

Mr. Gebhardt

C. L. McGowan

MURKIN

12/27/73

1 - Mr. Gebhardt

1 - Mr. McGowan

1 - Mr. McDonough

1 - Mr. Franck

1 - Mr. ~~E.S. Miller~~

WANNALL

This is the case involving the assassination of Martin Luther King on 4/4/68. James Earl Ray was convicted in State Court of the murder and is currently serving a 99-year sentence in the Tennessee State Prison.

SAC Theodore L. Gunderson of the Memphis Office telephonically advised that an article appeared in this morning's "Commercial Appeal", a daily Memphis newspaper quoting representatives of television station WSM in Memphis as stating that Ray had reportedly mailed a document to the U. S. District Court (USDC) in which he named several persons whom he claims were involved in a conspiracy to assassinate King. According to the TV station sources Ray's statement was attached to a Writ mailed to the USDC on Saturday.

According to the article, however, U. S. District Judge L. Clure Morton when contacted late Wednesday stated he had received no documents from Ray. Officials of the Federal Court Clerk's Office were also quoted as saying that they could find no record of having received Ray's petition.

The article pointed out that last week State Corrections Commissioner Mark Luttrell stated he had approached the U. S. Bureau of Prisons concerning the possibility of getting Ray transferred to a Federal maximum security prison. Sources of the TV station stated that Ray reportedly opposed the idea of such a transfer and reportedly drew up the Writ and forwarded it to Federal Court in an effort to block the transfer.

WSM TV was quoted as stating that Ray reportedly has dismissed his latest attorney, Washington attorney Bernard Fensterwald and is apparently representing himself in the matter.

44-38861

JGR/pwl)6(

CONTINUED - OVER . . .

Memorandum for Mr. Gebhardt
RE: MURKIN
44-38861

ACTION: The above information was brought to the attention of Frank M. Dunbaugh, Deputy Assistant Attorney General of the Civil Rights Division who advised that such information had just been brought to his attention through the Department Public Information Office. Dunbaugh stated that the Department has contacted the United States Attorney and instructed him to obtain a copy of Ray's alleged statement at such time as it is received in the U. S. District Court.

Dunbaugh requested that our Memphis Office take no further action at this time but maintain close liaison with the United States Attorney.

SAC Gunderson has been so advised.

FOLLOWING ARTICLE APPEARED IN THE "COMMERCIAL APPEAL",
Memphis, Thursday, December 27, 1973 (morning paper)

"TELEVISION STATION SAYS RAY NAMED OTHERS IN PLOT"

Dec. 26 - UPI

"A TV station quotes highly placed sources Wednesday night as saying JAMES EARL RAY has completed a document in which he names several persons who he claims were involved in a conspiracy to assassinate DR. MARTIN LUTHER KING, JR.

"However, U. S. District Judge L. CLURE MORTON said late Wednesday he had received no documents from RAY, who is serving 99 years in the State Prison here following his conviction in the 1968 murder of the civil rights leader in Memphis.

"WSM TV said the sources said RAY's statement was attached to a Writ mailed to the U. S. District Court Saturday and that he named persons who he claimed gave him money to participate in the conspiracy.

"WSM said RAY 'is reported to have dismissed his latest attorney, Washington lawyer BERNARD FINSTERWALD and is apparently representing himself.'"

"Efforts to reach FINSTERWALD Wednesday night failed.

"Last week State Corrections Commissioner MARK LUTTRELL said he had approached U. S. Bureau of Prisons about getting RAY transferred to a Federal maximum security penitentiary.

"WSM said RAY reportedly did not like the idea and 'reportedly drew up the Writ which was forwarded to Federal Court in an effort to block a proposed transfer.'"

"Officials in the Federal Court Clerk's Office said they could find no record of having received the petition for RAY" WSM said. "However, the spokesman said RAY filed a Writ as a Pauper and that it was reportedly sent to Judge L. CLURE MORTON."

"Reached at his home, MORTON said he had received no letter or document from RAY.

"MORTON's assistant CLAUDE RAMER told WSM that if MORTON had received such a Writ he probably would not release it to the public before making a decision.

"But RAMER told the station he had no personal knowledge of any communication from RAY to the Court in recent weeks.

"One Federal Court source said that as of closing time Wednesday no such document had been filed in the Civil Division."

1
RELEASE READ TO
DUNBAUGH 11:30AM
12-27-73

1/2/74

CIVIL RIGHTS DIVISION

SEE ATTACHED

12/28/73

XXXXXXXXXXXXXXXXXXXX an LHM
MEMPHIS

xx

GJL

3

**NOTE: ATTACHED IS A PHOTOSTATIC COPY OF EACH OF TWO
DOCUMENTS FILED IN USDC, MDT, NASHVILLE ON 12/27/73
BY JAMES EARL RAY:**

1. PETITION FOR TEMPORARY RESTRAINING ORDER
- + A COMPLAINT

12/28/73

AIRTEL

TO: DIRECTOR, FDI (44-38861)

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

SUBJECT: MURKIN

Re Memphis teletype to the Bureau dated 12/27/73.

Enclosed for the Bureau are two photostatic copies of a Petition for Temporary Restraining Order and two photostatic copies of a complaint, both documents filed in U. S. District Court, LDT, Nashville, Tennessee, on 12/27/73, by JAMES E. RAY.

No other action being taken at this time, however, contact will be maintained with USA, Nashville, and further developments will be properly submitted to the Bureau.

② - Bureau (Enc. 4)
1 - Memphis
WGR:dls
(4)

10/17/73

CIVIL RIGHTS DIVISION

SEE ATTACHED

MY

10/16/73

10/11/73

XXXXXXXXXXXXXXXXXXXX an LHM
MEMPHIS

x (G) LHB/dm

10/11/73

AIRTEL

TO : DIRECTOR, FBI (44-38861) ATTN: LEGAL COUNSEL
FROM : SAC, MEMPHIS (44-1987) (P*)
SUBJECT: MURKIN

Re Memphis airtel to Bureau dated 9/27/73.

