing Material)

Description: □ Original notes re interview of

Origin PD-192's re 13144 to 188
File Number: GA-LV-30409  A33

Field Office Acquiring Evidence: ____________________________

Serial # of Originating Document: ____________________________

Date Received: 03/14/08

From: FYI LV

(Address)

(City and State)

By: ____________________________

To Be Returned: Yes [ ] No [ ]

Receipt Given: Yes [ ] No [ ]

Grand Jury Material - Disseminate Only Pursuant to Rule 6 (c)

Federal Rules of Criminal Procedure: Yes [ ] No [ ]

Federal Taxpayer Information (FTI): Yes [ ] No [ ]

Title: ____________________________

Reference: ____________________________

(Communication Enclosing Material)

Description: [ ] Original notes re interview of

[Handwritten]: FD 1926 KE Jan 30 2009

[Signature]: ____________________________
Title and Character of Case:
BENSON, GARY, RANDOLPH

Date Property Acquired: 06/29/2000
Source from which Property Acquired: FBI LABORATORY

Anticipated Disposition: Acquired By: 
Case Agent: 

Description of Property:
1C 1

1. FINGERPRINT CARD FOR JERRY LEWIS
2. FINGERPRINT CARD FOR

Barcode: Location: ECR5 SHELF16 Date Entered 06/30/2000

1C 1 # 25

Destroyed on 3/4/08 at 11:15am by

Case Number: 9A-LV-30409
Owning Office: LAS VEGAS
Title and Character of Case:
BENSON, GARY, RANDOLPH

Date Property Acquired: 06/29/2000
Source from which Property Acquired: FBI LABORATORY

Anticipated Disposition: 
Acquired By: 
Case Agent: 

Description of Property:
1C 1
1. FINGERPRINT CARD FOR JERRY LEWIS
2. FINGERPRINT CARD FOR 

Barcode: Location: ECR5 SHELF16 Date Entered 06/30/2000

Case Number: 9A-LV-30409
Owning Office: LAS VEGAS
FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1383229-0

Total Deleted Page(s) = 1
Page 11 ~ Duplicate;

XXXXXXXXXXXXXXXXXXXXXXXXXXXX
X Deleted Page(s)  X
X No Duplication Fee  X
X For this Page  X
XXXXXXXXXXXXXXXXXXXXXXXXXXXX
OFFICE MEMORANDUM

TO: DIRECTOR, FBI
Attention: FBI LABORATORY

FROM: SAC, LOS ANGELES (66-1700)

DATE: 7/23/56 233099

SUBJECT: OBSCENE RECORDING ALLEGEDLY MADE BY DEAN MARTIN AND JERRY LEWIS (ACTORS)
INTERSTATE TRANSPORTATION OF OBSCENE MATTER

who has been used as a general source of information and who has furnished reliable information in the past, confiden-
tially advised SA [redacted] on May 22, 1956, that DEAN MARTIN and JERRY LEWIS, actors, had allegedly made an obscene recording during the cutting of a sound track, advertising a motion picture film, "The Caddy," in which they appeared and which was produced at Paramount Studios, Hollywood, California, about one and one half years ago. The obscene portions of the sound track were supposed to have been destroyed but someone unknown to [redacted] made recordings of same which were known to her to have circulated in the Hollywood area for personal amusement. [redacted] added that she did not know of any specific commercial traffic in this recording and that it originally came to her attention approximately eighteen months ago and in her opinion was "very obscene."

continued on May 22, 1956, that [redacted] was known to have had a "pressing" of this record and was supposed to have destroyed it. However, [redacted] learned that he still had a master pressing of the record in approximately February of 1956. She said that she learned this through conversations with one of the employees of [redacted]. She stated that she had no knowledge that [redacted] was selling the record but got the impression that he was making it available to certain individuals for their own amusement and that it was possible that he could be selling it. Furthermore, [redacted] and advise accordingly.

ENCLOSURE

5 - Bureau
(1) FBI Laboratory (Enc.)
1 - Los Angeles

LE 471
EX 1071
RECORDED 91
INDEXED 91
28 JUL 27 1956
63 AUG 10 1956
On July 17, 1956, [redacted] advised Agent [redacted] personally made available to Agent [redacted] a copy of the record which she stated was obtained in the following manner:

[Redacted]

[Redacted] stated that [redacted] does not condone the making of records of this type under normal circumstances. She said the record had been cut at a reduced speed, 33 1/3 RPM, in order to get it all on one side and that normally it was a 78 RPM and had appeared on two sides, each running approximately three minutes. She said the recording bore no title or label. [Redacted] further said that she did not wish the recording returned and that it might be destroyed after its purpose had been served. She reiterated that her confidence be maintained in this matter.

[Redacted] mentioned that in her opinion,

[Redacted]

An unidentified pretext telephone call to Monarch Records, 4852 West Jefferson Boulevard, Los Angeles, California, telephone Republic 2-9151, by SA [redacted] on July 19, 1956, disclosed that [redacted]
The current Los Angeles Central Telephone Directory lists one   as residing at . Telephone                Also it lists one  residing at. This directory lists the Batton, Barton, Durtine and Osborn Advertising Agency offices at 1680 North Vine Street, telephone Hollywood 2-6723, and 6363 Wilshire Boulevard, telephone Webster 1-1234.

The Los Angeles Office indices do not disclose any record identifiable with Monarch Records, on the basis of available information. The names of DEAN MARTIN and JERRY LEWIS do appear in the Los Angeles indices but nothing pertinent to this matter was located.

INSTRUCTIONS TO FBI LABORATORY

Enclosed is a tape recording copy of the above record which was made by the Los Angeles Office from the recording furnished by . This latter record will be retained in the Los Angeles Office until this matter is logically concluded at which time it will be destroyed UACB.

The FBI Laboratory is requested to search the indices of the Obscene Matter Files to determine whether or not any reference is made to any commercial traffic in the above recording and advise interested offices accordingly.

The reply to this letter should be directed to the personal attention of the SAC marked PERSONAL AND CONFIDENTIAL.

DISPOSITION OF ENCLOSURE

The FBI Laboratory may retain the enclosed tape recording for their files.
REPORT of the

FBI LABORATORY

FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.

August 10, 1956

To: SAG, Los Angeles

Personal and Confidential

John Edgar Hoover, Director

YOUR FILE NO. 66-1700
FBI FILE NO.
LAB. NO.
D-233099 AX

Examination requested by: Los Angeles
Reference: Letter 7/23/56
Examination requested: Document
Specimen:

Q1 Obscenec tape recording.

Results of Examination:

Specimen Q1 was not identified with any of the material contained in the Obscene File.

It is noted that your letter of 7/23/56, states that the record from which the tape recording, Q1, was made would be retained in your office until this matter had been logically concluded at which time it would be destroyed. The record should not be destroyed by your office but should be forwarded to the laboratory for appropriate disposition at such time as it is of no further value in this matter.

Specimen Q1 is retained in the laboratory's files.

Tolson
Nichols
Boardman
Belmont
Mason
Mohr
Parsons
Rosen
Tamm
Nease
Winterrowd
Tele. Room
Holloman
Gandy
Re:

Examination requested by:

Date of reference communication:

Examination requested:

Result of Examination:

Examination by:

Specimens submitted for examination

Q1 One obscene tape recording
OCTOBER 30, 1966

WESTERN UNION

DISTRICT 14
OPTIMIST INTERNATIONAL
5514 YORK BOULEVARD
LOS ANGELES 42, CALIFORNIA

IN RESPONSE TO YOUR WIRE DEEPLY REGRET TO ADVISE NOT POSSIBLE TO
OF
BE ASSISTANCE DUE TO CONFIDENTIAL NATURE OF FBI FILES. NO INFERENCE
SHOULD BE MADE THAT WE DO OR DO NOT HAVE REQUESTED DATA. CONFIDENT
YOU WILL APPRECIATE MY POSITION.

