July 30, 1969

CIVIL RIGHTS DIVISION

ASSASSINATION OF MARTIN LUTHER KING, JR.

my 5-8-69

xxxxxxxxxxxxxxxxxxxx

xxxxxx a memorandum 7-24-69
Butte

XXX (B) CEP:jmv

2025 RELEASE UNDER E.O. 14176

7/24/69

AIRTEL AIRMAIL

TO: DIRECTOR, FBI (44-38861)

FROM: SAC, BUTTE (173-2) (P)

SUBJECT: MURKIN
CR
OO: Memphis

ReBulet, 7/2/69.

Enclosed for the Bureau are four copies of LHM, which is self-explanatory.

Enclosed for Memphis are two copies of this LHM.

MORRIS R. McCARVER was determined to be residing at the present time in Mud Lake, Idaho, and he will be contacted in the immediate future and advised that the FBI will await his decision to review his hospital records at Topeka State Hospital, Topeka, Kansas, and that if he decides to give his consent to have the Bureau check these records, he should contact the FBI Office at Idaho Falls, Idaho. As soon as he is contacted and advised of this fact, the Butte Division will close its case administratively.

2 - Bureau (Enc.4)(AM)(Reg.)
2 - Memphis (44-1987)(Enc.2)((AM)(Reg.)
1 - Kansas City (Info)(AM)(Reg.)
2 - Butte
BSP/sdj
(7)

2025 RELEASE UNDER E.O. 14176

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

Butte, Montana
July 24, 1969

MURDER OF DR. MARTIN LUTHER KING

On April 14, 1969, Mr. VIRGIL CROW, Chief of Medical Records, Topeka State Hospital, Topeka, Kansas, advised that his records reflect that MORRIS R. McCARVER was voluntarily committed as a patient on April 8, 1968. Mr. McCARVER listed his residence at Harvey County, Kansas. McCARVER went AWOL from that hospital and was discharged from the hospital as AWOL on June 1, 1968. Mr. CROW stated that the hospital regulations prohibited giving out further information without written consent of the patient.

On June 19, 1969, MORRIS R. McCARVER was contacted in Roberts, Idaho, and request was made for his written consent to check his record at Topeka State Hospital, Topeka, Kansas. He stated he would like to think this matter over and never did furnish written consent to make this check.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

2025 RELEASE UNDER E.O. 14176

July 23, 1969

CIVIL RIGHTS DIVISION

ASSASSINATION OF MARTIN LUTHER King J.

JAMES EARL RAY;
DR. MARTIN LUTHER KING, JR., - VICTIM
CIVIL RIGHTS - CONSPIRACY
UNLAWFUL FLIGHT TO AVOID CONFINEMENT - ROBBERY

Donald A. Flynn 7-16-69
Mobile

XXX(G) EJM:jmv

Synopsis: On 7-14-69, Raymond Polacco advised he has no knowledge of the Martin Luther King, Jr., assassination other than that as received through news media. Polacco believed that the allegation regarding his participation in this murder was instituted anonymously by Johnnie Ernest Griffin, brother-in-law of the sister of his (Polacco's) former paramour. No evidence found which indicates Polacco involved in assassination.

- RUC -

2025 RELEASE UNDER E.O. 14176

FD-263 (Rev. 12-19-67)

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE	OFFICE OF ORIGIN	DATE	INVESTIGATIVE PERIOD
MOBILE	MEMPHIS	7/16/69	7/1-7/14/69

TITLE OF CASE	REPORT MADE BY	TYPED BY
JAMES EARL RAY, aka; DR. MARTIN LUTHER KING, JR. - VICTIM	SA DONALD A. FLYNN	/tdr
	CHARACTER OF CASE CR - CONSPIRACY UFAC - ROBBERY	

REFERENCE: Dallas airtel to Bureau, 3/19/69;
Atlanta let to Bureau, 5/27/69.

- RUC -

ENCLOSURE:

Enclosed for the Memphis Division is one copy of Atlanta letter to Director, 5/27/69, enclosing LHM, 3/11/69, at Atlanta, and LHM, 3/19/69, at Dallas captioned "Anonymous Accusation Alleging Participation of Raymond Polacco in Assassination of Martin Luther King, Jr."

ACCOMPLISHMENTS CLAIMED (X) NONE						ACQUIT-TALS	CASE HAS BEEN:
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES		PENDING OVER ONE YEAR ( ) YES (X) NO PENDING PROSECUTION OVER SIX MONTHS ( ) YES (X) NO

APPROVED _____ SPECIAL AGENT IN CHARGE

DO NOT WRITE IN SPACES BELOW

COPIES MADE:

(2) - Bureau (44-38861)
1 - USA, Montgomery
1 - Atlanta (44-2386)(Info.)
2 - Memphis (44-1987)(Encl. 1)
1 - Mobile (157-2627)

Dissemination Record of Attached Report				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

Notations

A*
COVER PAGE

GPO : 1968 O - 299-885

2025 RELEASE UNDER E.O. 14176

July 23, 1969

CIVIL RIGHTS DIVISION

ASSASSINATION OF MARTIN LUTHER KING, JR.

XXX (G) EJM:jmv

Enclosed is a petition filed on behalf of James Earl Ray in the District Court of the United States, Western District of Tennessee.

2025 RELEASE UNDER E.O. 14176

7/19/69

AIRTEL

TO: DIRECTOR, FBI

FROM: SAC, MEMPHIS (44-1987) (P)

MURKIN
CR

Submitted herewith for the information of the Bureau and completion of its file are 2 copies of a petition filed on behalf of JAMES EARL RAY in the District Court of the United States, Western District of Tennessee. This petition was filed in District Court on Friday, July 18, 1969. The petition is a civil action and charges that PERCY FOREMAN, ARTHUR J. HANES, and WILLIAM BRADFORD HUIE conspired to make money on this case.

