

→ chief judge
immunity

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UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

IN THE MATTER OF THE GRANT OF	:	
IMMUNITY IN CONNECTION WITH	:	
THE PROCEEDINGS OF THE	:	MISC. NOS. 83-205
<u>SYNANON CHURCH v. UNITED STATES</u>	:	83-206
<u>OF AMERICA</u>	:	83-207

FILED

NOV 9 1983

ORDER

JAMES F. DAVEY, Clerk

Upon consideration of the Petition to Unseal Records of Immunity Orders, the Opposition thereto, and the entire record herein, the Court notes the following:

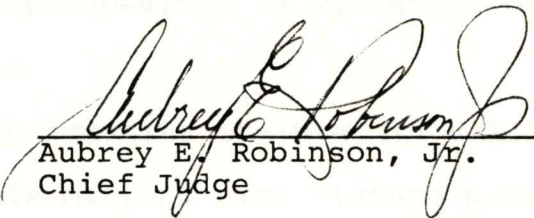
(1) Petitioner is party to a case presently pending in this Court, Synanon Church v. United States of America, Civil Action No. 82-2303. The records of immunity orders which petitioner seeks were given to three witnesses in the named case. Petitioner seeks to challenge the ex parte nature of the proceedings as violative of civil and criminal procedures.

(2) The immunity statute, 18 U.S.C. §§ 6001 - 6003 controls in this matter. The statute places the authority and the discretion for granting immunity with the United States Attorney's Office. The statute does not require that notice be served on the parties to the case or on the witness receiving the grant of immunity. Therefore, there is no impropriety when an application for immunity is made ex parte.

(3) Petitioner Synanon Church lacks standing to challenge whether or not the request for immunity complied with the procedural and jurisdictional requirements of the statute. Such a challenge, like the privilege against self-incrimination, is personal; only the three witnesses involved hold the privilege. Petitioner, having no standing to challenge the granting of immunity, has no right to the production of any records concerning these immunity orders.

THEREFORE, for the foregoing reasons, it is by the Court this 9th day of November, 1983,

ORDERED, that the Synanon Church Petition to Unseal Records of Immunity Orders be and hereby is DENIED.


Aubrey E. Robinson, Jr.
Chief Judge

United States District Court
for the District of Columbia
A TRUE COPY

JAMES F. DAVEY, CLERK

By 
Deputy Clerk