

27 MAY 1969 Judge in Memphis Rules He Gave Up Right of Appeal When Pleading Guilty

Judge Faquin offered throw open the hearing to allow Ray to state his position, but the attorneys representing him declined the offer. They would not explain why the allegations about the pressure had been withdrawn.

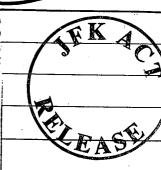
Robert K. Dwyer, the prosecutor, who just this morning Continued on Page 19, Column 3

NEW YORK TIMES.

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Ray Fails in Plea for New 1



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MOTION DENIED:

Special to The New York Times MEMPHIS. Tenn., May 26-Criminal Court Judge Arthur C. Faquin Jr. ruled today that James Earl Ray gave up his right of appeal on March 10

when he pleaded guilty to the murder of the Rev. Dr. Martin Luther King Jr.

The judge threw out Ray's request for a new trial and ordered the pudgey, 41-yearold convict returned to the Tennessee State Penitentiary at Nashville to continue serving his 99-year sentence.

During the session Ray, whose weight has risen from 170 to almost 190 pounds in two months of solitary confinement at the penitentiary, sat quietly behind his lawyers.

State prosecutors introduced into evidence a signed statement by Ray requesting that he be allowed to plead guilty in return for the 99-year sentence and agreeing that he would neither appeal the sentence nor ask for a new trial.

Legal Technicalities

Judge Faquin said that such agreements were legal and blinding in Tennessee. He cited numerous Tennessee court decisions in behalf of this position.

Today's hearing, which had held the promise of being a forum for Ray's story that he was nothing more than a dupe who pleaded guilty because of pressure, never got beyond legal technicalities.

At the start of the hearing, Ray's three attorneys withdrew allegations that Ray's former -lawyer, Percy Foreman of Houston, had browbeaten Ray nto pleading gully

PAGE ANALYSIS OR CHARGEOUT

Continued From Page 14 Col. 2 a full hearing under a postnessee convicts to seek leniency pared to call Mr. Foreman and while they are serving prison William Bradford Huie, the Ala that the lawyers planned to folbama author who bought publication all three courses if necesnew trial because he had asked quired that Ray be given

Ray had said that he was hearing that Tennessee law re-

cation rights to Ray's story, to rebut any charges by Ray. rights sales for Mr. Huie and mote magazine, book and movie forced to plead guilty to pro-Mr. Foreman.

yer's, who included J. B. Stoner, May Go to Higher Courts Judge Faquin told

TYPE

REFERENCE DOCUMENT

was appointed to the Tennessee

of Appeals, was pre-

FILE NO

(When Filled In) SECURE A