(2) - Bureau (Enc-2)
2 - Memphis

RGJ/acp
(4)

2025 RELEASE UNDER E.O. 14176

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF TENNESSEE
MEMPHIS DIVISION

JAMES EARL RAY,	§	
Resident of Tennessee; Legal resident of or domicile in Illinois,	§	NO._____
	§	
Petitioner	§	
VS.	§	
PERCY FOREMAN, Resident of Texas, WILLIAM BRADFORD HUIE, resident of Alabama, and ARTHUR J. HANES, resident of Alabama	§	
	§	
	§	
Defendants		

PETITION

Your petitioner would respectfully show the Court:

That this cause is subject to federal jurisdiction, in that there is a diversity of citizenship (see caption) and that the subject matter of this suit is in excess of $10,000; and also that the defendants entered into a conspiracy to violate your petitioner's civil rights and that subsequent to the overt acts stated below, that they did in fact by fraudulent use of the Court process and other matters stated below violate his civil rights; said violation in direct contravention of the rights as protected by 42 U.S.C. 1985. Defendants acted in such a manner as to make a farce and mockery of justice and completely denied the petitioner of his constitutional right to effective counsel.

That he is presently in the Tennessee State Penitentiary at Nashville serving time under a sentence of 99 years imposed by the Criminal Court of Shelby County, Tennessee, the Honorable Judge Preston Battle (now deceased) then presiding.

That he was imposed upon by the respondents in the following manner: Petitioner first consulted with Arthur J. Hanes, an attorney at law in the State of Alabama, and that they reached a tentative agreement for the said Hanes to defend him on a charge of murder. The petitioner charges that he was before and at all

ROBERT W. HILL, JR.
416 PIONEER BUILDING
CHATTANOOGA,
TENNESSEE 37402
TEL. 615/267-0911

2025 RELEASE UNDER E.O. 14176

times since in jail without bail and under every restrictive security. Petitioner would show that after the original meeting with Hanes that he and Hanes started a line of discussion relative to Hanes' fee and expenses.

That Hanes revealed to the petitioner that he had been approached by the respondent, Huie, and that Huie would be willing to pay large sums of money for the exclusive rights to the story of your petitioner's life, including any and all facts surrounding the petitioner's alleged involvement in the slaying of Martin Luther King (whom petitioner at that time stood charged with murdering). After being assured by Mr. Hanes that his rights pending the homicide case would not be prejudiced or imperiled, the petitioner entered into a contract with respondent Hanes and with respondent Huie (a copy of which, together with other material contracts and correspondence, is attached to the original petition.

Your petitioner now realizes and so charges that the original and all subsequent contracts were not in any way for the petitioner's benefit; nor were they ever so intended to be. On the contrary, it is charged that respondent Hanes entered into collusion with respondent Huie, each having the specific intent to exploit your petitioner's plight to their own monetary benefit. Your petitioner was under extreme emotional and mental stress, whereby he was made more susceptible to the urgings of the attorney who was allegedly acting in his behalf. Respondent Hanes realized that your petitioner was a stranger to the tangles of the law, and therefore proceeded to "take him in."

Your petitioner would show that he at all times depended wholly upon the advice of Mr. Hanes until such time as Percy Foreman, the lawyer from the Texas Bar, entered into the case. At this point in time, the petitioner released Mr. Hanes and depended fully upon the advice of said Percy Foreman.

Your petitioner would show that he initially entered into a contract with Mr. Hanes, but that through an amendatory agreement induced by Mr. Percy Foreman, he signed a contract by

2025 RELEASE UNDER E.O. 14176

virtue of which Mr. Hanes was released upon the promise to be paid some $35,000 by Mr. Huie. Under the amendatory contract, Mr. Foreman was to receive all rights formerly to have been Mr. Hanes'. However, Mr. Foreman was to receive further rights in regard to exclusive stories, motion picture contracts, re-run contracts, television rights, etc. In other words, Mr. Percy Foreman was to receive everything which might otherwise have been the property of James Earl Ray, in return for defending James Earl Ray.

The petitioner believes that the defendant Foreman has some sort of power of attorney so that on the face of said power of attorney, Foreman, if not restrained, will in all probability further act in the name of the petitioner to the petitioner's detriment in these and other matters.

Your petitioner was not versed in the law relative to contracts in general or, more specifically,contracts between attorney and client. Nor was he sufficiently knowledgeable or informed about the peril of his course, as made obvious by the fact that said agreements could and would adversely affect the defense in his criminal case.

Petitioner charges that the respondent Foreman advised, then cajoled, then pressured him into pleading guilty to the aforementioned charge of murder in the first degree. Among other things, the said Foreman told him that this course was the only way to save petitioner's life - all of this in spite of the fact that petitioner had at all times protested his innocence to Mr. Foreman.

Petitioner now believes and charges that neither respondents ever intended for him to have a fair trial and testify in his own behalf, as this would then make the facts and testimony public property and no one would or could have exclusive rights in the matter.

Petitioner charges that Foreman informed him that the only way to raise enough money to pay his fee was to sign over such rights as he had. Petitioner at this time had full faith in his attorney and acted strictly in accordance with his attorney's advice. He did not know that such acts actually prejediced his rights in the criminal case and caused to arise a serious conflict of interest which rendered it impossible for Mr. Foreman to well and

2025 RELEASE UNDER E.O. 14176

truly represent him. There was no way for the petitioner to know that Mr. Foreman had, in fact, positioned himself in such a manner as to have a strong monetary interest in having his client found guilty and sentenced to a 99 year term for a crime which he did not commit. Mr. Foreman did not tell the petitioner, nor did the petitioner know, that there have been no executions in this state within the past decade and that the "bargaining" for the 99 year sentence could have easily been done by almost any student fresh out of law school. No ability, experience, or exhaustive research would be necessary to obtain the said results, particularly in view of the fact that petitioner at all times prior thereto proclaimed his innocence.

Petitioner would further show that the presiding judge, Judge Preston Battle, in an effort to keep down unnecessary publicity had enjoined all parties, including the attorneys, from releasing to the Press any statements relating to the petitioner and/or his case. That in spite of this injunction, respondent Foreman released statements to the co-respondent Huie, said statements purported to be from this petitioner. That such statements, even when and if the same were made by the petitioner, were statements of a confidential nature and privileged between client and attorney.

Petitioner charges that there has since appeared in a national magazine an article in which Huie sets forth certain statements purportedly made by the petitioner. Even if such statements were true, which petitioner denies, they could only have been based upon statements made to his lawyer, therefore bringing them under the rule of privilege between attorney and client.

Finally, petitioner charges that not only does the above conduct violate the relationship of attorney and client, but also violates Canon No. 6 of the professional ethics set forth by the American Bar Association and which have been adopted by the State. Petitioner avers that the relationship of attorney and client existed at all times whenever he talked with any of his lawyers, but that he was never told, nor did his lawyer explain to him, the

2025 RELEASE UNDER E.O. 14176

true monetary aspects of the case or that the reception of such money under the conditions of the contract hereto attached would imperil petitioner's rights in the homicide case and violate the mandates of the Honorable Judge Preston Battle, now deceased.