SINCERELY YOURS,

JOHN EDGAR HOOVER
DIRECTOR
FEDERAL BUREAU OF INVESTIGATION

NOTE: There are no references in FBI files identifiable with Jerry Lewis and his partner, Dean Martin, are alleged to have made a series of remarks considered very obscene which were cut on the sound track of a "trailer" advertising the motion picture film, "The Caddy," in which they appear. While the portion of the sound track was deleted, it was surreptitiously obtained by some employees of Paramount Studios and later re-recorded. There has been no indication to date that it has been made a commercial item. One a potential criminal informant of the New York Office, when interviewed by Agents in November, 1955, advised that among the persons of homosexual inclination with whom he is constantly associated, there was considerable evidence to the effect that Dean Martin and Jerry Lewis were homosexuals. This particular informant produced a list of some of the most popular names in show business concerning whom he made similar allegations.
JERRY LEWIS, well known TV star, has been selected to receive the Man of the Year award from the 151 clubs of the 14th District Optimist International. Inasmuch as these clubs are dedicated to the development of youth, it is imperative that the recipient of this award be a man of impeccable character. Can you get us a clearance on Jerry? Please wire collect.

Mr. Tolson
Mr. Nichols
Mr. Boardman
Mr. Belmont
Mr. Mohr
Mr. Parsons
Mr. Rosen
Mr. Tamm
Mr. Trotter
Mr. Nead
Tele. Room
Mr. Holleman
Miss Gandy

Los Angeles, Calif. Oct 29, 1956

OFFICE OF J. EDGAR HOOVER
FBI

WUC023 PD AR

Western Union

Los Angeles, Calif. Oct 29, 1956 11:16 AMP

JERRY LEWIS, well known TV star, has been selected to receive the Man of the Year award from the 151 clubs of the 14th District Optimist International. Inasmuch as these clubs are dedicated to the development of youth, it is imperative that the recipient of this award be a man of impeccable character. Can you get us a clearance on Jerry? Please wire collect.

District 14 Optimist International

5514 York Blvd
Los Angeles 42

Clinton 6-4112

328 PM E.

Mr. Nichols

CC: Mr. Nichols
Office Memorandum · UNITED STATES GOVERNMENT

TO: Director, FBI
   Att: FBI LABORATORY
   Lab. No. D-233099-AX

FROM: SAC, Los Angeles (66-1700-1556)

SUBJECT: OBSCENE RECORDING ALLEGEDLY MADE BY DEAN MARTIN AND JERRY LEWIS (ACTORS)

Re: Bumemo 8/10/56.

In accordance with instructions contained in refmemo, the record in question is being forwarded to the Laboratory under separate cover for appropriate disposition, since it is of no further value to the Los Angeles Office in this matter.

LFW: AB

(3) Bureau (1 with package)
(1) L.A. 66-1700-1556
(4) REC: 1957
April 9, 1965

DEAN MARTIN

Dean Martin was born as Dino Crocetti on June 17, 1917, in Steubenville, Ohio. Prior to entering into the entertainment field, Martin was employed as a boxer, a laborer in steel mills, a gas station attendant and a dealer in illegal gambling houses in Ohio. He currently resides in Beverly Hills, California.

Martin has not been the subject of an investigation by this Bureau; however, our files contain the following information concerning him:

He has been reportedly associated with several known hoodlums and is well known to the gambling interests in Las Vegas, Nevada. In 1961 he reportedly owned a one percent interest in the Sands Hotel, Incorporated, Las Vegas, Nevada, and he also has an interest in the Cal-Neva Lodge, Lake Tahoe. He has reportedly also been associated with prostitutes and officials of the Teamsters' Union. (92-3024; 92-3087; 92-6314; 62-9-31-399)

In November, 1955, unsubstantiated information was received from an admitted homosexual identifying numerous stage and screen personalities as homosexuals. This individual also stated that a number of other personalities in the entertainment business were known among homosexuals as "gay." He stated he had heard Dean Martin and Jerry Lewis were classified as "gay." (94-45373)

A confidential source, who has furnished reliable information in the past, in May, 1956, advised that Dean Martin and Jerry Lewis had made an extremely obscene phonograph record while cutting a record advertising one of their films. The source explained that the obscene portion of the record was supposed to have been destroyed but the master disc was saved and additional records were believed to have been circulated in Hollywood for personal amusement. Martin was also alleged to have been...

NOTE: See letter to White House, 4-9-65.
Dean Martin

involved in the negotiations for an obscene film which was to be distributed outside the United States.

In August, 1950, an individual, whose reliability is unknown, advised that Martin had once been employed at Dum Dum's, a gambling establishment in Steubenville, Ohio. It was reported that occasionally Martin concluded his television show by jokingly stating, "Good night, Dum Dum." A confidential source, who has furnished reliable information in the past, in July, 1959, advised that Frank Sinatra and Dean Martin flew to Miami, Florida, to attend the July 4, 1959, wedding

Civil fingerprint cards were located in the files of the FBI Identification Division which may be identical with Martin. These fingerprints were searched through the criminal files of the Identification Division and no arrest record was located.
### Image Description:

A page from a document with handwritten and printed text. The content includes a form with various fields such as names, dates, and search requests. The form is part of a database entry at the Federal Bureau of Investigation, Records Branch.

### Table Icons:

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### Form Details:

- **Supervisor**: ______________
- **Room Ext.**: ______________

#### Type of References Requested:

- [ ] Regular Request (Analytical Search)
- [ ] All References (Subversive & Nonsubversive)
- [ ] Subversive References Only
- [ ] Nonsubversive References Only

#### Type of Search Requested:

- [ ] Restricted to Locality of ______________
- [ ] Exact Name Only (On the Nose)
- [ ] Buildup
- [ ] Variations

#### Subject:

- [ ] [Redacted]

#### Birthdate & Place:

- **Birthday & Place**: 6-13-1911

#### Address:

- [ ] (Address)

#### Localities:

- [ ] (Localities)

#### Received Date:

- **Received Date**: 8/10

#### Initials:

- **Initials**: 223

#### FILE NUMBER:

- **FILE NUMBER**: 145-805
- **SERIAL**: 9-52269
- **NP**: 61-190-1299
- **NP**: 94-15373-6 mm 7-21-59
- **NP**: 92-6258-77
- **NP**: 92-8928-43

#### Notes:

- **August 1972**
Captioned individual, who you advised can be contacted in care of Chasin-Park-Citron Agency, 10889 Wilshire Boulevard, Suite 1020, Los Angeles, California, was born Dino Crocetti on June 17, 1917, at Steubenville, Ohio. Martin has not been the subject of an investigation conducted by the FBI. However, our files reveal the following information concerning him.

He has reportedly been associated with several known hoodlums and is well known to the gambling interests in Las Vegas, Nevada. In 1961, he reportedly owned one percent in the Sands Hotel, Inc., at Las Vegas, and had an interest in the Cal-Neva Lodge at Lake Tahoe. Martin also was reported to be associated with prostitutes and officials of the Teamsters Union.

A confidential source who has furnished reliable information in the past advised in May, 1956, that Dean Martin and Jerry Lewis had made an extremely obscene phonograph record while cutting a record advertising one of their motion pictures. The source explained the obscene portion was supposed to have been destroyed but the master disc was saved and additional records were made and circulated. Martin also was alleged to have been involved in the negotiations for an obscene film to be distributed outside the United States.

Another confidential source of reliable information reported Frank Sinatra and Dean Martin flew to Miami, Florida, to attend the July 4, 1959, wedding.

On April 20, 1972, the Nevada Gaming Commission approved the purchase of 8,000 shares of stock from Dean Martin by the Riviera Hotel, noting the shares amounted to 10 percent of ownership in that hotel. In January, 1969, Martin, as former owner of the Sands Hotel at Las Vegas, applied for a Nevada gaming license for a 10 percent interest in the Riviera as an $80,000 investment.

NOTE: Per request of Alexander P. Butterfield, Deputy Assistant to the President.
In 1969, Dean Martin gave a $1,000 per couple fund-raising party at his home for the benefit of the American Civil Liberties Union. (61-190-1288)

In May, 1950, a representative of the Vice Squad, Chicago, Illinois, Police Department, advised that the names of Jerry Lewis and Dean Martin were contained in a book of alleged prospective customers which was found in a Chicago, Illinois, house of prostitution which allegedly catered to Hollywood male clientele.

