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nt and Recent U.S. Court Cases relating to events in Northern Ireland

Four Irish Americans,

- 1) Michael Flannery, (one of Noraid's three joint treasurers), George Harrison, Thomas Falvey and Patrick Mullen are due to stand trial in New York this month on charges of conspiring to smuggle weapons to the P.I.R.A.
- 2) Owen Carron and Danny Morrison were arrested on 21 January 1982 while attempting to enter the U.S. from Canada. They were deported on 29 January following an administrative hearing by the U.S. Immigration and Naturalisation Service. However Carron and Morrison still face criminal charges and are expected to appear in court in Buffalo, New York around 22 March. They were released on bail of \$10,000 each.
- 3) Desmond Ellis and Edward Howell, two Irish residents, were arrested on 8 February 1982 while trying to enter the U.S. from Canada. A bench warrant has been issued in respect of Ellis following his failure to appear in the Special Criminal Court to face charges under the Explosive Substance Act. They had \$8,000 to \$10,000 in their possession and what appeared to be a shopping list of weapons. Howell was deported from the U.S. to Canada and from there, under Canadian police escort, to Ireland. However he evaded this escort at Paris airport and has disappeared. Ellis is still in jail in Buffalo while awaiting trial on a variety of immigration offences. He has indicated that he intends to seek political asylum in the U.S.
- 4) A case at present before a New York court is that of Michael O'Rourke, who blasted his way out of the Special Criminal Court in 1976. He was arrested in Philadelphia in November 1979 on charges of illegal entry. O'Rourke has sought political asylum and claimed eligibility to resident status on the grounds that he married a U.S. citizen in a

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1. common law ceremony in 1979. Further hearings in his case are expected this month.
- 5) Britain has requested the extradition of William Quinn, a U.S. citizen, on explosive and murder charges. He was arrested in San Francisco on 30 September 1981 and hearings in this case are continuing.
- 6) On 23 December 1981 the U.S. Court of Appeals held that Desmond Mackin should not be extradited to Belfast to face charges of attempted murder as his offence was political. Mackin agreed to leave the U.S., which he entered illegally, and he returned to Ireland on 31 January 1981.
- 7) In November 1981 a Federal Appeals Court decided that Peter McMullen, a former member of the P.I.R.A., could not be deported on the grounds that if he returned to Ireland he would be persecuted and possibly assassinated by former colleagues.

Department of Foreign Affairs

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