Enclosed for the Bureau are four copies of an LHM dated as above. This LHM contains an "Amended Motion for Discovery and Production of Documents and Things for Inspection, Copying or Photographing" which has been filed in the Chancery Court of Shelby County, Tenn., by attorneys for CHARLES QUITMAN STEPHENS.

3-Bureau (Encls. 4)
1-Memphis
JCH/mah
(4)



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Memphis, Tennessee
October 11, 1973

**JAMES EARL RAY;
Dr. MARTIN LUTHER KING, JR. - VICTIM
CIVIL RIGHTS - CONSPIRACY**

Attention is called to memorandum dated September 24, 1973, and memorandum dated September 27, 1973, regarding a Motion for Discovery filed in the Chancery Court of Shelby County, Tennessee, in the case styled Charles Quitman Stephens, Complainant, versus State of Tennessee, Et Al, Defendants.

Attached hereto and made a part of this memorandum is an "Amended Motion for Discovery and Production of Documents and Things for Inspection, Copying or Photographing" which has been filed in the Stephens versus Tennessee lawsuit.

Assistant United States Attorney Larry E. Parrish, Western District of Tennessee, Memphis, Tennessee, has advised that this amended motion in no way alters the fact that neither the United States nor the Federal Bureau of Investigation is involved in this matter, and he stated the filing of this amended motion requires no response on the part of the Government.

IN THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE

CHARLES QUITMAN STEPHENS,

Complainant,

VS

STATE OF TENNESSEE, et al..

Defendants.

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*
*
*

NO: 72333-3 R.D.

AMENDED MOTION FOR DISCOVERY AND PRODUCTION
OF DOCUMENTS AND THINGS FOR INSPECTION,
COPYING OR PHOTOGRAPHING.

Comes now your Complainant, Charles Quitman Stephens,
through his attorneys of record, and would respectively show
unto this Honorable Court as follows:

That heretofore he filed his motion for Discovery in this
cause alleging his entitlement to said Discovery under Rule 34
of the Tennessee Rules of Civil Procedure 1971. It is Complain-
ant's contention that all rules of discovery are to be taken in
pari materia, since Rule 34 is the basis for discovery in his
Original Motion for Discovery. and to eliminate any question.
Complainant brings this his Amended Motion for Discovery to in-
clude in his original motion all Rules for Discovery under the
Tennessee Rules of Civil Procedure 1971.

WHEREFORE PETITIONER PRAYS:

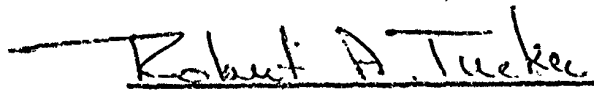
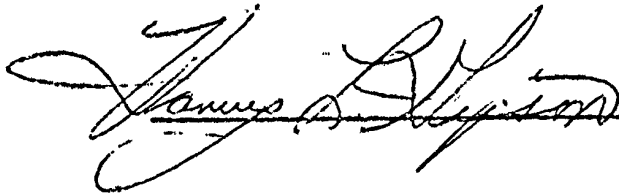
1. That all defendants herein in addition to the
office of the Federal Bureau of Investigation
office of the Attorney General of the United States
America, the Attorney General of the State of Tennessee
for the Fifteenth Judicial Circuit The Shelby County

DIPSON AND
TUCKER
ATTORNEYS AT LAW
CHANCE BUILDING
MEMPHIS, TENN. 38103
C 901/525.6331

Sheriff's Office, and the Memphis Police Department, be ordered by this Honorable Court to make available to your Complainant, through his attorneys of record, all documents, photographs, drawings, writings, electronic recordings, mock-ups, and oral statements reduced to writing and things pertaining to the assassination of Dr. Martin Luther King, on April 4, 1968, and offers of rewards published in connection with said incident.

2. For such other, and further relief as your Complainant is entitled.

GIPSON & TUCKER
Attorneys for Complainant



GIPSON AND
TUCKER
ATTORNEYS AT LAW
CHANCE BUILDING
MEMPHIS, TENN. 38103
C 901/525-6331

**JAMES EARL RAY;
Dr. MARTIN LUTHER KING, JR. - VICTIM**

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.

- 4* -

(Rev. 9/18/73)

FEDERAL BUREAU OF INVESTIGATION
LEGAL COUNSEL

10/16, 1973

Director

Mr. Callahan

Mr. Baker

Mr. Campbell

Mr. Cleveland

Mr. Franck

Mr. Gehardt

Mr. Jenkins

Mr. Jacobson

Mr. Marshall

Mr. Miller

Mr. Mintz

Mr. Thompson

Mr. Walsh

Mr. White

Mr. Coleman

Mr. Reed

Mr. Bowers

Mr. Herington

Mrs. Metcalf

Mr. Donelan, Quantico

Mr. Williamson, 5243

Mr. Blunt, 5243

Mr. Boutwell, Quantico

Mr. Burke, 5243

Mr. Donahue, 5243

Mr. McLaughlin, Quantico

Mr. Miller, Quantico

Mr. Bassett, 5744

Miss Devine, 5642

Miss Hardy, 5243

Miss Hughes, 5642

Miss Kircher, 5243

Mrs. Laughland, 5243

See Me, Please

Call Me, Please

Note & Return

For Appropriate Action

Mail Room, 5531

We may follow advice of
USA Turley. See last para
of page 1 of L.H.M.

Legal Counsel
Room 5642, Ext. 2676

CIVIL RIGHTS DIVISION

10/16/73

SEE ATTACHED

Murkin

Murkin 11/16

MY

10/2/73

10/12/73

XXXXXXXXXXXXXXXXXXXX am LHM
MEMPHIS

x(G) RAB/dm

10/12/73

AIRTEL

TO : DIRECTOR, FBI (44-38861) ATTN: LEGAL COUNSEL
FROM : SAC, MEMPHIS (44-1987) (P*)
SUBJECT: MURKIN

Re Memphis airtel to the Bureau dated 10/11/73.