In November, 1955, unsubstantiated information was received from an admitted homosexual identifying numerous stage and screen personalities as homosexuals. This individual also stated that a number of other personalities in the entertainment business were known among homosexuals as "gay." He stated he had heard Dean Martin and Jerry Lewis were classified as "gay."

The central files of the FBI, including the files of the Identification Division, contain no additional pertinent information concerning captioned individual based upon background information submitted in connection with this name check request.
August 22, 1972

BY LIAISON

Honorable Alexander P. Butterfield
Deputy Assistant to the President
The White House
Washington, D.C.

Dear Mr. Butterfield:

Reference is made to your name check request concerning [Redacted:] and some other individuals.

Attached are separate memoranda concerning the following individuals:

Mr. and Mrs. Steve Allen
Mr. and Mrs. Vic Damone
Mr. and Mrs. Jerry Lewis
Mr. and Mrs. Charlton Heston

Sincerely yours,

L. Patrick Gray, III
Acting Director

Enclosures (10)

1 - Mr. Cleveland - Enclosures (sent direct)

EX-105
FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1383229-0

Total Deleted Page(s) = 2
Page 5 ~ Duplicate;
Page 6 ~ Duplicate;

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X  Deleted Page(s)   X
X  No Duplication Fee X
X  For this Page   X
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Jerry Lewis, whose true name is Joseph Levitch, was born in Newark, New Jersey, in 1926. He attended high school in Irvington, New Jersey. He was married in 1944 to an orchestra vocalist. They have three children. The son of entertainers, he began his career as a comedian and singer at resort hotels in New York's Catskill Mountains. His long-time partner was Dean Martin, but they have recently split, and Lewis now performs as a single. He presently resides in Hollywood. (Who's Who in America, 1956-57, page 1536 and "McCall’s" magazine, March, 1957, pages 22, 24 and 26)

On May 27, 1950, the Chicago Office advised that they had received information from the Chicago Police Department's Vice Squad concerning the call house prostitution ring with Hollywood connections. The information came to the Vice Squad from a prostitute who had worked on the West Coast who had set up a call house in an apartment with the intention of catering only to a select clientele. The Chicago Vice Squad claimed that a book was found in this call house which allegedly contained the names of prospective customers. One of the names listed was Jerry Lewis.

The January, 1956, issue of "Screen Stories," a movie magazine, contained a summary of the plot of a motion picture entitled "Artists and Models." This picture starred Dean Martin and Jerry Lewis and was a slapstick comedy which made frequent reference to the FBI. FBI Agents were portrayed in this picture in a slapstick manner. (62-39368-129)
Jones to Nichols memo

homosexual, furnished considerable unverified data concerning people in the entertainment field. He identified numerous stage and screen personalities whom he knew to be homosexuals. In addition, he stated that a number of others in the stage and screen business were known among the homosexual set as being "gay." He emphasized that his knowledge was hearsay, but among the individuals he heard were classified as "gay" were Jerry Lewis and Dean Martin.

By letter dated July 23, 1956, the Los Angeles Office advised that was an individual who was a source of information and had supplied reliable data to the Los Angeles Office in the past. She confidentially advised that Dean Martin and Jerry Lewis had allegedly made an obscene record while cutting the sound track of a trailer advertising one of their films called "The Caddy." The obscene portion of the track was supposed to have been destroyed, but in some manner a master disc was saved and additional records were cut and circulated in the Hollywood area for personal amusement. did not know of any commercial traffic in this record, but she did consider it to be "very obscene." She obtained a copy of this record (playing time approximately six minutes) and handed it over to the Los Angeles Office which in turn sent it to the Laboratory. The record was placed on tape and according to Files is currently maintained in the Laboratory in the obscene collection under #D-233099AX. (145-805) Transcription attached.

On July 26, 1957, a who identified himself as a departmental attorney came to the Director's reception room and requested that a special tour of the Bureau be conducted for and advised SA of the Crime Records Section, who conducted the tour, that had been conferring with individuals in the Department about a forthcoming movie concerning the Department. stated introduced as a representative for Jerry Lewis.

advised SA that he lived at and stated he was affiliated with the National Broadcasting Company and York Pictures Corporation. Files contain no reference identifiable with or York Pictures. (Memorandum from M. A. Jones to Mr. Nichols, 7-30-57, entitled Tour of Bureau.)

RECOMMENDATION: None. For information.

The transcription is enough to forever ban Lewis from producing or even being in an FBI show.
DEAN MARTIN (SINGING) -- My heart cries just to see the love in your eyes, love that lifts my head to blue skies, this is no shit. I pray when you hold my hand you will understand what's on my mind, but if I'm to be denied, you can step aside and kiss my behind. So take me, never ever do forsake me. If this is a dream, don't wake me, this is no shit. I pray when you hold my hand you will understand what's on my mind, but if I'm to be denied, you can step aside and kiss my behind. So take me, never ever do forsake me. If this is a dream, don't wake me and I know, at last, this is no shit.

MARTIN -- I want to tell you all about our latest and funniest picture for Paramount.

JERRY LEE -- Of course, you mean, "The Caddy."

MARTIN -- Of course, Jerry, I don't remember the last time I had so much fun making a picture.

LEWIS -- Boy, I'll say. How about the scene when I wreck the department store that I'm working in?

MARTIN -- What about the time when I come home and find a strange, and I do mean strange, man in my bed and it turns out to be you.

LEWIS -- Tell them about the terrific game of golf I play, go on tell them.

MARTIN -- Terrific! I never saw golf played that way before. Crazy man, crazy.

LEWIS -- I hate to brag folks, but I think "The Caddy" is the funniest picture we made. No kidding, it's 10 minutes of howls, gags, fun and more heartwarming entertainment than you and the family ever saw.

MARTIN -- You'll love Jerry and me in "The Caddy."

LEWIS -- Take my word for it, "The Caddy" is the most hilarious picture we have ever made. Come on and join the fun, see Paramount's "The Caddy."

MARTIN -- Yes, "The Caddy." Is that all right, you cocksucker?

LEWIS -- How was that you shithead?

LEWIS -- Is it still rolling?

MARTIN -- still rolling?
LEWIS -- All right.

MARTIN -- You can cut that bit out.

MARTIN -- Now this is Dean Martin

LEWIS -- and Jerry Lewis asking you to see our newest and funniest picture to date.

MARTIN -- Of course, you mean "The Caddy?"

LEWIS -- You bet I do. "The Caddy" is filled with 90 hilarious minutes of howls, gags, fun and heartwarming entertainment that the entire family will enjoy.

MARTIN -- Crazy man, crazy.

LEWIS -- No doubt about it, Dean, this is the funniest picture we have ever made. No kidding folks, take my word for it. Come on and join the fun, see Paramount's, "The Caddy."

LEWIS -- It will make you shit.

MARTIN -- Cut out--make.

MARTIN -- Ready. He ain't doing a fucking thing. He's just standing there.

MARTIN -- Now this is Dean Martin

LEWIS -- and Jerry Lewis, you cocksuckers.

MARTIN -- Wait till this guy with TB gets through here.

MARTIN -- Ready, now this is Dean Martin

LEWIS -- and Jerry Lewis with a reminder to see our newest and funniest motion picture ever, "The Caddy."

MARTIN -- He's right folks, come on and join the fun in the most righteous 90 minutes of howls--

LEWIS -- Righteous, where the fuck do you see righteous?

LEWIS -- That's riotous, you greed ball.
LEWIS -- Righteous, what is this, a religious picture?

MARTIN -- This is religious Martin and Jerry Lewis. What is this, five fucking lines and we can't get through with it.

MARTIN -- This is Dean Martin

LEWIS -- and Jerry Lewis with a reminder to see our newest and funniest motion picture ever, "The Caddy."

MARTIN -- He's right folks, come on and join the fun and the most wonderful 80 minutes of howls and gags you ever saw.

LEWIS -- We'll be seeing you in Paramount's, "The Caddy."

MARTIN -- Yes, "The Caddy."

LEWIS -- With a big cock on it.