From what he has now learned and believes, petitioner charges that his final attorney, Mr. Percy Foreman, was the agent of the co-respondent William B. Huie and was in fact looking out for his own (Foreman's) and his principal's (Huie) monetary interests, rather than the rights of this petitioner.

The action of the defendants as related above proves not only fraudulent breach of all agreements with petitioner, but also among civil offenses, shows that the defendants entered into a conspiracy to violate petitioner's civil rights, said conspiracy beginning prior to the original trial and continuing up to and until the present and even into the future. Petitioner would show that unless directly restrained by this Court, they will further so prejudice the rights guaranteed the petitioner by the Constitution of the United States, of Federal Statute (22-1985), and State law.

Petitioner would show in corroboration of his belief and charge that Percy Foreman, who was allegedly representing him, coerced your petitioner into signing some sort of petition for waiver and other unlawful and unconstitutional petitions attached to this petition. Among those rights which respondent Foreman attempted to coerce your petitioner to waive were: 1) his motion for a new trial; 2) successive appeals to the Supreme Court of Criminal Appeals of the Supreme Court of Tennessee; and 3) petition for review by the Supreme Court of the United States (see page 2 of Voir Dire of Defendant of Waiver and Order).

Petitioner would point out to the Court that there is no precedent for such a waiver in law or equity and that as an experienced attorney, Mr. Foreman must have realized not only the impropriety, but the gross injustice he was fostering upon his own client in direct contradiction to all of those legal rights guaranteed him by the constitution of both this state and the United States.

2025 RELEASE UNDER E.O. 14176

WHEREFORE, PREMISES CONSIDERED, PETITIONER PRAYS:

1. That he be allowed to file this petition and that proper process issue and be served upon the respondents and/or their agents, requiring them to appear at the earliest day convenient to be set by this Court, and to answer this complaint fully, but not under oath, their oath to the same being waived.

2. That a preliminary injunction issue enjoining the respondents from the further exposure of the alleged facts surrounding the slaying of Martin Luther King, insofar as such alleged facts affect the petitioner, or purport to involve this petitioner with said killing. Petitioner prays that upon the final hearing of this cause that said injunction be made final.

3. That any and all contracts entered into by the parties described above be voided or nullified and that all parties respondent be perpetually enjoined from pursuing their course by reason of any alleged contractual agreements or powers of attorney.

4. That all costs pursuant to petition be taxed against the respondents.

5. That he be granted such other general relief as the equities of this cause may demand.

Robert W. Hill, Jr.
ROBERT W. HILL, JR.
Attorney for Petitioner

J.B. Stoner
J. B. STONER
Attorney for Petitioner

STATE OF TENNESSEE

COUNTY OF DAVIDSON

I, JAMES EARL RAY, first having been duly sworn, make oath that the matters and facts stated in the foregoing petition are true to the best of my knowledge, information and belief and that owing to my poverty, I am unable to bear the expense of the suit which I am about to bring.

James Earl Ray
JAMES EARL RAY

Sworn to and subscribed before me this the 15 day of July, 1969.

Byron J. Brown
NOTARY PUBLIC - at Large - Tennessee

My commission expires: 4-26-1972

2025 RELEASE UNDER E.O. 14176

Murlow Dissemination Folder

June 18, 1969

CIVIL RIGHTS DIVISION

ASSASSINATION OF MARTIN LUTHER KING, JR.

XXX (F) REL:jmv

Attached is a copy of a "Prayer for Appeal" filed in State Court, Memphis, Tennessee, by attorneys for James Earl Ray. Judge Arthur C. Faquin, Sr., denied this "Prayer for Appeal."

2025 RELEASE UNDER E.O. 14176

6-16-69

AIRTEL AM

TO: DIRECTOR, FBI (44-38861)

FROM: SAC, MEMPHIS (44-1987) P

MURKIN

Submitted herewith for the completion of the Bureau's file are two Xerox copies of a "Prayer for Appeal" which was heard before Judge ARTHUR C. FAQUIN, JR. at Memphis, 6-16-69. Judge FAQUIN denied the "Prayer for Appeal." J. B. STONER and RICHARD J. RYAN both appeared before Judge FAQUIN this date. Judge FAQUIN advised Attorneys STONER and RYAN that they had 60 additional days in which to file a "Wayside Bill of Exceptions," in order to protect the record and give them other avenues of legal appeal.

This matter will be followed and the Bureau will be kept advised.

2 BUREAU (Enc. 2)(AM)
1 MEMPHIS
RGJ:BN
(3)

2025 RELEASE UNDER E.O. 14176

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE

VS

JAMES EARL RAY,

Defendant

NO. 16645

FILED 6/10/69

J. A. BLACKWELL, CLERK

BY [illegible] D. C.

PRAYER FOR APPEAL

Comes now the defendant, James Earl Ray, by and through his attorney of record, Richard J. Ryan, having heretofore respectfully excepted to Your Honor's ruling upon his Motion for a New Trial, now moves this Honorable Court for permission and leave to file his Appeal from this Court to the Court of Criminal Appeals for the Western District of Tennessee.

Richard J. Ryan

RICHARD J. RYAN,
ATTORNEY FOR DEFENDANT

2025 RELEASE UNDER E.O. 14176

Murkin Dissemination Folder

June 16, 1969

CIVIL RIGHTS DIVISION

Attention: Mr. D. Robert Owen

ASSASSINATION OF MARTIN LUTHER KING, JR.

xxxxxxxxxxxxxxxxxxxxx
6-13-69

xxxxx a memorandum
Birmingham

XXX (F) REL:jmv

2025 RELEASE UNDER E.O. 14176

FD-365 (Rev. 9-27-65)

FBI

Date: 6/13/69

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AIRMAIL
(Priority)

To: Director, FBI
(44-38861)

From: SAC, BIRMINGHAM
(44-1740)

Subject: MURKIN

ATTENTION:
[X] CIVIL RIGHTS SECTION
GENERAL INVEST. DIV.
[ ] DOMESTIC INTELLIGENCE DIV.