Enclosed for the Bureau are four copies of an LHM dated as above. This LHM contains a letter dated 10/9/73, to the SAC, Memphis, from attorneys GIPSON and TUCKER, Memphis, Tenn.; an Affidavit in Support of a Motion for Discovery and Production of Documents and Things for Inspection, Copying and or Photographing as Amended; and a list of Documents and Things which attorneys Gipson and TUCKER desired to be produced. The latter two documents have been filed in the Chancery Court of Shelby County, Tenn., by attorneys for CHARLES QUITMAN STEPHENS.

3-Bureau (Encls. 4)
1-Memphis
JCH/mah
(4)



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Memphis, Tennessee
October 12, 1973

**JAMES EARL RAY;
Dr. MARTIN LUTHER KING, JR. -
VICTIM
CIVIL RIGHTS - CONSPIRACY**

Attention is called to previous memoranda in this matter, the most recent of which was dated October 11, 1973, concerning a Motion for Discovery filed in the Chancery Court of Shelby County, Tennessee, in the case styled Charles Quitman Stephens, Complainant, versus State of Tennessee, Et Al, Defendants.

Attached hereto and made a part of this memorandum are the following three documents:

1. A letter dated October 9, 1973, addressed to Mr. Joseph V. Baker, Special Agent in Charge, Federal Bureau of Investigation, Memphis, Tennessee, from attorneys Harvey L. Gipson and Robert A. Tucker.
2. Affidavit in Support of a Motion for Discovery and Production of Documents and Things for Inspection, Copying and or Photographing as Amended.
3. Documents and Things requested to be produced by United States Attorneys Office, Federal Bureau of Investigation, Attorney General's Office, State of Tennessee, Shelby County Sheriff's Office, City of Memphis, Memphis Police Department.

Documents two and three have been filed in the Chancery Court of Shelby County, Tennessee, in the Stephens versus Tennessee lawsuit.

United States Attorney Thomas F. Turley, Jr., Western District of Tennessee, Memphis, Tennessee, has advised that since no service of any kind has been made on either the United States Attorney's Office or on the Federal Bureau of Investigation, neither of these agencies is a party to this lawsuit, nor are they required to respond to this most recent action taken by Gipson and Tucker.

GIPSON AND TUCKER

ATTORNEYS AT LAW
EXCHANGE BUILDING
MEMPHIS, TENNESSEE 38103
AC 901-525-6331

October 9, 1973

HARVEY L. GIPSON
ROBERT A. TUCKER

Mr. Joseph V. Baker
Special Agent in Charge
Federal Bureau of Investigation
167 N. Main Street
Memphis, Tennessee 38102

Re: Charles Q. Stephens
VS
State of Tennessee, et al.

No: 72333-3 R.D.

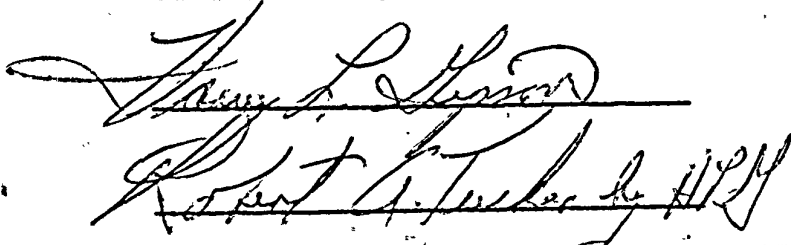
Dear Sirs,

Please find enclosed the affidavit in Support of a Motion for Discovery and Production of Documents and Things for Inspection, Copying, and or Photographing as amended and the enumerated list of Documents and Things requested to be produced.

This affidavit and enumerated list was ordered filed by Chancellor Rond upon the hearing of the motion on Friday, October 5, 1973.

Sincerely,

GIPSON & TUCKER

The block contains two handwritten signatures. The first signature is "Harvey L. Gipson" and the second is "Robert A. Tucker". Both signatures are written in dark ink and are positioned above a horizontal line.

Enclosure *njb*

IN THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE

CHARLES QUITMAN STEPHENS,

*

Complainant,

*

VS

*

NO: 72333-3 R.D.

STATE OF TENNESSEE, et al.,

*

Defendants.

*

AFFIDAVIT IN SUPPORT OF A MOTION FOR DISCOVERY
AND PRODUCTION OF DOCUMENTS AND THINGS FOR
INSPECTION, COPYING, AND OR PHOTOGRAPHING
AS AMENDED.

STATE OF TENNESSEE

COUNTY OF SHELBY

I, Harvey L. Gipson, residing in the City of Memphis in said County and then by me first duly sworn upon his oath disposes and says to-wit:

That affiant is one of the attorneys of record for Complainant Charles Quitman Stephens in the above mentioned cause and for the reasons enumerated herein files this his Affidavit in support of the afore mentioned motion.

Affiant further states that neither the Complainant or the Complainant's attorney can secure the requested information from any of the sources other than the sources enumerated in his motion and that at a prior hearing the Complainant's attorney was denied the information even though the Complainant's attorney had issued a subpoena duces tecum.

Affiant further states that based upon the hereinafter enumerated reasons that your affiant is entitled to the motion sought to-wit.

1. That said information was given over five (5) years ago.
2. That the witness, Charles Quitman Stephens was caught up in shock and emotion of the events.

3. That at the time of giving said statements and or information the witness was not represented by counsel and was held incommunicado and under court order not to reveal testimony.
4. That said information is in the sole possession of Defendant and the other parties listed in the afterforesaid Motion.
5. That the statements are relevant to the issues in this cause.
6. That the statements are not privileged and are not within the work product rule.
7. That it would be fruitless to attempt to gain information in any other manner other than by court order.
8. That production of statements will facilitate the trial of this cause.
9. That denial of discovery will unduly hinder the preparation of Complainant's case.
10. That production of the requested information is absolutely necessary to the adequate presentation of Complainant's case.
11. That denial of disclosure of statements is prejudicial to Complainant's ability to prove his case.
12. That non-production of the requested information will impair Complainant's ability to meet his burden of proof.