LEWIS (SINGING) -- I love the girls, your nose is blue, your ass is turning yellow. I never knew that your ass was cute, but Holy Christ I mellow. I would love to record this once again and take a piss cause I love girls.

END
Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson
FROM : L. B. Nichols
SUBJECT : JERRY LEWIS
DEPARTMENT OF JUSTICE TV PROGRAM

DATE: 8-26-57

With reference to the memorandum dated 8-21-57 directed to Division heads over the signature of transmitting a copy of a letter signed by the Attorney General addressed to Jerry Lewis dated 8-15-57, I desire to point out that in discussing other matters just before Fred Mullen went on vacation he told me that the Department of Justice was going to embark on a television program with Jerry Lewis, that "your boss knows all about it since the Attorney General has discussed it and secured from your boss a sample letter of commitment and statement of understanding." I told I had discussed this with the Director, the Director stated the Attorney General had asked for a copy of our understanding and agreement that we made with various motion picture companies and television stations, that this had been sent to the Attorney General, that the Director had no knowledge of any agreement which the Attorney General had made for a Departmental television program.

I further told that the Director on the West Coast had heard considerable discussion which reflected unfavorably upon the character of Jerry Lewis and had asked us to check our files here. I further stated we had done this and I advised of the substance of the derogatory information set forth in Mr. Jones memorandum of 8-10-57.

pointed out he suspected that Jerry Lewis was a "chaser" but the allegations of homosexuality were not consistent with his reputation as a "chaser." I told that this, of course, was in character as Lewis always boasted of his versatility. I then exhibited a transcript of the obscene record which had been cut as a sound track for the Martin and Lewis picture, "The Caddy," a disc of which had not been destroyed but was being circulated in Hollywood and apparently was pretty widely known. started reading the transcript and at one point half the way through stated, "Nice clean people." After he had finished reading this he just shook his head. I told him the Director told me to see him since this program had now jelled and that we, of course, had not been consulted on the matter and regretted we had not had the opportunity of presenting the derogatory information to the Department prior to their making a firm commitment but this, of course, was impossible since the Department did not let us know of its plans.
I then pointed out that in the first instance we had steadfastly refused to participate in any television programs and as I could recall we were very favorably impressed with [illegible] of the NBC "Home Show" who also worked in the past two Nixon campaigns and that certainly if we were unable to cooperate with [illegible] we would not cooperate with a filth purveyor such as Jerry Lewis, that secondly even if we were in a position to accept a commitment we would not be a party to anything which Jerry Lewis was connected with. [illegible] then stated he wanted to tell me the background and I told him this was not necessary. He pointed out that Jerry Lewis was a friend of [illegible] of Internal Security Division. [illegible] introduced Jerry Lewis to Tompkins and Tompkins talked to the Attorney General. [illegible] stated that he had nothing to do with the negotiations although he had met Jerry Lewis and the Attorney General had sent him the draft of his proposed letter to Jerry Lewis dated July 15, that he had written into the draft the phrase that the Department did not want a statement that each film had been produced with the cooperation of the Department of Justice.

[illegible] stated he guessed the Department had better go slow and easy on this and when Lewis comes in for discussion just be busy and keep putting it off. I told this, of course, was all right as a tactic but that if on the strength of the Attorney General's letter Jerry Lewis went out and signed up a sponsor and got network time then they would be stuck. [illegible] admitted this could be difficult. He then pointed out that, of course, it was not his idea that the FBI would be brought into the television orbit and his letter was sent to us as a matter of courtesy, that what Lewis had in mind was developing interesting court trials. This, of course, I think was an afterthought.
MEMORANDUM TO DIVISION HEADS

The Office of the Attorney General is pleased to announce that an understanding has been reached with York Pictures Corporation which contemplates a series of television films to feature the Department of Justice. The agreement embodies an opportunity to promulgate the highest standards and traditions of the Department before the American public. Following conference July 30, 1957, with representatives of York Pictures Corporation and representatives of the Department, of the Division of Internal Security was designated to handle the liaison work which will be involved.

has been instructed to confer with each of the Division Heads to outline the project generally and to secure ideas and suggestions that may be incorporated in the TV series. Such material will be studied by the producer and, only after mutual acceptance, be presented to the Office of the Attorney General for final approval.

A conference of our Division Heads with a representative of the Producer and with our Liaison will be held for purpose of final drafting of a program that will enable the work to go forward speedily. It is hoped that the first of the series can be filmed and projected by the first of next year.

The spirit and essence of our agreement are to be found in the letter of the Attorney General July 15, 1957:

"I am impressed with your assurances as to the tone of the contemplated pictures. The staff would, of course, expect to be of every possible assistance to insure that the pictures represented not only the best interests of the Department but of the country."

Attached also is the letter from the Attorney General which outlines the procedures as contemplated by him.

ENCLOSURE

RECORDED

INDEXED

Acting Attorney General
AIR MAIL

Mr. Jerry Lewis, President
York Pictures Corporation
5451 Marathon Street
Hollywood 38, California.

Dear Mr. Lewis:

I wish to acknowledge the communication of your corporation of June 7, 1957 wherein you advise that you are prepared to develop a television film series which would feature the activities of the Department of Justice.

We would be happy to extend our cooperation and assistance in connection with the film series under the following conditions:

(1) The Department would want the privilege of giving its approval to the principals connected with such a project. This would include the producer, director, writers and others connected with the picture.

(2) The Department would want the opportunity of approving the scripts.

(3) The Department would want to approve the films prior to release.

(4) The Department would want to approve the use of its name in connection with the advertising and exploitation of the series.

(5) With reference to paragraph 4 of your letter of June 7, 1957, the Department would not want the statement made that each film has been produced in cooperation with and has the approval of the Department of Justice. The preceding paragraph of this letter would govern the use of the Department's name at all times.

July 15, 1957

ENCLOSURE
Should York Pictures Corporation undertake the film series, the Department assuredly would not grant its approval or extend co-operation in the production of any other TV film on the Department of Justice until after your series was produced and fully in release.

I am impressed with your assurances as to the tone of the contemplated pictures. The staff would, of course, expect to be of every possible assistance to insure that the pictures represented not only the best interests of the Department but of the country.

Sincerely,

/s/ HERBERT BROWNELL, JR.

Attorney General
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**MEMORANDUM**

- Mr. Tebben
- Mr. Nichols
- Mr. Boardman
- Mr. Belmont
- Mr. Mohr
- Mr. Parsons
- Mr. Rosen
- Mr. Tamm
- Mr. Tucker
- Mr. Neuss
- Tele. Room
- Mr. Holloman
- Miss Gandy

8-26-57

[Signature]

8-30-57

[Signature]
To: Mr. Tolson  
From: L. B. Nichols  
Date: 10/15/57  

Subject: Jerry Lewis - Department of Justice Television Program

Fred Mullen told me this morning that yesterday he had had a chance to talk to the Attorney General about the Jerry Lewis television program. He told the Attorney General the highlights of the information which I had previously furnished him. The Attorney General did not know of the background of Jerry Lewis and asked Mullen if he could get some more information. Mullen was wondering if we could send a memorandum to the Attorney General or could loan him the obscene transcript which we have. I told him I would check on this.

I prepared a brief summary on August 26, 1957, and the Director noted on it, "I spoke to A.G. re this on Sept. 5 and he stated he has no intention of going ahead with it. H." In view of the comments which the Attorney General made to the Director, the question arises as to whether we should send the attached memorandum to the Attorney General. I think perhaps we should.

LBN: hpf  
(3) Enclosure  

cc - Mr. Jones
The Attorney General

Director, FBI

JERRY LEWIS
DEPARTMENT OF JUSTICE TELEVISION PROGRAM

Mr. Fred Mullen has asked that a brief memorandum be furnished you on the background of Jerry Lewis in connection with a television program which the Department presently has under consideration.

You will recall that I discussed this with you on September 5, 1957, and at that time you indicated that you had no intention of going ahead with the program. While Jerry Lewis has not been the subject of an investigation by the Bureau, briefly, the information which we have is as follows:

On May 27, 1950, the Chicago, Illinois, Police Department Vice Squad furnished information to our Chicago Office concerning a call house prostitution ring with Hollywood connections. The Chicago Vice Squad claimed to be in possession of a book containing the names of prospective customers. Among those listed was Jerry Lewis.