[X] CR [ ] EL [ ] VRA-65 [ ] CRA-64
[ ] PA [ ] PE [ ] PF
[ ] BM [ ] BM-Threats [ ] Racial Matters
[ ] Klan [ ] Organization

Summary of Complaint:

Three copies of an LHM are attached containing news item.

The Bureau may desire to furnish a copy to the Department with suggestion that it advise the U. S. Attorney, Birmingham, concerning possible dismissal of the complaint outstanding.

2 - Bureau (Enc. 3)
1 - Memphis (Enc. 1)(Info)
2 - Birmingham
HHS:sjm
(5)

ACTION: UACB:
[ ] No further action being taken and
[X] LHM enclosed [ ] Copy furnished to USA _____
[ ] LHM being submitted
[ ] Report being submitted
[ ] Preliminary investigation instituted
[ ] Limited investigation instituted

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

2025 RELEASE UNDER E.O. 14176

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to File No.

Birmingham, Alabama
June 13, 1969

RE: JAMES EARL RAY;
DR. MARTIN LUTHER KIN, JR. (DECEASED) - VICTIM

There is attached a copy of a news item which appeared in the Birmingham Post-Herald, Final Edition, on page 3 of its issue of June 12, 1969.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

2025 RELEASE UNDER E.O. 14176

(Mount Clipping in Space Below)

Ray Warrant Is Still On File Here

BY LILLIAN FOSCUE VANN

A warrant for the arrest of Eric Starvo Galt, alias James Earl Ray, convicted killer of Dr. Martin Luther King Jr., is still on file in the office of U. S. Marshal Roy L. Call in Birmingham.

Issued at the order of then U. S. Atty. Gen. Ramsay Clark, the warrant was signed by Joseph H. Gamble, then special agent in charge of the FBI in Birmingham.

The warrant, issued April 17, 1968, charged Eric Galt and "an individual whom he alleged to be his brother," with conspiracy to "injure, oppress, threaten or intimidate Martin Luther King Jr."

Marshall Call said the last official communication he had with the Department of Justice in Washington concerning the Galt warrant was June 10, 1968.

"We have to hold it until it is dismissed by the Criminal Division of the Department of Justice," the marshal said.

Ordinarily, the marshal would notify authorities at a prison in which a fugitive was already serving that he was wanted in Birmingham on a charge. In the case of the warrant for Galt, alias Ray, however, the marshal said he had not notified prison authorities in Nashville where Ray is imprisoned for the April, 1968, slaying of Dr. King.

"In my opinion this warrant will be dismissed since no evidence of conspiracy has been proved," Call said.

2025 RELEASE UNDER E.O. 14176

MURKIN
DISSEMINATION
6/12/69 Folder

CIVIL RIGHTS DIVISION

ASSASSINATION OF MARTIN LUTHER KING, JR.

------ a memorandum 6/2/69
Philadelphia

X F. RELJ d

2025 RELEASE UNDER E.O. 14176

FD-36 (Rev. 5-22-64)

FBI

Date: 6/2/69

Transmit the following in _____ (Type in plaintext or code)

Via AIRTEL _____ (Priority)

TO: DIRECTOR, FBI

FROM: SAC, PHILADELPHIA

SUBJECT: JAMES BEVEL
RM - BN
BUfile 100-445914
PHfile 157-2979

MURKIN
BUfile 44-38861
PHfile 44-1368 (C)

Re Bureau airtel, 5/15/69.

Enclosed herewith are 11 copies of an LHM entitled JAMES LUTHER BEVEL. Enclosed for Memphis is one copy and for Atlanta and New York three copies of this LHM. Copies are being forwarded to NISO, OSI, MI, Secret Service.

First source is PH 897-R. Second source is Captain TOMMIE FRYE, Commissioner's Office, Philadelphia PD, who requested his identity be kept confidential if given outside the Bureau.

Captain FRYE and his squad escort Rev. ABERNATHY whenever ABERNATHY is in town. ABERNATHY did not say where BEVEL was staying but made the statement mentioned in LHM.

UACB, Philadelphia will conduct no further investigation to locate BEVEL for interview.

New York is requested to determine location of BEVEL.

4 - Bureau (Enc. 11)
2 - 100-445914 (JAMES BEVEL)
2 - 44-38861 (MURKIN)
3 - Atlanta (Enc. 3)
1 - 100-5718 (COMINFIL SCLC)
1 - (JAMES BEVEL)
1 - (MURKIN)
3 - New York (Enc. 3)
1 - (MURKIN)
1 - (BEVEL)
1 - (SCLC)
4 - Philadelphia (157-2979)
1 - 44-1368 (MURKIN)
1 - 100-47194 (SCLC)
1 - 170-53 (PH 897-R)

~~EMC/mam 1-Memphis (44-1987)(Enc.1)~~
(15)

CARBON COPY

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

2025 RELEASE UNDER E.O. 14176

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Philadelphia, Pennsylvania

June 2, 1969

In Reply, Please Refer to File No.

JAMES LUTHER BEVEL

The New York Times on March 18, 1969, carried a story concerning an interview of JAMES BEVEL in which BEVEL stated a letter was turned over to the Memphis Police on approximately April 3, 1968, which contained information that Dr. MARTIN LUTHER KING, JR., was to be assassinated while in Memphis.

A source, who has furnished reliable information in the past and who is familiar with Southern Christian Leadership Conference (SCLC) activities in the Philadelphia area, advised in April 1969 that BEVEL was in a mental hospital in New York.

On May 18, 1969, a track meet was held at Villanova University, Villanova, Pa., and the proceeds from the track meet were sent to SCLC.

A second source, who has furnished reliable information in the past, advised he was present with Rev. RALPH ABERNATHY, Director, SCLC, at the track meet. This source advised while with ABERNATHY he met BEVEL at the track meet. Source stated BEVEL was extremely quiet and did not act in his usual manner. Source stated he mentioned this to Rev. ABERNATHY who stated, "BEVEL is in another world." Nothing further was said.

On May 20, 1969, the first source contacted people active in SCLC in Philadelphia and was told BEVEL is no longer in Philadelphia. One person stated "BEVEL is in New York,"

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

2025 RELEASE UNDER E.O. 14176

Murkin Dissemination Folder

June 9, 1969

Civil Rights Division

ATTENTION: Mr. D. Robert Owen

ASSASSINATION OF MARTIN LUTHER KING, JR.