Further Affiant saith not.

HARVEY L. GIPSON-AFFIANT

Sworn to and subscribed to before me this 5th day of October,
1973.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

IN THE CHANCERY COURT OF SHELBY COUNTY TENNESSEE

CHARLES QUITMAN STEPHENS,

Complainant,

VS

STATE OF TENNESSEE, et al.,

Defendants.

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NO: 72333-3 R.D.

DOCUMENTS AND THINGS

Requested to be Produced By:

I

United States Attorney's Office
Federal Bureau of Investigation
Attorney General's Office, State of Tennessee
Shelby County Sheriff's Office
City of Memphis
Memphis Police Department

1. All signed statements made by Charles Stephens.
2. All oral statements reduced to writing made by Charles Stephens.
3. Pictures identified by Stephens of the scene and the person committing the assassination of Martin Luther King.
4. All drawings made of James Earl Ray based upon information given investigators by Charles Stephens.
5. All statements, documents and other things which would show that information given by Charles Stephens led to the arrest and conviction of James Earl Ray.
6. All statements, documents and other things either written, oral, reduced to writing and electronic reproductions made or compiled from information given by Charles Stephens.
7. Identity and addresses of all investigative officers which interviewed Charles Stephens during their investigation of the assassination of Martin Luther King.

8. List of all places, dates and times in which Charles Stephens was interviewed by investigation officers.

9. Identity and addresses of all persons present during all interviews by law enforcement agencies of Charles Stephens.

10. Copy of any and all law enforcements files compiled by any law enforcement agency on Charles Stephens at the time he gave information.

II

City Councilmen Individually

1. All notes or memorandums made by the individual councilmen independantly or in connection with other councilmen during or after any meetings pertaining to the offer of a reward in this cause.

2. All electronic recordings any individual councilman made of meetings of the City Council pertaining to the offer of a reward.

3. All documents, notes, and things the above intends to use as evidence at the trial of this cause.

III

City of Memphis

1. Copies of minutes of meeting of the Memphis City Council wherein the subject of reward was discussed for information leading to the arrest and conviction of the assassin of Dr. Martin Luther King.

2. A list of the names and addresses of all persons present at such meeting or meetings.

3. A list of the dates, times, and places of all meetings referred to in #1 and the duration of said meetings.

4. A list of all witnesses which the City of Memphis intends to use in the trial of this matter.

5. Copies of all documents, notes, memorandums, and photographs which defendant intends to use as evidence at the trial.
6. Copies of all electronic reproductions of meetings pertaining to offering of reward for the assassin of Dr. Martin Luther King.
7. All documents, notes, and things the above intends to use as evidence in the trial of this cause.

IV

Memphis Area Chamber of Commerce
Downtown Association
Future Memphis Incorporated
National Alliance of Postal and Federal Employees

1. Copies of all minutes and resolutions of meetings discussing offer of rewards leading to the arrest and conviction of the assassin of Dr. Martin Luther King including any electronic reproductions of said meetings.
2. Copies of any letters of transmittal in the publishing of said offer.
3. Identity of all persons present during any meeting concerning offering of reward with their addresses.
4. All documents, notes and things which the above intends to use as evidence at the trial of this cause.

Memphis Publishing Company

Commercial Appeal

1. All letters, memorandums and or notes received or made by Memphis Publishing Company pertaining to the offer of rewards for information leading to the arrest and conviction of the assassin of Dr. Martin Luther King.
2. Copies of all sketches and information pertaining to offer of reward and assassination of Dr. Martin Luther King made by any servant, agent or employee of said Defendants.
3. Copies of all letters, memorandums or notes received

or sent by certain persons offering rewards through newspapers and copies of any replies thereto.

4. Copies of all editions of the Commercial Appeal and Press Simitar wherein any offer of reward was made for information leading to the arrest and conviction of the assassin of Dr. Martin Luther King.

5. Copies of the minutes and resolutions of all meetings wherein an offer of the reward was discussed, authorized, and made.

6. All documents, notes, and things the above intends to use as evidence in the trial of this cause.

VI

First National Bank
Union Planters National Bank
Tri-State Bank of Memphis
National Bank of Commerce

1. Copies of all records reflecting reward accounts pertaining to the assassination of Dr. Martin Luther King.

**JAMES EARL RAY;
Dr. MARTIN LUTHER KING, JR. -
VICTIM**

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.

- 9* -

CIVIL RIGHTS DIVISION

10/2/73

SEE ATTACHED

Murkin

12/2

NY

10/2/73

9/27/73

XXXXXXXXXXXXXXXXXXXX an. LHM
MEMPHIS

XX (C) 2412/6m

9/27/73

AIRTEL

TO: DIRECTOR, FBI (44-38861)
ATTENTION: LEGAL COUNSEL

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

SUBJECT: MURKIN

Re Memphis airtel to Bureau, 9/24/73.

Enclosed for the Bureau are 4 copies of an LHM dated as above. This memorandum contains a letter dated 9/25/73 which was addressed to Attorneys HARVEY L. GIPSON and ROBERT A. TUCKER by United States Attorney THOMAS F. TURLEY, JR., WDT, Memphis, Tenn.

UACB, the SAC of the Memphis Office will be guided by the instructions of the USA in regard to his responding to the above mentioned Motion for Discovery.

② - Bureau (Encs. 4)
1 - Memphis

JCH:jap
(3)



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

*In Reply, Please Refer to
File No.*

Memphis, Tennessee
September 27, 1973

**JAMES EARL RAY;
Dr. MARTIN LUTHER KING, JR. - VICTIM;
CIVIL RIGHTS - CONSPIRACY**

Attention is called to the memorandum dated September 24, 1973, captioned as above, wherein it was reported that Attorneys Harvey L. Gipson and Robert A. Tucker, Memphis, Tennessee, had filed a Motion for Discovery in the Chancery Court of Shelby County, Tennessee, in the case styled "Charles Quitman Stephens, Complainant, v. State of Tennessee, Et Al, Defendants."