In November, 1955, an admitted homosexual furnished considerable unverified data concerning people in the entertainment field. He identified numerous stage and screen personalities whom he knew to be homosexuals and indicated that a number of others were known among the homosexual set as being "gay." Among those whom he had heard classified as "gay" were Jerry Lewis and Dean Martin. It is to be noted that in connection with this information, it is hearsay and has not been verified.

The Bureau has also been informed of the circulation of a rather obscene recording on the West Coast which allegedly was made while Dean Martin and Jerry Lewis were preparing a sound track of a trailer advertising one of their films called "The Caddy." The obscene portions of the sound track, according to our information, were supposed...
The Attorney General

to have been destroyed but in some manner a master disc was saved and additional records were cut and circulated in the Hollywood area for personal amusement. A copy of this transcript is being transmitted herewith under obscene cover.

As the Department has previously been advised, our commitments will make it impossible to cooperate in the forthcoming Departmental television program and even if we did not have commitments, I would be unwilling to have the Bureau associated in any way with an individual such as Mr. Lewis.

Enclosure
The Attorney General

G. Frederick Mallea, Director of Public Information

York Pictures Corporation

of the Southwestern Region of the Immigration and Naturalization Service telephoned today relative to Jerry Lewis and York Productions.

As you have been advised by General Swing, the Immigration and Naturalization Service has a long-standing option with which has been renewable on a six-month basis - renewal being subject to actual showing of progress by So far he has met all requirements in connection with his proposed series on the Border Patrol.

I am advised that you have received directly from the Director of the FBI a report on information which they had relative to Lewis.

cc: Deputy Attorney General
Director, FBI
Commissioner Swing, INS

October 21, 1957
Fred Mullen told Mr. DeLoach November 13, 1957, that the Bureau should know that the Department had completely canceled any plans for York Productions, New York City, to handle the future Department movie. Mullen stated the Department had learned a lesson in this regard.

This is the planned production in which Jerry Lewis, the movie and television actor, inveigled the Department into allowing York Productions to handle a Departmental movie. The Department was furnished information regarding Jerry Lewis's background and then attempted to get out of the original arrangements.

ACTION:

For record purposes.
MEMORANDUM FOR MR. TOLSON  
MR. NEASE

This afternoon while in conference with the Attorney General, I talked with him about my concern over the contemplated TV program being developed by the York Pictures Corporation headed by Jerry Lewis. I stated that excluding the unsavory background and reputation of Lewis, I was particularly concerned about the fact that I understood that their first TV production was to be on the Rosenberg case and I thought that this was most undesirable and dangerous. I stated that in the first place I understood that no script had been submitted nor would be submitted to the Department upon this case, but that the York Pictures Corporation intended to go right ahead and produce the film which would be used on TV, but would be shown to the Department before public release. I stated that this would be grossly unsatisfactory and dangerous, in that once a company has gone to the expense of spending hundreds of thousands of dollars making a film, it would be next to impossible to get them to scrap it if it was unsatisfactory or to change it materially.

I also pointed out that many aspects of the Rosenberg case are still current, in that David Greenglass and Harry Gold, who were convicted along with the Rosenbergs, are in the penitentiary and their cases will shortly be considered for parole, and that Morton Sobell, another one convicted in that case, was now in Alcatraz and it was the plan of the communists to start a worldwide campaign for their release within the next few weeks. I stated that for a picture to be portrayed dealing with this case and sponsored by the Attorney General would inevitably result in repercussions. The Attorney General stated it had been intended to have a saving clause appear at the opening or the closing of the picture to the effect that the program was not sponsored by the Department of Justice. I told the Attorney General that this was certainly not a protection because the fact of the matter was that the material upon which the script has been written and from which the picture is being produced was given to the York Pictures Corporation by the Department of Justice and the fact that there was going to be a pilot
picture shown to the officials of the Department before public release would certainly indicate that the Department had given tacit approval, if not public approval.

I also stated there was danger in that suits would be brought by relatives of the Rosenbergs and other defendants which might tend to embarrass the Department.

I told the Attorney General that the Bureau had at no stage in this matter been consulted and that obviously there would be some reference to the FBI in the picture and I was greatly concerned as to this aspect because as to the material furnished to Look Magazine, there were nine flagrant errors of fact and that if the York Pictures production was based on the same material or any portion of it, it could be anticipated that there would be basic errors of fact in the picture. The Attorney General stated he had also been concerned about this York production situation but that former Attorney General Drummell had signed a letter, agreeing to go ahead with the program but that nevertheless he, [_____] was becoming more concerned about the matter, and in my presence, [_____] called Mr. Luther Huston, Director of the Department's Office of Public Information, and instructed him to prepare a letter for either Mr. Huston's signature or the Attorney General's signature to be addressed to the York Pictures Corporation, advising them that he, the Attorney General, was concerned about the use of the Rosenberg case, it being such a controversial matter, many aspects of which were still pending before the Department. The Attorney General instructed Mr. Huston to advise Assistant Attorney General Tompkins of the action which he, the Attorney General, was taking and to inform Mr. Tompkins that he, the Attorney General, did not desire to have the Rosenberg case portrayed on TV by the York Pictures Corporation at this time or at any time in the near future.

Very truly yours,

/John Edgar Hoover
Director
February 3, 1958

MR. TOLSON:

Re: JERRY LEWIS

YORK PRODUCTIONS, INC.

While discussing other matters with Luther Huston on the afternoon of 2-3-58, Huston mentioned that the Attorney General had assigned him the responsibility of checking to see whether the Department could back out of its commitments with York Productions or not. Huston stated that a review of the files reflected that York Productions had gone to a great deal of expense and, therefore, he was afraid that a big row would be kicked up over the matter. He stated that he was referring this matter to the Legal Counsel's Office for an opinion as to whether the Department could safely back out or not.

Mr. DeLoach mentioned that we were of the opinion that the Department had already backed out of the matter. Huston stated that he wished this were true but that he was a little afraid that it would be impossible to back out now in view of the lengths to which York Productions had already gone in producing a pilot film in the Rosenberg case. He reiterated the fact that he had not seen the script nor was he personally familiar with the matter other than reviewing the information in Departmental files. He was advised that we had found through sad experience in television and radio that it was absolutely necessary to review the script in all instances and that most certainly there could be a terrific "kickback" if a close watch was not maintained on television and radio outfits.

There appears to be no doubt but what the Department is still toying with the possibilities of dealing with York Productions. It is not felt that Huston yet fully understands the dangers of dealing with Jerry Lewis.

Respectfully,

G. A. NEASE

CDD:jmr (2)
Office Memorandum • UNITED STATES GOVERNMENT

TO: Director, FBI
ATTN: Inspector
FROM: SAC, Los Angeles

SUBJECT: YORK PRODUCTIONS / RESEARCH MATTER

Re tel call from Inspector JOHN MC GUIRE of the Bureau to LA this date re captioned matter. The correct name is York Pictures Corporation.

During a conversation with Paramount Pictures, Inc., 5451 Marathon Avenue, Los Angeles, about a related matter, SAC determined that the above-captioned corporation has been in the control of Paramount Pictures, Inc., since 1954. The business relationship was described by as a management trust with the York Pictures Corporation being financed and its production being released by Paramount. Paramount Pictures, Inc. has the controlling stock interest and Y. FRANK FREEMAN, Vice-President of Paramount Pictures, Inc., is President of York Pictures Corporation.