XXX (F) REL:pjl

NOTE: Enclosed is one copy each of "Motion to Dismiss "Amended Petition" on behalf of the Defendants Percy and William Bradford Huie," and "Motion to Dismiss Amended Petition" filed in U. S. District Court, Nashville, Tennessee.

2025 RELEASE UNDER E.O. 14176

6/6/69

AIRTEL AM

TO: DIRECTOR, FBI (44-38861)

FROM: SAC, MEMPHIS (44-1987) P

MURKIN

For the information of the Bureau, there are enclosed one copy each of "Motion to Dismiss 'Amended Petition' on Behalf of the Defendants PERCY FOREMAN and WILLIAM BRADFORD HUIE," and "Motion to Dismiss Amended Petition" filed in U. S. District Court, Nashville, Tennessee.

2 BUREAU (Enc. 2)(AM)
1 MEMPHIS
RGJ:BN
(3)

2025 RELEASE UNDER E.O. 14176

UNITED STATES DISTRICT COURT

FOR THE

MIDDLE DISTRICT OF TENNESSEE - NASHVILLE DIVISION

FILED

JUN 5 - 1969

BRANDON LEWIS, Clerk
By M. Edwards D.C.

JAMES EARL RAY Resident of Tennessee Plaintiff	)	
Vs	)	CIVIL ACTION FILE NO. 5380
ARTHUR J. HANES, PERCY FOREMAN and WILLIAM BRADFORD HUIE Defendants	)	

MOTION TO DISMISS AMENDED PETITION

Defendant, Arthur J. Hanes, respectfully refiles to the amended Petition last filed in this cause the Motion to Dismiss heretofore filed to the original and first Petitions in this cause and as additional grounds therefor, sets down and assigns the following separately and severally:

3. The original Petition, the amendments thereto, and the exhibits filed by Plaintiff affirmatively show on their face that Plaintiff did release and discharge HANES from any and all claims, demands, actions and causes of action which (he)..., but for this release, might now have or hereafter might have against HANES under or pursuant to said basic agreement, the assignment agreement or any other agreements or contracts, written or oral, heretofore entered into between said parties or any of them with respect to the subject matter of said basic agreement.

Arthur J. Hanes, Jr.

ARTHUR J. HANES, JR.
ATTORNEY FOR DEFENDANT, ARTHUR J. HANES
617 Frank Nelson Building
Birmingham, Alabama 35203

2025 RELEASE UNDER E.O. 14176

CERTIFICATE OF SERVICE

I hereby certify that I have this day mailed, postage prepaid, a copy of the foregoing Motion to Dismiss Amended Petition to Honorable Robert W. Hill, Jr., 418 Pioneer Building, Chattanooga, Tennessee, 37402, and Honorable J. B. Stoner, Savannah, Tennessee, 38372, Attorneys for Plaintiff.

This is the 2 day of June, 1969.

Arthur J. Hanes, Jr.

ARTHUR J. HANES, JR.
ATTORNEY FOR DEFENDANT, ARTHUR J. HANES
617 Frank Nelson Building
Birmingham, Alabama 35203

2025 RELEASE UNDER E.O. 14176

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

FILED
JUN 3 - 1969
BRANDON LEWIS, Clerk
By: [illegible] D.C.

JAMES EARL RAY	)	
	)	
	)	
vs.	)	Civil No. ~~5389~~ 5380
	)	
	)	
PERCY FOREMAN,	)	
WILLIAM BRADFORD HUIE,	)	
and ARTHUR J. HANES	)	

MOTION TO DISMISS "AMENDED PETITION" ON BEHALF OF THE DEFENDANTS PERCY FOREMAN AND WILLIAM BRADFORD HUIE

The defendants move the Court as follows:

(1) To dismiss the amended petition because it fails to state a claim against these defendants upon which relief can be granted.

(2) To dismiss the amended petition and this action on the ground that it is filed in the wrong district, because the plaintiff is not a resident of the Middle District of Tennessee and the Middle District of Tennessee is not the judicial district in which the claim arose.

(3) To dismiss the action on the ground that the amended petition shows that the plaintiff's legal residence or domicile is in Illinois; the defendant Percy Foreman is a resident of Texas; the defendant William Bradford Huie is a resident of Alabama; and the defendant Arthur J. Hanes is a resident of Alabama. Therefore, it appears that neither the plaintiff nor the defendants

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reside in the Middle District of Tennessee nor that the Middle District of Tennessee is the judicial district in which the claim arose, as required by 28 U.S.C. 1391.

HOOKER, KEEBLE, DODSON & HARRIS

By _____
Attorneys for defendants Percy Foreman
and William Bradford Huie,
900 Nashville Bank & Trust Building
Nashville, Tennessee 37201

CERTIFICATE OF SERVICE

I, John J. Hooker, hereby certify that the foregoing motion has been served on the attorneys for the plaintiff by mailing copies thereof, by first class mail, to the Honorable Robert W. Hill, Jr., 418 Pioneer Building, Chattanooga, Tennessee 37402, and the Honorable J. B. Stoner, Savannah, Georgia; and to the Honorable Arthur J. Hanes, Jr., attorney for the defendant, Arthur J. Hanes, 617 Frank Nelson Building, Birmingham, Alabama 35203, this 3rd day of June, 1969.

_____
John J. Hooker

2025 RELEASE UNDER E.O. 14176

Murkin Dissemination Folder

May 26, 1969

CIVIL RIGHTS DIVISION

ASSASSINATION OF MARTIN LUTHER KING, JR.

XXX (F) REL:jmv

NOTE: Enclosed one copy each of "Reply Brief" and "Motion to Strike Amendment to Motion for New Trial" furnished by office of District Attorney General, Memphis, Tennessee, on date in captioned matter.

2025 RELEASE UNDER E.O. 14176

5/23/69

AIRTEL AM

TO: DIRECTOR, FBI (44-38861)

FROM: SAC, MEMPHIS (44-1987) P

MURKIN

Enclosed are two copies each of "Reply Brief" and 'Motion to Strike Amendment to Motion for New Trial" furnished by office of the District Attorney General, Memphis, Tennessee, on this date in captioned matter.