Attached to and made a part of this memorandum is a letter dated September 25, 1973, from United States Attorney Thomas F. Turley, Jr., Western District of Tennessee, Memphis, Tennessee, to Attorneys Gipson and Tucker, Memphis, Tennessee.

September 25, 1

Gipson & Tucker
Attorneys at Law
Exchange Building
Memphis, Tennessee 38103

Gentlemen:

Re: Charles Q. Stephens

v.

State of Tennessee, et al
Shelby Chancery 72,333-3 R.D.

The United States of America is not a party to the
above suit, nor are the

"Memphis Office of the Federal Bureau
of Investigation"

or the

"local office of the Attorney General
of the United States of America",

neither of which latter is a suable entity, so your notice
to me that your "Motion For Discovery and Production of
Documents and Things For Inspection, Copying or Photographing"
will be called for disposition at 10:00 a.m. Friday, October 5,
1973, was a waste of your time to write and mine to read it.

If and when you get your suit in such shape that it would
be appropriate for me to respond on behalf of the United States
or any of its instrumentalities I shall be pleased to do so
promptly, as I am confident the Chancellor well knows, but I

Gipson & Tucker

Page Two

September 25, 1973

have no intention of anticipating that eventuality.

Yours very truly,

Thomas F. Turley, Jr.
United States Attorney

TFT:ew

cc: Joseph Baker

RE: JAMES EARL RAY;
Dr. MARTIN LUTHER KING, JR. - VICTIM

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.

8/17/73

AIRTEL

AIRMAIL

TO: DIRECTOR, FBI (44-38861)
FROM: SAC, MEMPHIS (44-1987) - P* -
SUBJECT: MURKIN

ReBuairtel to Memphis 8/9/73.

Enclosed for the Bureau are four copies of an LHM, dated as above, reflecting the interest of HARVEY GIPSON, Attorney, Memphis, Tenn., in obtaining statements made by CHARLES Q. STEPHENS to the FBI at Memphis, Tenn.

② - Bureau (Enc. 4)
1 - Memphis

JCH:ca
(3)

Agency ~~_____~~
Date Forw. ~~_____~~ CRD.
How Forw. AUG 24 1973
By 8-6 (H+D)
JJMF:aw



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Memphis, Tennessee
August 17, 1973

**JAMES EARL RAY;
DR. MARTIN LUTHER KING, JR. - VICTIM
CIVIL RIGHTS - CONSPIRACY**

Mr. Harvey L. Gipeon, Attorney-At-Law, Exchange Building, Memphis, Tennessee, has advised the Memphis Office of the FBI that he is representing Mr. Charles Q. Stephens in the latter's efforts to obtain some or all of the reward money offered by local newspapers, and others, for information leading to the arrest of the killer of Dr. Martin Luther King, Jr. According to Mr. Gipeon, a number of different reward offers were made shortly after King's murder, and these total more than \$100,000.

Mr. Gipeon desires to have copies of all signed statements which Stephens may have furnished to the FBI. Mr. Gipeon has been advised to direct his request to the Civil Rights Division of the U. S. Department of Justice, Washington, D. C.

It is noted that Stephens was a roomer in the rooming house from which James Earl Ray fired the shot that killed King. Stephens was interviewed by FBI Agents, but no signed statements were taken.

Much later, Stephens was interviewed by one or more representatives of the Department of Justice, and at that time he furnished a signed affidavit, the original of which is not in the possession of the FBI.

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.

AIRTEL

8/8/73

To: SAC, Memphis (44-1987)
From: Director, FBI (44-38861)

1 - Mr. McDonough

MURKIN

Reurairtel 8/6/73.

SuLHM suitable for dissemination.

Include statement therein that if Mr. Gipson makes any further inquiries relating to this matter, he will be advised that any inquiries should be directed to the Civil Rights Division, U. S. Department of Justice.

EJM:bap (4)

8/6/73

AIRTEL

TO: DIRECTOR, FBI (44-38861)
FROM: SAC, MEMPHIS (44-1987) (P*)
SUBJECT: MURKIN

Enclosed for the Bureau are two copies each of three FD-302s reflecting interviews with CHARLES Q. STEPHENS at Memphis, Tennessee, on 4/5/68, on 4/5/68, and on 4/24/68. Also enclosed are two copies of a sworn affidavit given by STEPHENS during June, 1968.

Mr. HARVEY GIPSON, an attorney at Memphis, Tennessee, has contacted the Memphis Office and has advised that he is representing CHARLES Q. STEPHENS, who is attempting to collect approximately \$100,000 in reward monies which were offered by local newspapers and by others at the time MARTIN LUTHER KING was killed.

GIPSON stated he has filed a civil suit in the Shelby County Chancery Court at Memphis. He indicated he has obtained copies of statements furnished to the State Attorney General's Office and he indicated he is aware that there are several signed statements furnished by STEPHENS to the FBI during this investigation. Mr. GIPSON stated he hopes the FBI will turn these statements over to him voluntarily but indicated he will seek them through court action if necessary.

No admission was made to GIPSON as to whether or not STEPHENS had furnished any signed statements to the FBI. A review of the Memphis file does not indicate that STEPHENS has ever furnished a signed statement to the FBI, and the only signed document which can be located is the enclosed affidavit. The Bureau will note that a copy of this affidavit was previously furnished to the Bureau by Memphis airtel dated 6/13/68. It is

② - Bureau (Enc. 8)
1 - Memphis

JCH:plc
(3)

ME 44-1987

believed that this affidavit was furnished to a departmental attorney and it may have been used in connection with the extradition of JAMES EARL RAY from England.

