

MER:kao

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

85 NO. 748 CR-KEHOE
49 USC 1472(i)

UNITED STATES OF AMERICA)

v.)

INDICTMENT

WILLIAM POTTS, JR.)
a/k/a WILLIAM FREEMAN)
a/k/a LT. SPARTACUS)

The Grand Jury charges that:

On or about March 27, 1984, in the Southern District of Florida, and elsewhere, while aboard an aircraft within the special aircraft jurisdiction of the United States, the defendant,

WILLIAM POTTS, JR.
a/k/a WILLIAM FREEMAN
a/k/a LT. SPARTACUS,

did commit an act of aircraft piracy by force or violence or threat of force or violence by threatening to blow up Piedmont Airlines Flight No. 337 unless the flight were diverted from Miami, Florida, to Havana, Cuba, causing said flight to be diverted to Havana, Cuba, in violation of Title 49, United States Code, Section 1472(i).

A TRUE BILL

Donna St. Donelan
FOREPERSON

Joseph F. McChesney Jr.
LEON B. KELLNER
UNITED STATES ATTORNEY

Michael E. Runowicz
MICHAEL E. RUNOWICZ
ASSISTANT UNITED STATES ATTORNEY

Certified to be a true and
correct copy of the document on file
Steven M. Larimore, Clerk,
U.S. District Court
Southern District of Florida

By *Quaine R. R.*
Deputy Clerk
Date *11/7/1012*

MER:kao

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. _____

UNITED STATES OF AMERICA)

v.)

WILLIAM POTTS, JR.)
a/k/a WILLIAM FREEMAN)
a/k/a LT. SPARTACUS)

ESTIMATED TRIAL TIME

CERTIFICATE OF TRIAL ATTORNEY

I do hereby certify:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the indictment/~~information~~ attached hereto.

2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28, U.S.C., Section 3161.

3. This case will take 2-3 days for the parties to try.

4. (Check the appropriate category)

<u>✓</u>	I	0 to 5 days
_____	II	6 to 10 days
_____	III	11 to 20 days
_____	IV	21 to 60 days
_____	V	61 days and over

5. Has this case been previously filed in this Court? No (yes or no).

If yes, Judge: _____ (Attached copy of
Case No.: _____ dispositive order)


Michael E. Runowicz
ATTORNEY FOR THE UNITED STATES

No.

United States District Court
FOR THE

Southern.....DISTRICT OF Florida.....

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM POTTS, JR.
a/k/a WILLIAM FREEMAN
a/k/a LT. SPARTACUS,
Defendant.

VIOLATION: 49 USC 1472(i)

Filed....., 19.....

Clerk.

By....., Deputy.

FORM OBD-4
NOV. 82

WARRANT FOR ARREST

United States District Court		DISTRICT SOUTHERN DISTRICT OF FLORIDA	
UNITED STATES OF AMERICA v. WILLIAM POTTS, JR., a/k/a WILLIAM FREEMAN a/k/a Lt. SPARTACUS		DOCKET NO.	MAGISTRATE CASE NO. 84-7096-RL
WARRANT ISSUED ON THE BASIS OF: <input type="checkbox"/> Indictment <input type="checkbox"/> Information <input checked="" type="checkbox"/> Complaint		NAME AND ADDRESS OF INDIVIDUAL TO BE ARRESTED 185 North 7th Street Patterson, New Jersey	
TO: Special Agent Harold Phipps Or Any Duly Authorized Agent		DISTRICT OF ARREST Any Federal District CITY	

YOU ARE HEREBY COMMANDED to arrest the above-named person and bring that person before the United States District Court to answer to the charge(s) listed below.

DESCRIPTION OF CHARGES

The defendant William Potts, Junior, also known as William Freeman, also known as Lieutenant Spartacus, did knowingly, willfully and unlawfully commit aircraft piracy, by seizing, by threat of force and violence and by form of intimidation and with wrongful intent, an aircraft, within the special aircraft jurisdiction of the United States (as described in Title 49 U.S.C. § 1301(38), all of the above in violation of Title 49, U.S.C. § 1472(i))

IN VIOLATION OF	UNITED STATES CODE TITLE 49	SECTION 1472
BAIL to be set at Initial Appearance. P.V.	OTHER CONDITIONS OF RELEASE	
ORDERED BY	SIGNATURE (FEDERAL JUDGE OR U.S. MAGISTRATE) R.H. Nunn	DATE ORDERED 6/28/84
CLERK OF COURT ROBERT M. MARCH	(BY) DEPUTY CLERK John H. O'Donnell	DATE ISSUED 6-28-84
RETURN		

This warrant was received and executed with the arrest of the above-named person.