According to York Pictures Corporation was initially established by DEAN MARTIN and JERRY LEWIS when this comedy team was together for the purpose of producing television shows and motion picture features. When MARTIN and LEWIS separated in 1954, Paramount Pictures Inc. took over the controlling stock and apparently arranged to satisfy MARTIN's interest in the corporation.

mentioned that Paramount has invested $2,000,000 in this corporation which produces pictures featuring JERRY LEWIS. He expressed some concern as to the advisability of this investment indicating the return probably hadn't been as good as anticipated. Because of the desire to keep this inquiry on a confidential basis specific details concerning the above-captioned corporation's internal affairs were not sought from

The files of Dun & Bradstreet, Inc., 610 South Main Street, Los Angeles, contains a report on York Pictures Corporation prepared on November 26, 1957. This report is summarized hereinafter:

The Bureau (AIR MAIL)
1 - Los Angeles

JMC: gmw
York Pictures Corporation is engaged in motion picture production with offices at 5451 Marathon Street, Hollywood, California. The corporation uses the production facilities at this address. The corporation was chartered in New York on October 20, 1949, with authorized capital of 200 shares, no par value; domesticated under California law in June, 1950, and reportedly unactive until July, 1950. York Pictures Corporation has 3 stockholders, Paramount Pictures Corp., 50-51%; JERRY LEWIS, 43-44%; and JOSEPH ROSS, 6%. The corporation's officers are Y. FRANK FREEMAN, President; JOSEPH ROSS, Vice-President -- Secretary; and JACOB H. KARP, Treasurer. The officers compose the Board of Directors.

With regard to the corporation officers the report reveals the following information concerning the corporation officers:

Y. FRANK FREEMAN, 67, born in U. S., married. Graduated Georgia School of Technology, 1910. Has been connected with Paramount Pictures since 1933 and presently serves as chief executive of studio production and operations.

JOSEPH ROSS, 47, born U. S., married, local practicing attorney, and has been active in this corporation since its inception. (ROSS is a member of the legal firm of Pacht, Ross, Warne, and Bernhard, 6535 Wilshire Blvd., Los Angeles, and is legal counsel for actor JERRY LEWIS.)

JACOB KARP, 56, born U. S., married, presently active as assistant administrative executive to Y. FRANK FREEMAN at Paramount Pictures, Inc.

The report further reflects the corporation produces theatrical type motion pictures under an exclusive 5 year contract with JERRY LEWIS. No film is produced without the use of JERRY LEWIS. The contract also includes television performances and tours in which JERRY LEWIS participates.

The Dun & Bradstreet report reveals that Y. FRANK FREEMAN when interviewed on November 25, 1957, concerning the above-captioned corporation declined to furnish a
financial statement. He revealed, however, the corporation had realized a $1,500,000 gross profit from the picture entitled, "The Delicate Delinquent", starring JERRY LEWIS, and that about $690,000 of this would be net profit. JERRY LEWIS receives a salary of $4,000 per week for his TV performance and is under exclusive contract to York Pictures Corporation for motion picture productions, TV performances and tours.

In November, 1957, the York Pictures commenced a picture starring JERRY LEWIS entitled, "Rock-Abye-Baby" which is scheduled for completion in early 1958. FREEMAN at the time of interview estimated that this production would cost $1,350,000.

The Dun & Bradstreet report further reflected that the corporation has not been a seeker of mercantile credit and no credit rating is quoted.

It is noted that in regard to the above corporation that a motion picture entitled, "Sad Sack" was produced in 1956 starring JERRY LEWIS. This production was released in 1957 and according to motion picture trade information has been generally financially successful.
Office Memorandum • UNITED STATES GOVERNMENT

TO: Mr. Tolson

FROM: G. A. Nease

DATE: February 24, 1958

SUBJECT: Sydney Lewis

With reference to the pilot film of York Pictures pertaining to the Rosenberg case, I called Luther Huston and told him that we would not have a representative sit in on the showing of the pilot film in view of the Director's very strong opinion about the inadvisability of such a venture. I further told him that we wanted no reference in the picture to the FBI or its activities. I pointed out that certainly no one has a right to commit the Bureau without our prior concurrence.

Mr. Huston stated he understood thoroughly and that if that is the way the Director wanted it, that is the way it would be. He stated he did not know exactly what the picture would be shown yet but he would keep me advised as to developments.

cc-Mr. Belmont
cc-Mr. Jones
GAN:jmr
(4)
Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

FROM : G. A. Nease

DATE: 3/5/58

SUBJECT:

In my memorandum to you 2/24/58 I pointed out that I had told Luther Huston of the Department that the Bureau would not have any representative sit in on the showing of a pilot film which York Pictures allegedly was going to send to the Department based on the Rosenberg case. While in Luther Huston's office today Mr. McGuire was advised by Huston that York Pictures did not send a pilot film but instead sent a script which could be used as the basis for a film.

Mr. McGuire observed that this changed the picture entirely as it was apparent that York Pictures was not ready to pour 40 or 50 thousand dollars into a pilot film unless they had a solid commitment. Huston agreed stating that he was purposely delaying doing anything about the script with the thought in mind that York Pictures would realize the Department was not interested and that the matter could drop. Mr. McGuire observed that since they had no pilot film not to look at he could keep the script as we were not interested in looking at that either. Huston smiled and said that he still felt that there was enough in the Department of Justice to warrant the use of television as a medium for getting out information to the public about the Department.

He then observed that there was some indication that Jerry Lewis would drop out of the negotiations but as far as he was concerned he felt it best to let the whole project with York Pictures die out. While this may lead to the end of dealing with York Pictures as far as the Department is concerned, there is no doubt that Luther Huston has in mind digging up some other television venture for the Department of Justice.

JJM:hpf
(4)

cc - Mr. Belmont
cc - Mr. Jones
TO: Mr. DeLoach
FROM: M. A. Jones
SUBJECT: JERRY LEWIS
MOVIE ACTOR
(TRUE NAME - JOSEPH LEVITCH)

BACKGROUND:

Captioned individual called the Director's Office at approximately Noon today, May 21, 1959. In the Director's absence, he requested that the Director return his call.

BIOGRAPHICAL DATA:

The current "Who's Who" reflects that Jerry Lewis, comedian, was born in 1926. He attended Irvington High School, Irvington, New Jersey. He is married and has two children. He began his career as an entertainer with a routine at a Catskill, New York, hotel. He formed a comedy team with Dean Martin in 1946, and they subsequently appeared in night clubs, theaters, and on radio and television programs in addition to motion pictures. His latest movies have been "You're Never Too Young," 1955; "Artists and Models," 1955; "Pardners," 1956; and "Delicate Delinquent," 1957. He was the master of ceremonies for the Motion Picture Academy Awards in 1955. Lewis resides in Hollywood, California.

INFORMATION IN BUFILES:

In the interest of expediency, review has been limited to abstracts only in addition to a previous summary memorandum.

"P.M." newspaper for May 6, 1948, contained an advertisement concerning a rally sponsored by The American League for a Free Palestine. The rally was entitled "Colors of Hebrew Freedom" and was held in Madison Square Garden on May 13, 1948. Jerry Lewis was one of the entertainers on the program. (100-316012-A)

On May 27, 1950, the Chicago Office advised that they had received information from the Chicago Police Department's Vice Squad concerning the call house prostitution ring with Hollywood connections. The information came to the Vice Squad from a prostitute who had worked on the West Coast who had set up a call house in an apartment with the intention of catering only to a select clientele.

1 - Mr. Holloman
1 - Mr. DeLoach

DGH: ntlw (7)
Jones to DeLoach memorandum

The Chicago Vice Squad claimed that a book was found in this call house which allegedly contained the names of prospective customers. One of the names listed was Jerry Lewis. (31-76625-4)

The January, 1956, issue of "Screen Stories," a movie magazine, contained a summary of the plot of a motion picture entitled "Artists and Models." This picture starred Dean Martin and Jerry Lewis and a slapstick comedy which made frequent reference to the FBI. FBI Agents were portrayed in this picture in a slapstick manner. (62-39368-129)

A potential criminal informant of the New York Office, an alleged homosexual, furnished considerable unverified data concerning people in the entertainment field. He identified numerous stage and screen personalities whom he knew to be homosexuals. In addition, he stated that a number of others in the stage and screen business were known among the homosexual set as being "gay." He emphasized that his knowledge was hearsay, but among the individuals he heard were classified as "gay" were Jerry Lewis and Dean Martin.