It is suggested that the Bureau discuss with the Department what action is desired regarding GIPSON's request for information appearing in FBI files. It is strongly recommended that we decline to furnish GIPSON any information, as it is believed that any cooperation on our part will encourage GIPSON to seek more and more information to substantiate his client's claim. It is also felt that the information furnished by STEPHENS was not of sufficient importance to justify any reward.

Memphis Office is having no further contact with GIPSON UACB.

CIVIL RIGHTS DIVISION

10/1/73

ATT. MR. FRANK ALLEN

SEE ATTACHED

Marked

9/24/73

XXXXXXXXXXXXXXXXXXXX an LHM
MEMPHIS

x(G) RHB/dm

1

ATT. MR. FRANK ALLEN

NOTE: PURSUANT TO THE CONVERSATION BETWEEN MR. FRANK ALLEN AND SA RICHARD H. BLAY, ON 10/1/73 IN VIEW OF THE RECOMMENDATION OF U.S. ATTORNEY TURLEY, MEMPHIS SAC BAKER WILL NOT APPEAR IN COURT.

9/24/73

AIRTEL

AIRMAIL

TO: DIRECTOR, FBI (44-38861)
ATTN: LEGAL COUNSEL

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

SUBJECT: MURKIN

Re Memphis airtel to the Bureau 8/17/73.

Enclosed for the Bureau are 4 copies of an LHM dated as above reflecting the fact that Attorneys HARVEY L. GIPSON and ROBERT A. TUCKER have filed a Motion for Discovery in the Chancery Court of Shelby County, Tennessee, and have requested that SAC JOSEPH V. BAKER appear in that court on 10/5/73. Also enclosed are two copies each of letter dated 9/21/73 from Attorneys GIPSON and TUCKER to SAC BAKER and two copies of a Motion of Discovery filed by these attorneys in the Chancery Court of Shelby County, Tennessee.

As set out in the LHM, USA THOMAS F. TURLEY, WDT, Memphis, has recommended that SAC BAKER not make such a court appearance. SAC BAKER will not appear UACB.

② - Bureau (Enc. 8)
1 - Memphis

JCH:ca
(3)



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Memphis, Tennessee
September 24, 1973

JAMES EARL RAY;
DR. MARTIN LUTHER KING, JR. - VICTIM
CIVIL RIGHTS - CONSPIRACY

On September 24, 1973, there was received at the office of the Federal Bureau of Investigation, Memphis, Tennessee, a letter dated September 21, 1973, addressed to Special Agent in Charge Joseph V. Baker, signed by Attorneys Harvey L. Gipson and Robert A. Tucker. Enclosed with this letter was a copy of a Motion for Discovery filed in the Chancery Court of Shelby County, Tennessee, in the case styled Charles Quitman Stephens, Complainant, versus State of Tennessee Et Al, Defendants.

On September 24, 1973, a copy of the letter and the enclosed Motion for Discovery were furnished to U. S. Attorney Thomas F. Turley, Western District of Tennessee, Memphis. Mr. Turley stated he had not received any notification and that service had not been made on him and this letter did not constitute service under the State law. He recommended that Mr. Baker not appear in Chancery Court on October 5, 1973, as requested and stated if necessary, a member of the U. S. Attorney's staff would appear and request that the complainant's Motion for Discovery be dismissed.

On September 24, 1973, Attorneys Gipson and Tucker were contacted by Special Agent Joe C. Hester and were advised that this matter had been referred to the U. S. Attorney. They advised that a similar letter had been directed to U. S. Attorney Thomas F. Turley. They also advised they had written a letter to the U. S. Department of Justice, Washington, D. C., several weeks ago requesting certain documents in this case and not having received a reply to their request, had filed this Motion of Discovery in the Shelby County Chancery Court.

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.

GIPSON AND TUCKER

ATTORNEYS AT LAW
EXCHANGE BUILDING
MEMPHIS, TENNESSEE 38103
AC 901-525-6331

HARVEY L. GIPSON
ROBERT A. TUCKER

September 21, 1973

Mr. Joseph V. Baker
Special Agent in Charge
Federal Bureau of Investigation
167 North Main Street
Memphis, Tennessee 38102

Re: Charles Q. Stephens
vs
State of Tennessee, et al
#72333-3 R.D.

Dear Mr. Baker:

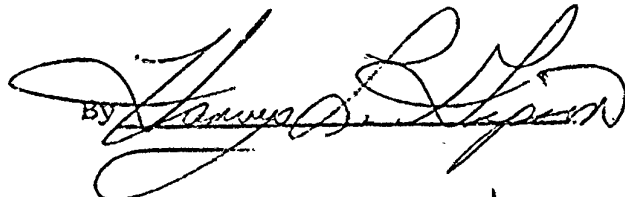
This is to advise that this office has put down a motion in Part III of the Chancery Court of Shelby County, Tennessee on the reference case, a copy of which motion is attached to this letter.

The aforesaid motion will be heard at 10:00 a.m. on Friday, October 5, 1973.

Your presence is requested.

Very truly yours,

GIPSON & TUCKER

BY 
Robert A. Tucker

Enclosure

ENCLOSURE

GIPSON AND TUCKER

ATTORNEYS AT LAW

EXCHANGE BUILDING

MEMPHIS, TENNESSEE 38103

AC 901-525-6331

HARVEY L. GIPSON
ROBERT A. TUCKER

September 21, 1973

Mr. Joseph V. Baker
Special Agent in Charge
Federal Bureau of Investigation
167 North Main Street
Memphis, Tennessee 38102

Re: Charles Q. Stephens
vs
State of Tennessee, et al
#72333-3 R.D.

Dear Mr. Baker:

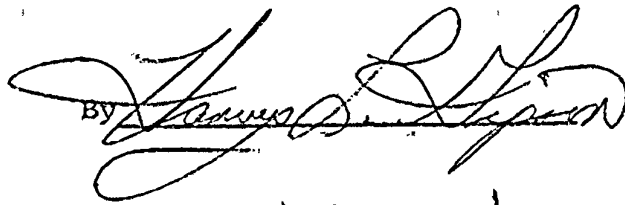
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Your presence is requested.