2 BUREAU (Enc. 4)
1 MEMPHIS
RGJ:RW
(3)

2025 RELEASE UNDER E.O. 14176

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE
DIVISION II

STATE OF TENNESSEE	I	
VS.	I	NO. 16645
JAMES EARL RAY	I	

MOTION TO STRIKE AMENDMENT
TO MOTION FOR NEW TRIAL

Comes now Phil M. Canale, Jr., District Attorney General for the Fifteenth Judicial Circuit of Tennessee and for the State of Tennessee would show the Court as follows:

That all allegations of fact in conclusion in the Amendment to Motion for New Trial are denied.

State of Tennessee moves the Court to strike the Amendment to Motion for New Trial on the grounds previously cited in the State of Tennessee's Motion to Strike to the Supplemental Motion for New Trial.

PHIL M. CANALE, JR.
DISTRICT ATTORNEY GENERAL
FIFTEENTH JUDICIAL CIRCUIT
STATE OF TENNESSEE

NOTICE OF SERVICE

Copy of Motion to Strike Amendment to Motion for [illegible]rial delivered personally to attorney for defendant, [illegible]rd J. Ryan, on May 23, 1969, at _____m.

2025 RELEASE UNDER E.O. 14176

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE
DIVISION II

STATE OF TENNESSEE	I	
VS.	I	NO. 16645
JAMES EARL RAY	I	

REPLY BRIEF

The Petitioner in this cause filed an amendment to his Supplemental Motion for New Trial and a Memorandum of Authorities after the State of Tennessee had filed its Motion to Strike accompanied with a Memorandum of Authorities; therefore, State of Tennessee feels it proper to file a Reply Brief.

In essence Petitioner relies on two grounds in his Motion for New Trial. His first ground is based on Tennessee Code Annotated 17-117, and the admitted fact of Judge Battle's death within thirty days of Petitioner's plea of guilty, conviction, and sentencing thereon. In support of this ground the Petitioner cites a number of cases, all of which with the exception of Swang v. State 42 Tenn. 212 and Knowles v. State, which will be discussed later, were cases in which an actual trial was had. None of the cases so cited are applicable to our particular situation; for example, Howard v. State 399 S.W.2d 759 was a case tried in this same division, and in which Judge Pengelli had not signed the minutes of the conviction on the trial and sentencing prior to his death. The cause was of course reversed as a court speaks only through its minutes. In the case of Knowles v. State cited by the Petitioner, a guilty plea was set aside because no evidence was presented to the jury. Of course, in our particular situation evidence was presented, see State of Tennessee exhibits, and further, it

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has been held by the Supreme Court of Tennessee since the Knowles case that a Petitioner present with attorney entering guilty plea and not objecting to statements made by the District Attorney General through stipulation is estopped from relying on the statute requiring evidence on a guilty plea. Barnes v. Henderson 423 SW2d 497 (1968).

To properly understand the purpose of the statute relied upon, Tennessee Code Annotated 17-117, one must return to the elementals of law. A trial is most commonly defined as a judicial investigation and determination of the issues between the parties to an action. The word is commonly used to designate that step in an action by which issues or questions of fact are decided but often signifies an examination of matters of law as well. 53 Am Jur Trial, Section 2, page 28. To further understand a "trial" the word issue must be defined. An issue is matter presented by a pleading which raises a point of fact or of law, or both, in a pending suit, requiring determination of a judicial tribunal. The production of an issue is the chief object of all pleading, and an issue arises on the pleadings when a fact or conclusion of law is maintained by the pleadings of one party and is controverted by the pleadings of the other. 71 CJS Pleadings, Section 512, page 1068. Issue has been further defined as a disputed point, Vita Graph Company of America v. Swaab 94 A. 126, or matter affirmed on one side and denied on the other. The Tordenskjold 53 F.2d 266. Further, as a point in dispute between parties on which they put their cause to trial. Martin v. Columbus 127 N.W. 411 (Ohio). In Tennessee it has been held when referring to issues raised by the proof that the word issue when thus used means facts put in controversy by the pleadings. Taylor v. State 212 Tenn. 187 at page 191.

To go even further a new trial is defined as a remedy

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which is afforded to the litigant consisting of a re-examination of an issue by the trial court with a view to correcting errors which have occurred in the course of a preceding trial. 39 Am Jur New Trial, Section 2, page 33.

It is axiomatic then that Tennessee Code Annotated 17-117 pertains and applies only to a trial that is a contest of disputed issues and a judicial determination thereof. The Petitioner in this cause has never had a trial and of course cannot have a new trial. The Petition should be more properly titled a Motion for a Trial:

The death of Judge Battle can have no affect on the rights, if any, of the Petitioner as the situation is more analagous to the situation contemplated by Tennessee Code Annotated 17-118 rather than 17-117. Judge Battle had accepted the guilty plea, heard evidence, accepted the verdict of the jury thereon, sentenced and executed the verdict and signed the minutes of his actions therein. There was nothing further for Judge Battle to do in this matter. The only relief Judge Battle could have given Petitioner if he were still alive would be under a Writ of Habeas Corpus, a Petition for Postconviction Relief or a Motion to Withdraw his plea of guilty if the proper and required grounds were present. If the required grounds are present, any other court of the proper jurisdiction and standing could grant the same relief. Therefore, it is inescapable that Judge Battle's death has not prejudiced the rights, if any, of the Petitioner and that Tennessee Code Annotated 17-117 is not applicable.

The other ground on which Petitioner relies in his allowed Motion for a New Trial, more properly called a Motion for a Trial, the essence seems to be lack of competent counsel. As cited in the State of Tennessee's previous Memorandum of Authorities, Richmond v. Henderson, March 26, 1969, the Supreme

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Under Richmond v. Henderson supra the allegation does not raise even the question required by law for the lack of effective or competent counsel or under the requirements set forth in the Swang case cited by the Petitioner. Therefore, assuming for purpose of argument Petitioner's allegations to be true, the court as a matter of law should dismiss Petitioner's alleged Motion for New Trial.

Respectfully submitted,

PHIL M. CANALE, JR.
DISTRICT ATTORNEY GENERAL

NOTICE OF SERVICE

Copy of Reply Brief delivered personally to attorney for defendant, Richard J. Ryan, on May 23, 1969, at _____m.

2025 RELEASE UNDER E.O. 14176

5/22/69

AIRTEL AM

TO: DIRECTOR, FBI (44-38861)

FROM: SAC, MEMPHIS (44-1987) P

MURKIN

Enclosed are two copies of Amended Petition filed in U. S. District Court, Nashville, Tennessee, 5/21/69, in captioned matter.