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE EXECUTED		

CRIMINAL COMPLAINT

United States District Court		DISTRICT Southern District of Florida	
UNITED STATES OF AMERICA v. William Potts, Jr., a/k/a William Freeman, a/k/a Lt. Spartacus		DOCKET NO.	
		MAGISTRATE'S CASE NO. 84-7096-PLN	
Complaint for violation of Title 49		United States Code § 1472(i)	
NAME OF JUDGE OR MAGISTRATE		OFFICIAL TITLE United States Magistrate	LOCATION Miami, Dade County, Florida
DATE OF OFFENSE March 27, 1984	PLACE OF OFFENSE Miami International Airport Miami, Florida and elsewhere	ADDRESS OF ACCUSED (if known) 185 North 7th Street Patterson, New Jersey	
COMPLAINANT'S STATEMENT OF FACTS CONSTITUTING THE OFFENSE OR VIOLATION: The defendant did knowingly, willfully and unlawfully commit aircraft piracy by seizing, by threat of force and violence and by form of intimidation and with wrongful intent, an aircraft within the special aircraft jurisdiction of the United States as described in Title 49, United States Code, Section 1301(38), all in violation of Title 49, United States Code, Section 1472(i).			
BASIS OF COMPLAINANTS CHARGE AGAINST THE ACCUSED: See attached affidavit which is incorporated herein as if set forth in full.			
MATERIAL WITNESSES IN RELATION TO THIS CHARGE:			
Being duly sworn, I declare that the foregoing is true and correct to the best of my knowledge.		SIGNATURE OF COMPLAINANT (Official Title) <i>Harold W. Phipps</i> OFFICIAL TITLE Harold W. Phipps, Special Agent, Federal Bureau of Investigation	
Sworn to before me and subscribed in my presence, SIGNATURE OF MAGISTRATE(1) <i>John Winkelt</i>		DATE 06/28/84	

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REMOVED

BH Peters
ASSISTANT U. S. ATTORNEY

6-28
DATE

AFFIDAVIT

I hereby swear the following acts to be true and correct to the best of my knowledge and belief.

1. My name is HAROLD W. PHIPPS. I am a Special Agent with the Federal Bureau of Investigation, having been so employed for the last thirteen (13) years.

2. On March 27, 1984, an individual identifying himself as WILLIAM FREEMAN approached the Piedmont Airlines ticket counter at LaGuardia Airport, Queens, New York. FREEMAN purchased a one way Piedmont Airlines ticket, flight number 337, from LaGuardia to Miami with a plane change at Charlotte, North Carolina. He paid \$119.00 in cash for the ticket.

3. FREEMAN was described by the Station Agent as being a black male, five feet eleven inches, thirty (30) years old, wearing a beret and carrying a small dark colored athletic type bag.

4. While on final approach to Miami International Airport a black male pushed the flight attendants call button and then handed a flight attendant a handwritten note. The flight attendant glanced at the note, noticed the word "explosives" and immediately gave the note to the Captain.

5. After giving the note to the flight attendant, the black male locked himself in the bathroom.

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APPROVED

Bh. Peters
ASSISTANT U. S. ATTORNEY

6-28
DATE

6. The note, which was subsequently retained by Cuban Authorities, was paraphrased by the pilot as follows, "Captain, LT. SPARTACUS, a soldier in the Black Liberation Army. I don't want to land in Miami. I want to go to Jose Marti International Airport in Havana. There are two (2) explosive devices aboard the plane that I and two (2) comrades have planted aboard the aircraft." The note went on to read about freeing brothers and sisters in South Africa, government interferrance with the Sandanistas, a five (5) million dollar demand and that passengers would be shot and the plane blown up of it landed in Miami.

7. The Captain of the flight then diverted away from Miami and landed in Havana, Cuba.

8. After landing in Havana, Cuban authorities boarded the aircraft and took the subject off the airplane. While escorting the subject off the aircraft an electric bill fell from the subject's pocket and was retained by a passenger. The bill was made out to KAY BROWN, 185 North 7th Street, Patterson, New Jersey.

9. KAY BROWN advised that on March 28, 1984, she gave her nephew, WILLIAM POTTS JR., \$120.00 sometime Monday, March 26, 1984, to pay her electric bill and has not seen him since. BROWN supplied a photograph of POTTS.

**CONTENTS
APPROVED**

[Signature]

ASSISTANT U. S. ATTORNEY

6.28
DATE

Treated as original
Page #3 PLN.

10. A photospread consisting of POTTS and five (5) other similar type photographs of individuals was displayed to three passenger witnesses and they all identified the photograph of POTTS as being the individual that hijacked the Piedmont Airlines flight. POTTS was also identified as the individual who bought the ticket as WILLIAM FREEMAN.

Harold W. Phipps
HAROLD W. PHIPPS, Special Agent
Federal Bureau of Investigation

Sworn to and subscribed before
me this 28th day of June 1984.

PN.

John Winchell
United States Magistrate

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