Very truly yours,

GIPSON & TUCKER

By 
Robert A. Tucker

Enclosure

IN THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE

CHARLES QUITMAN STEPHENS, *

Complainant *

VS *

NO: 72333-3 R.D.

STATE OF TENNESSEE et al, *

Defendants. *

Motion for Discovery and Production of
Documents and Things for Inspection,
Copying or Photographing.

Comes now your Complainant, Charles Quitman Stephens,
through his attorneys of record, and would respectively show
unto this Honorable Court as follows:

That all Defendants herein, in addition to the Memphis
office of the Federal Bureau of Investigation, the local
office of the Attorney General of the United States of America,
the Attorney General of the State of Tennessee for the Fifteen-
th Judicial Circuit, the Shelby County Sheriff's Office and
the Memphis Police Department, have in their possession certain
documents, photographs, drawings, writings, electronic record-
ings, mock-ups and oral statements reduced to writing and
other things which are material to the prosecution of your
Complainant's cause herein and that under Rule 34 of the
Tennessee Rules of Civil Procedure 1971 your Complainant is
entitled to the discovery and production of the aforementioned
documents, photographs, writings, electronic recordings, mock-
ups, oral statements reduced to writing and things for inspec-
tion, copying or photographing.

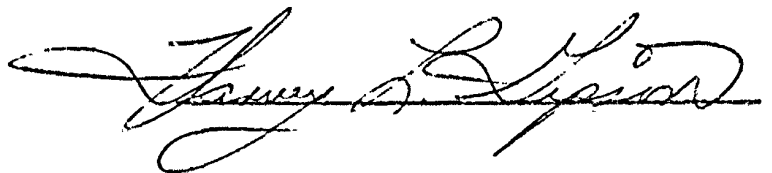
GIPSON AND
TUCKER
ATTORNEYS AT LAW
EXCHANGE BUILDING
MEMPHIS, TENN. 38103
AC 901/525-6331

WHEREFORE PETITIONER PRAYS:

(1) That all defendants herein in addition to the Memphis office of the Federal Bureau of Investigation, the local office of the Attorney General of the United States of America, the Attorney General of the State of Tennessee for the Fifteenth Judicial Circuit, The Shelby County Sheriff's Office, and the Memphis Police Department, be ordered by this Honorable Court to make available to your Complainant, through his attorneys of record, all documents, photographs, drawings, writings, electronic recordings, mock-ups, and oral statements reduced to writing and things pertaining to the assassination of Dr. Martin Luther King, on April 4, 1968, and offers of rewards published in connection with said incident.

(2) For such other, and further relief as your Complainant is entitled.

GIPSON & TUCKER
Attorneys for Complainant



GIPSON AND
TUCKER
ATTORNEYS AT LAW
EXCHANGE BUILDING
MEMPHIS, TENN. 38103
AC 901/525-6331

(2)

IN THE CHANCERY COURT OF SHELBY COUNTY, TENNESSEE

CHARLES QUITMAN STEPHENS, *

Complainant *

VS *

NO: 72333-3 R.D.

STATE OF TENNESSEE et al, *

Defendants. *

Motion for Discovery and Production of
Documents and Things for Inspection,
Copying or Photographing.

Comes now your Complainant, Charles Quitman Stephens,
through his attorneys of record, and would respectively show
unto this Honorable Court as follows:

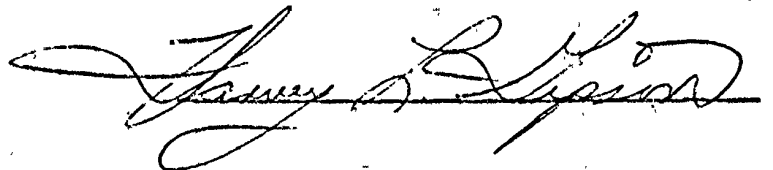
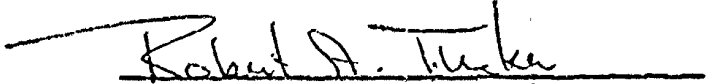
That all Defendants herein, in addition to the Memphis
office of the Federal Bureau of Investigation, the local
office of the Attorney General of the United States of America,
the Attorney General of the State of Tennessee for the Fifteen-
th Judicial Circuit, the Shelby County Sheriff's Office and
the Memphis Police Department, have in their possession certain
documents, photographs, drawings, writings, electronic record-
ings, mock-ups and oral statements reduced to writing and
other things which are material to the prosecution of your
Complainant's cause herein and that under Rule 34 of the
Tennessee Rules of Civil Procedure 1971 your Complainant is
entitled to the discovery and production of the aforementioned
documents, photographs, writings, electronic recordings, mock-
ups, oral statements reduced to writing and things for inspec-
tion, copying or photographing.

WHEREFORE PETITIONER PRAYS:

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(2) For such other, and further relief as your Complainant is entitled.

GIPSON & TUCKER
Attorneys for Complainant

GIPSON AND
TUCKER
ATTORNEYS AT LAW
EXCHANGE BUILDING
MEMPHIS, TENN. 38103
AC 301/525-6331

(2)

Murtagh
MR. E. S. MILLER

MR. G. C. MOORE

MARTIN LUTHER KING, JR.
SECURITY MATTERS - COMMUNIST

1 - Inspector Dave Bowers
1 - Mr. R. E. Gebhardt
(Att: McGowan)

August 7, 1973

1 - Administrative Division
(Att: K. Arnold)
1 - Mr. E. S. Miller
1 - Mr. C. E. Glass
1 - Mr. P. V. Daly

The purpose of this memorandum is to advise of allegations made by former Special Agent Arthur Murtagh during an interview on 7/12/73 of radio station WICY, Malone, New York, on a program referred to as "Summer of '73," and of allegations made by Murtagh appearing in the "Malone Evening Telegram," Malone, New York, dated Thursday, 7/12/73, and to recommend attached airtel be sent to the Atlanta Division to obtain their comments concerning these allegations.