By letter dated July 23, 1956, the Los Angeles Office advised that was an individual who was a source of information and had supplied reliable data to the Los Angeles Office in the past. She confidentially advised that Dean Martin and Jerry Lewis had allegedly made an obscene record while cutting the sound track of a trailer advertising one of their films called "The Caddy." The obscene portion of the track was supposed to have been destroyed, but in some manner a master disc was saved and additional records were cut and circulated in the Hollywood area for personal amusement. did not know of any commercial traffic in this record, but she did consider it to be "very obscene." She obtained a copy of this record (playing time approximately six minutes) and handed it over to the Los Angeles Office which in turn sent it to the Laboratory. The record was placed on tape and according to Bufiles is currently maintained in the Laboratory in the obscene collection under #D-2333099AX. (145-805)
Jones to DeLoach memorandum

On July 26, 1957, a [redacted] who identified himself as a departmental attorney came to the Director's Reception Room and requested that a special tour of the Bureau be conducted for [redacted] and [redacted] advised SA [redacted] of the Crime Records Section, who conducted the tour, that [redacted] had been conferring with individuals in the Department about a forthcoming movie concerning the Department. [redacted] stated [redacted] was introduced as a representative for Jerry Lewis.

[redacted] advised SA [redacted] that he lived at [redacted] and stated he was affiliated with the National Broadcasting Company and York Pictures Corporation. Files contain no reference identifiable with [redacted] or York Pictures. (Memoandum from M. A. Jones to Mr. Nichols, 7-30-57, entitled [redacted] Tour of Bureau.)

You will recall as indicated in August, 1957, the Department signed a contract with York Pictures Corporation to produce a series of films on the Department. Jerry Lewis handled the arrangements for York. The Department did this without first checking with us and we subsequently told them we would have nothing to do with it in view of Lewis' background. The Department was quite embarrassed when Mr. Nichols made them aware of Lewis' background and subsequently in the Fall of 1957 they were able to cancel this contract.

RECOMMENDATION:

None. For information.
I WOULD BE EXTREMELY HONORED IF YOU WOULD BE MY GUEST AT THE CARTER BARRON THEATER ON MY OPENING MONDAY NIGHT AUGUST 24. WOULD YOU HAVE YOUR SECRETARY CONTACT SHOREHAM HOTEL IN ORDER TO RSVP SO THAT WE CAN MAKE PROPER ARRANGEMENTS. LOOKING FORWARD TO THE PRIVILEGE OF ENTERTAINING YOU. I SINCERELY HOPE THAT YOU WILL BE ABLE TO TAKE TIME FROM YOUR CROWDED CALENDAR TO BE WITH US. MOST SINCERELY

JERRY LEWIS

410P DA-8-21-59

DELLUS - WILL NOT TO BE

MR. DELOACH

53 AUG 28 1959
Office Memorandum • UNITED STATES GOVERNMENT

TO: Mr. Tolson

FROM: C. D. DeLoach

DATE: August 24, 1959

SUBJECT: INVITATION FOR DIRECTOR TO ATTEND JERRY LEWIS SHOW
8/24/59

By telegram dated August 20, 1959, Mr. Lewis inquired if the Director would be his guest at Jerry's opening at the Carter Barron Amphitheater tonight, August 24, 1959. He asked that one of his staff be called at the Shorham Hotel so that proper arrangements could be made.

It was not possible to locate either Friday or Saturday, but contacted her today at the Statler and expressed the Director's regrets.

1 - Mr. Jones

HPL:cag

(3)
September 16, 1960

Mr. JERRY LEWIS, the movie actor, telephoned through operator and secretary from Hollywood, California, for the Director. He was advised of the Director's absence from the office and of the indefiniteness of his return, and was offered the services of Mr. DeLoach which he declined.

Mr. Lewis asked that word be left for the Director to return his call.

He can be reached through Operator 621 in Los Angeles at HOLlywood 5-0564.

Unless advised to the contrary, a background memorandum will not be requested.
of the Publications Unit of the Crime Research Section saw captioned movie December 18, 1960. She advised that during one part of the movie Jerry Lewis, who plays the part of Cinderfella in this parody of the fairy tale "Cinderella," runs across his fairy godfather in his bedroom and, being startled, says, in effect, "I know who you are. You're from the FBI and you are here to protect the Princess." Lewis is referring to a princess from a foreign land, who is visiting America.

The fairy godfather chuckles and says, "No, I'm not from the FBI."

After some discussion, during which Lewis asks him one more time if he sure he is not from the FBI, the mission of the fairy godfather is revealed to Lewis and the movie goes on from there. This is the only reference to the FBI in the movie, and the foregoing episode was not presented in any sort of a ridiculing manner.

RECOMMENDATION:

For information.
Memorandum

TO: Mr. DeLoach

FROM: M. Alligines

DATE: June 21, 1961

SUBJECT: JERRY LEWIS, COMEDIAN
INFORMATION CONCERNING

You will recall your memorandum of 6-16-61 concerning who had asked permission to reprint the Director's article "The Crime of the Century." This permission was given. He later asked for additional privileges which were denied him and the Director also declined to write a foreword to his book. We later learned that without permission, had had the publishing firm use the title "Crusade Against Crime: Famous Cases of the FBI." We have protested vigorously both in letters to the publisher and by having SAC Simon of the Los Angeles Office personally contact

For the record, it should be noted that the above is not identical with Jerry Lewis, the comedian, who formerly was teamed with Dean Martin. In August, 1957, the Department of Justice signed a contract with York Pictures Corporation to produce a series of films on the Department. Jerry Lewis, the comedian handled the arrangements for York. Lewis was president of York Pictures Corporation in 1957. York Productions was found to be a front organization for Jerry Lewis, handling only his television, movie and personal appearances. It was not a production company and the productions were actually made through Paramount Pictures. The corporation was initially established by Dean Martin and Jerry Lewis. After Paramount Pictures took over the controlling interest, Lewis was no longer president.

The arrangements which the Department made with Jerry Lewis the comedian were not discussed with us before hand and when we brought to the Department's attention information available to us concerning Jerry Lewis's background and moral character, they were successful in having the program plans cancelled. In his letter to the Attorney General, the Director stated, "I would be unwilling to have the Bureau associated in any way with an individual such as Mr. Lewis."

RECOMMENDATION:

For information.

140 JUN 28, 1961
September 18, 1967

BY LIAISON

Mrs. Mildred Stegall
The White House
Washington, D. C.

Dear Mrs. Stegall:

Reference is made to your name check request regarding the individuals who are to attend a White House affair on September 26, 1967.

The central files of the FBI contain no pertinent derogatory information identifiable with the following individuals:

[Blank]

The fingerprint files of the Identification Division of the FBI contain no arrest data identifiable with the above individuals based upon background information submitted in connection with this name check request.

Attached are separate memoranda regarding the following:

[Blank]

Mr. and Mrs. Jerry Lewis

A copy of this communication has not been sent to the Attorney General.

Enclosures (6)

1 - Mr. DeLoach (sent direct) - Encs.
1 - Mr. Gale (sent direct) - Encs.

Sincerely yours,

[Signature]

[Date] 176 SEP 19 1967

[Address]
September 18, 1967

MR. AND MRS. JERRY LEWIS

In May, 1950, a representative of the Vice Squad, Chicago, Illinois, Police Department, advised that the names of Jerry Lewis and Dean Martin were contained in a book of alleged prospective customers which was found in a Chicago, Illinois, house of prostitution which allegedly catered to Hollywood male clientele.

In November, 1955, unsubstantiated information was received from an admitted homosexual identifying numerous stage and screen personalities as homosexuals. This individual also stated that a number of other personalities in the entertainment business were known among homosexuals as "gay." He stated he had heard Dean Martin and Jerry Lewis were classified as "gay."

A confidential source, who has furnished reliable information in the past, in May, 1956, advised that Dean Martin and Jerry Lewis had made an extremely obscene phonograph record while cutting a record advertising one of their films. The source explained that the obscene portion of the record was supposed to have been destroyed but the master disc was saved and additional records were believed to have been circulated in Hollywood for personal amusement. Martin was also alleged to have been involved in the negotiations for an obscene film which was to be distributed outside the United States. (94-49096 & 145-805)

FBI files contain no additional pertinent information identifiable with captioned individuals.