2 BUREAU (Enc. 2)
1 MEMPHIS

RGJ:BN
(3)

2025 RELEASE UNDER E.O. 14176

MURKIN
DISSEMINATION
Folder

May 26, 1969

CIVIL RIGHTS DIVISION

ASSASSINATION OF MARTIN LUTHER KING, JR.

XXX (F) REL:jmv

NOTE: Attached is a copy of Amended Petition filed in Federal Court, Nashville, Tennessee, by attorneys of James Earl Ray.

2025 RELEASE UNDER E.O. 14176

Judgment 5-21-69

TO THE HONORABLE JUDGE WILLIAM E. MILLER OF THE DISTRICT COURT,

MIDDLE DIVISION, TENNESSEE

JAMES EARL RAY,	$
Resident of Tennessee; Legal resident of or domicile in Illinois,	$ NO. 5380
Petitioner	$
VS.	$
PERCY FOREMAN, Resident of Texas, WILLIAM BRADFORD HUIE, resident of Alabama, and ARTHUR J. HANES, resident of Alabama	$

AMENDED PETITION

Your petitioner would respectfully show the Court:

That this cause is subject to federal jurisdiction, in that there is a diversity of citizenship (see caption) and that the subject matter of this suit is in excess of $10,000; and also that the defendants entered into a conspiracy to violate your petitioner's civil rights and that subsequent to the overt acts stated below, that they did in fact by fraudulent use of the Court process and other matters stated below violate his civil rights; said violation in direct contravention of the rights as protected by 42 U.S.C. 1985. Defendants acted in such a manner as to make a farce and mockery of justice and completely denied the petitioner of his constitutional right to effective counsel.

That he is presently in the Tennessee State Penitentiary at Nashville serving time under a sentence of 99 years imposed by the Criminal Court of Shelby County, Tennessee, the Honorable Judge Preston Battle (now deceased) then presiding.

That he was imposed upon by the respondents in the following manner: Petitioner first consulted with Arthur J. Hanes, an attorney at law in the State of Alabama, and that they reached a tentative agreement for the said Hanes to defend him on a charge of murder. The petitioner charges that he was before and at all

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times since in jail without bail and under every restrictive security. Petitioner would show that after the original meeting with Hanes that he and Hanes started a line of discussion relative to Hanes' fee and expenses.

That Hanes revealed to the petitioner that he had been approached by the respondent, Huie, and that Huie would be willing to pay large sums of money for the exclusive rights to the story of your petitioner's life, including any and all facts surrounding the petitioner's alleged involvement in the slaying of Martin Luther King (whom petitioner at that time stood charged with murdering). After being assured by Mr. Hanes that his rights pending the homicide case would not be prejudiced or impaired, the petitioner entered into a contract with respondent Hanes and with respondent Huie (a copy of which, together with other material contracts and correspondence, is attached to the original petition).

Your petitioner now realizes and so charges that the original and all subsequent contracts were not in any way for the petitioner's benefit; nor were they ever so intended to be. On the contrary, it is charged that respondent Hanes entered into collusion with respondent Huie, each having the specific intent to exploit your petitioner's plight to their own monetary benefit. Your petitioner was under extreme emotional and mental stress, whereby he was made more susceptible to the urgings of the attorney who was allegedly acting in his behalf. Respondent Hanes realized that your petitioner was a stranger to the tangles of the law, and therefore proceeded to "take him in."

Your petitioner would show that he at all times depended wholly upon the advice of Mr. Hanes until such time as Percy Foreman, the lawyer from the Texas Bar, entered into the case. At this point in time, the petitioner released Mr. Hanes and depended fully upon the advice of said Percy Foreman.

Your petitioner would show that he initially entered into a contract with Mr. Hanes, but that through an amendatory agreement induced by Mr. Percy Foreman, he signed a contract by virtue of

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which Mr. Hanes was released upon the promise to be paid some $35,000 by Mr. Huie. Under the amendatory contract, Mr. Foreman was to receive all rights formerly to have been Mr. Hanes'. However, Mr. Foreman was to receive further rights in regard to exclusive stories, motion picture contracts, re-run contracts, television rights, etc. In other words, Mr. Percy Foreman was to receive everything which might otherwise have been the property of James Earl Ray, in return for defending James Earl Ray.

The petitioner believes that the defendant Foreman has some sort of power of attorney so that on the face of said power of attorney, Foreman, if not restrained, will in all probability further act in the name of the petitioner to the petitioner's detriment in these and other matters.

Your petitioner was not versed in the law relative to contracts in general or, more specifically, contracts between attorney and client. Nor was he sufficiently knowledgeable or informed about the peril of his course, as made obvious by the fact that said agreements could and would adversely affect the defense in his criminal case.

Petitioner charges that the respondent Foreman advised, then cajoled, then pressured him into pleading guilty to the aforementioned charge of murder in the first degree. Among other things, the said Foreman told him that this course was the only way to save petitioner's life - all of this in spite of the fact that petitioner had at all times protested his innocence to Mr. Foreman.

Petitioner now believes and charges that neither respondents ever intended for him to have a fair trial and testify in his own behalf, as this would then make the facts and testimony public property and no one would or could have exclusive rights in the matter.

Petitioner charges that Foreman informed him that the only way to raise enough money to pay his fee was to sign over such rights as he had. Petitioner at this time had full faith in his attorney and acted strictly in accordance with his attorney's advice. He did not know that such acts actually prejudiced his rights in the criminal case and caused to arise a serious conflict of interest which rendered it impossible for Mr. Foreman to well and truly

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represent him. There was no way for the petitioner to know that Mr. Foreman had, in fact, positioned himself in such a manner as to have a strong monetary interest in having his client found guilty and sentenced to a 99 year term for a crime which he did not commit. Mr. Foreman did not tell the petitioner, nor did the petitioner know, that there have been no executions in this state within the past decade and that the "bargaining" for the 99 year sentence could have easily been done by almost any student fresh out of law school. No ability, experience, or exhaustive research would be necessary to obtain the said results, particularly in view of the fact that petitioner at all times prior thereto proclaimed his innocence.

Petitioner would further show that the presiding judge, Judge Preston Battle, in an effort to keep down unnecessary publicity had enjoined all parties, including the attorneys, from releasing to the Press any statements relating to the petitioner and/or his case. That in spite of this injunction, respondent Foreman released statements to the co-respondent Huie, said statements purported to be from this petitioner. That such statements, even when and if the same were made by the petitioner, were statements of a confidential nature and privileged between client and attorney.