The fingerprint files of the Identification Division of the FBI contain no arrest data identifiable with captioned individuals based upon background information submitted in connection with this name check request.

NOTE: Per request of Mrs. Mildred Stegall, White House Staff.
Memorandum

TO: DIRECTOR, FBI

FROM: SAC, LOS ANGELES (62-

SUBJECT: JERRY LEWIS,
ACTOR - ENTERTAINER
INFORMATION CONCERNING

At 12:20 a.m., 6/12/70, JERRY LEWIS, 332 St. Cloud, Bel-Air, California, telephonically contacted this office and requested that an agent call his office at Warner Brothers, Burbank, and make an appointment.

Mr. LEWIS was telephonically contacted on the morning of 6/12/70, and an appointment was made with him for 2:30 p.m. on 6/12/70.

Mr. LEWIS was interviewed at 2:30 p.m., at his office, Warner Brothers Studio, 4000 Warner Boulevard, Burbank, California. Mr. LEWIS commenced the interview by commenting on his sincere respect for the Director, for the men and for the principles of the FBI. He noted that early in his entertainment career he had the opportunity of visiting with the Director in Washington, D.C., and recalled that the Director personally had escorted him on a tour of the FBI building.

Mr. LEWIS said he believed this country could not exist without obedience and respect for its laws by all citizens. He said he strictly observes the laws and has tried to teach his children this virtue.

Mr. LEWIS said a situation had arisen with that was causing him great mental anguish and personal concern. He said he had wrestled with his conscience over the matter, had thoroughly discussed the problem with his wife, and came to the conclusion that if he believed in living by the laws of this country that he had to do something in this situation. In turning the matter over in his mind and in discussions with his wife, he came to the determination that he should report the matter to the FBI because he believed the matter came within the jurisdiction of the FBI and also because he felt the FBI could give him appropriate guidance.
Mr. LEWIS then advised that

Mr. LEWIS described

as a "dope pusher" who is selling marijuana and heroin. Mr. LEWIS believed the marijuana and heroin were being transported interstate. He further understood that was selling marijuana to grade school children and was making profits in the area of two to three thousand dollars per week. LEWIS' source for this information was and not identified.

Mr. LEWIS said whom he described as a

and apparently has introduced to marijuana smoking. recently seems to have had a complete change in personality. Where he formerly was respectful and obedient, he has become disrespectful and surly. He is becoming anti-establishment, believes all law enforcement officers are on the take and that elected officials are corrupt, etc. has become particularly concerned about his habits and his association with and influence.

Late on the evening of 6/11/70, confronted him with the accusation that he was smoking marijuana and was coming under the influence of An argument ensued, and

LEWIS is particularly concerned now that

Mr. LEWIS said he had checked name out with a friend of his who lives in Las Vegas and who apparently is a police informer and who operates on both sides of the law. This source knew name and cautioned LEWIS that he was of questionable character. LEWIS' concern increased as a result of this information.
Mr. LEWIS said his purpose in contacting the FBI was twofold. First, he wanted the FBI to be aware of the identity of [redacted] Second, he wanted to know if the FBI could interview [redacted] were at the FBI [redacted] happy to accept his information and would make a record of name. Narcotics violations came within the jurisdiction of the local police or the Bureau of Narcotics and Dangerous Drugs. He was advised that the FBI could refer his information to the appropriate agencies. It was pointed out to him that the general policy of the FBI was not to conduct interviews in matters outside the jurisdiction of the FBI and for the purpose suggested by him.

Mr. LEWIS commented that while he respected the local law enforcement agencies, he did not want to discuss the matter with the Los Angeles Police Department (LAPD). He asked if the FBI could get him in touch with an appropriate official of the Bureau of Narcotics and Dangerous Drugs. Mr. LEWIS said he was leaving town on 6/14/70, for a four-week personal appearance tour and would like to talk with this Bureau of Narcotics official on 6/12/70.

On 6/12/70, the Bureau of Narcotics and Dangerous Drugs, Los Angeles, was telephonically informed of Mr. LEWIS' request. [redacted] stated he would personally contact Mr. LEWIS that day to discuss the matter with him.

Mr. LEWIS was subsequently informed that [redacted] would contact him and he expressed appreciation for the effort of the FBI in putting him in touch with [redacted].

Based on limited identifying data available, no information regarding [redacted] or [redacted] was located in Los Angeles indices.

The above is submitted for information purposes.
August 22, 1972

BY LIAISON

Honorable Alexander P. Butterfield
Deputy Assistant to the President
The White House
Washington, D. C.

Dear Mr. Butterfield:

Reference is made to your name check request concerning Mr. and Mrs. Steve Allen and some other individuals.

Attached are separate memoranda concerning the following individuals:

Mr. and Mrs. Steve Allen
Mr. and Mrs. Vic Damone
Mr. and Mrs. Charlton Heston

Mr. and Mrs. Jerry Lewis
Dean Martin

Sincerely yours,

L. Patrick Gray, III
Acting Director

Enclosures (10)

1 - Mr. Cleveland - Enclosures (sent direct)

JCF:mcbrby (5)
Captioned individuals, who you advised reside at 3322 St. Cloud Road, Los Angeles, California, have not been the subjects of an investigation conducted by the FBI. However, our files contain the following information concerning Jerry Lewis.

In May, 1950, a representative of the Vice Squad, Chicago, Illinois, Police Department, advised that the names of Jerry Lewis and Dean Martin were contained in a book of alleged prospective customers which was found in a Chicago, Illinois, house of prostitution which allegedly catered to Hollywood male clientele.

In November, 1955, unsubstantiated information was received from an admitted homosexual identifying numerous stage and screen personalities as homosexuals. This individual also stated that a number of other personalities in the entertainment business were known among homosexuals as "gay." He stated he had heard Dean Martin and Jerry Lewis were classified as "gay."

A confidential source who has furnished reliable information in the past advised in May, 1955, that Dean Martin and Jerry Lewis had made an extremely obscene phonograph record while cutting a record advertising one of their films. The source explained that the obscene portion of the record was supposed to have been destroyed but the master disc was saved and additional records were believed to have been circulated in Hollywood for personal amusement. Martin was also alleged to have been involved in the negotiations for an obscene film which was to be distributed outside the United States. (62-104217-16)

The central files of the FBI, including the files of the Identification Division, contain no additional pertinent information concerning captioned individuals based upon background information submitted in connection with this name check request.

NOTE: Per request of Alexander P. Butterfield, Deputy Assistant to the President.
Federal Bureau of Investigation
Records Branch

Name Searching Unit - Room 6527
Service Unit - Room 6524
Forward to File Review
Attention
Return to

Supervisor Room Ext.

Type of References Requested:
- Regular Request (Analytical Search)
- All References (Subversive & Nonsubversive)
- Subversive References Only
- Nonsubversive References Only
- Main Reference Only

Type of Search Requested:
- Restricted to Locality of
- Exact Name Only (On the Nose)
- Buildup Variations

Subject

Birthdate & Place
Address

Localties

Date

Searcher

Initials

FILE NUMBER SERIAL

87-166002 N0

102-104-217-16 aug 7 8 67

100-190-625-3070 N1 on

116-159-32-11 N1 on

107-104-217-1 N0

AUG 1972
Federal Bureau of Investigation
Records Branch

Name Searching Unit - Room 6527
Service Unit - Room 6524
Forward to File Review
Attention
Return to

Supervisor Room Ext.

Type of References Requested:
- Regular Request (Analytical Search)
- All References (Subversive & Nonsubversive)
- Subversive References Only
- Nonsubversive References Only
- Main�

Type of Search Requested:
- Restricted to Locality of
- Exact Name Only (On the Nose)
- Buildup
- Variations

Subject
Birthday & Place
Address

Localities

Date
Searcher Initials

FILE NUMBER SERIAL

62-104217
145-505
9-25643
94-49096-4 sum 11/28/52
62-104217-16 sum 9/18/67
11/28/52 5-21-59
8-10-57
94-3-33484
94-3-33484
92-3157-25p 76

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