Petitioner charges that there has since appeared in a national magazine an article in which Huie sets forth certain statements purportedly made by the petitioner. Even if such statements were true, which petitioner denies, they could only have been based upon statements made to his lawyer, therefore bringing them under the rule of privilege between attorney and client (a copy of said magazine is filed to the original petition).

Finally, petitioner charges that not only does the above conduct violate the relationship of attorney and client, but also violates Canon No. 6 of the professional ethics set forth by the American Bar Association and which have been adopted by the state. Petitioner avers that the relationship of attorney and client existed at all times whenever he talked with any of his lawyers, but that he was never told, nor did his lawyer explain to him, the

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true monetary aspects of the case or that the reception of such money under the conditions of the contract hereto attached would imperil petitioner's rights in the homicide case and violate the mandates of the Honorable Judge Preston Battle, now deceased.

From what he has now learned and believes, petitioner charges that his final attorney, Mr. Percy Foreman, was the agent of the co-respondent William B. Huie and was in fact looking out for his own (Foreman's) and his principal's (Huie) monetary interests, rather than the rights of this petitioner.

The action of the defendants as related above proves not only fraudulent breach of all agreements with petitioner, but also among civil offenses, shows that the defendants entered into a conspiracy to violate petitioner's civil rights, said conspiracy beginning prior to the original trial and continuing up to and until the present and even into the future. Petitioner would show that unless directly restrained by this court, they will further so prejudice the rights guaranteed the petitioner by the Constitution of the United States, of Federal Statute (22-1985), and State law.

Petitioner would show in corroboration of his belief and charge that Percy Foreman, who was allegedly representing him, coerced your petitioner into signing some sort of petition for waiver and other unlawful and unconstitutional petitions attached to the previous amended petition. Among those rights which respondent Foreman attempted to coerce your petitioner to waive were: 1) his motion for a new trial; 2) successive appeals to the Supreme Court of Criminal Appeals of the Supreme Court of Tennessee; and 3) petition for review by the Supreme Court of the United States (see page 2 of Voir Dire of Defendant of Waiver and Order).

Petitioner would point out to the court that there is no precedent for such a waiver in law or equity and that as an experienced attorney, Mr. Foreman must have realized not only the impropriety, but the gross injustice he was fostering upon his own client in direct contradiction to all of those legal rights guaranteed him by the constitution of both this state and the United States.

All exhibits heretofore filed are fully adopted as though filed herewith.

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WHEREFORE, PREMISES CONSIDERED, PETITIONER PRAYS:

1. That he be allowed to file this petition and that proper process issue and be served upon the respondents and/or their agents, requiring them to appear at the earliest day convenient to be set by this Court, and to answer this complaint fully, but not under oath, their oath to the same being waived.

2. That a preliminary injunction issue enjoining the respondents from the further exposure of the alleged facts surrounding the slaying of Martin Luther King, insofar as such alleged facts affect the petitioner, or purport to involve this petitioner with said killing. Petitioner prays that upon the final hearing of this cause that said injunction be made final.

3. That any and all contracts entered into by the parties described above be voided or nullified and that all parties respondent be perpetually enjoined from pursuing their course by reason of any alleged contractual agreements or powers of attorney.

4. That all costs pursuant to petition be taxed against the respondents.

5. That he be granted such other general relief as the equities of this cause may demand.

/S/
ROBERT W. HILL, JR.
Attorney for Petitioner

/S/ by [illegible]
J. B. STONER
Attorney for Petitioner

STATE OF TENNESSEE:

COUNTY OF DAVIDSON:

I, JAMES EARL RAY, first having been duly sworn, make oath that the matters and facts stated in the foregoing petition are true to the best of my knowledge, information and belief and that owing to my poverty, I am unable to bear the expense of the suit which I am about to bring.

/S/
JAMES EARL RAY

2025 RELEASE UNDER E.O. 14176

Sworn to and subscribed before me,

this the 1st day of May, 1969.

Nancy Rade

NOTARY PUBLIC

My commission expires: _____

2025 RELEASE UNDER E.O. 14176

PMURKIN
DISSEMINATION
Folder

CIVIL RIGHTS DIVISION

5/23/69

ASSASSINATION OF MARTIN LUTHER KING, JR.

X B. REL:jld

NOTE: Enclosed is one copy of an "Amendment to Motion for a New Trial" which was received at the office of the District Attorney General on 5/19/69.

2025 RELEASE UNDER E.O. 14176

5/21/69

AIRTEL AM

TO: DIRECTOR, FBI (44-38861)

FROM: SAC, MEMPHIS (44-1987) P

MURKIN

Enclosed for the Bureau are two copies of an "Amendment to Motion for a New Trial" which was received at the office of the District Attorney General on 5/19/69.

2 BUREAU (Enc. 2)
1 MEMPHIS

JCH:BN
(3)

2025 RELEASE UNDER E.O. 14176

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE	
VS	NO. 16645
JAMES EARL RAY,	
Defendant	

AMENDMENT TO MOTION FOR A NEW TRIAL

Comes now your petitioner, JAMES EARL RAY, defendant in the above styled cause, by and through his attorneys, Richard J. Ryan, J. B. Stoner and Robert W. Hill, Jr., and amends his Supplemental Motion for a New Trial to add the following grounds, to-wit:

1. That he was denied effective counsel

2. That the preponderance of the evidence was not such as to support a jury verdict of guilty

3. That there was no evidence introduced upon which he could be found guilty

4. That since Judge Battle has died, and he is the only one who could have tried the above questions, he is, as a matter of law, entitled to a new trial.

Respectfully submitted,

RICHARD J. RYAN

J. B. STONER

ROBERT W. HILL, JR.

2025 RELEASE UNDER E.O. 14176

NOTICE OF SERVICE

Copy of the Amendment to Motion for a New Trial delivered personally to the office of the District Attorney General on May 19, 1969, at 1:40 P.M.

2025 RELEASE UNDER E.O. 14176

MURKIN
Dissemination Folder

May 21, 1969

CIVIL RIGHTS DIVISION

Attention: Mr. D. Robert Owen

ASSASSINATION OF MARTIN LUTHER KING, JR.

XXX (B) REL:jmv

SEE NOTE PAGE TWO

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