Arthur Leo Murtagh, age 51, a retired Special Agent practicing law in Constable, New York, is very critical of the Bureau and is writing a book about his Bureau experiences. In an interview by "The New York Times" he made allegations that the electronic surveillance of the late Martin Luther King, Jr., was part of a "get King" movement in the FBI triggered by a hatred of King by the late Director Hoover. Murtagh was assigned to the security squad in Atlanta which handled the King case but he was working on other assignments during the time of the electronic surveillance of King. He was known in Atlanta to be very critical of the disciplinary policies of Mr. Hoover and of the Bureau's weight program.

My memoranda dated 5/23/73 and 5/25/73 reported previous allegations made by Murtagh concerning the activities of the Bureau during the investigation of Martin Luther King, Jr., and the results of review of Bureau files concerning these allegations. The allegations made by Murtagh at that time were basically related to his stating that the Bureau was leaking information to people outside the Bureau in an effort to embarrass King.

The radio interview on 7/12/73 was in general a reiteration of the allegations made previously by Murtagh and the subject of the previous memoranda. The only additional allegations made by Murtagh were (1) that the Agent in charge of the Albany Office in

Enclosure

100-106670

CONTINUED - OVER

PVD:ekw (8)

1 - Personnel File (Arthur Murtagh, Jr.)

Memorandum to Mr. E. S. Miller
RE: MARTIN LUTHER KING, JR.
100-106670

Albany, Georgia, apparently referring to the Senior Resident Agent of the Albany, Georgia, Resident Agency of the Atlanta Division, Georgia, was a "bland racist," and that he would slant civil rights complaints made to him in such a manner that the Justice Department would make a determination that there was nothing to them. (2) That Murtagh was orally requested by a supervisor of the Atlanta Office to obtain handwriting samples on "Andy Young" and some stationery from the Southern Christian Leadership Conference (SCLC). Murtagh states he declined this request. The Andy Young referred to by Murtagh is Andrew Young, who was elected to the 93rd U. S. Congress from the 5th District of Georgia. Young apparently at the time of this alleged request was working with King in the SCLC and this was prior to his election to Congress.

In an interview reported in the "Malone Evening Telegram," Malone, New York, 7/12/73 issue, Murtagh alleges because of Hoover's hatred of the civil rights movement in the South, the FBI did not investigate crimes committed by the Ku Klux Klan against Negroes until Martin Luther King demanded such investigations.

ACTION:

It is recommended that attached airtel be sent to the Atlanta Division in line with the above.

Airtel

1 - Inspector Dave Bowers
① - Mr. R. E. Gebhardt
(Att: McGowan)

August 8, 1973

To: SAC, Atlanta

From: Director, FBI (100-106670)¹ - Administrative Division
(Att: K. Arnold)

MARTIN LUTHER KING, JR.

1 - Mr. E. S. Miller

SECURITY MATTERS - COMMUNIST

1 - Mr. C. E. Glass

1 - Mr. P. V. Daly

Enclosed is a transcript of an interview of former Special Agent Arthur Murtagh of your office and a news article appearing in the "Malone Evening Telegram," Malone, New York, 7/12/73.

The interview of Murtagh was conducted by radio station WICY, Malone, New York, on a program referred to as the "Summer of '73." In this interview, Murtagh makes allegations (1) that the Agent in charge of the Albany Office, Albany, Georgia, apparently referring to the Senior Resident Agent of the Albany, Georgia, Resident Agency of the Atlanta Division, was a "bland racist" and that he would slant civil rights complaints made to him in such a manner that the Justice Department would make a determination that there was nothing to them. (2) That Murtagh was orally requested by a supervisor of the Atlanta Office to obtain handwriting samples on "Andy Young" and some stationery from the Southern Christian Leadership Conference (SCLC). Murtagh states he declined this request. The Andy Young referred to by Murtagh apparently is Andrew Young, who was elected to the 93rd session of the U. S. Congress from the 5th District of Georgia.

In the 7/12/73 issue of the "Malone Evening Telegram," Murtagh alleges that because of "Hoover's hatred of civil rights movement in the South" the FBI did not conduct investigation concerning the violence of the Ku Klux Klan directed against Negroes until Martin Luther King demanded such action.

Enclosures - 2

PVD:ekw
(9)

SEE NOTE PAGE TWO

Airtel to SAC, Atlanta
RE: MARTIN LUTHER KING, JR.
100-106670

Promptly submit your observations and comments concerning the allegations made by former Special Agent Murtagh, and in particular those allegations dealing with the charge that the Senior Resident Agent of the Albany Resident Agency was a "bland racist" and those charges concerning the request to obtain handwriting samples of "Andy Young" and some stationery from the SCLC.

NOTE: See memorandum G. C. Moore to Mr. E. S. Miller, dated 8/7/73, captioned as above, prepared by PVD:ekw.

(Rev. 10-11-73)

FEDERAL BUREAU OF INVESTIGATION
LEGAL COUNSEL

10/16

, 1973

Director

Mr. Callahan

Mr. Baker

Mr. Campbell

Mr. Cleveland

Mr. Franck

Mr. Gebhardt

Mr. Jenkins

Mr. Jacobson

Mr. Marshall

Mr. Miller

Mr. Mintz

Mr. Thompson

Mr. Walsh

Mr. White

Mr. Coleman

Mr. Reed

Mr. Bowers

Mr. Herington

Mrs. Metcalf

Mr. Donelan, Quantico

Mr. Williamson, 5243

Mr. Blunt, 5243

Mr. Boutwell, Quantico

Mr. Burke, 5243

Mr. Donahue, 5243

Mr. McLaughlin, Quantico

Mr. Miller, Quantico

Mr. Peterson, 5243

Mr. Rissler, Quantico

Mr. Bassett, 5744

Miss Devine, 5642

Miss Hardy, 5243

Miss Hughes, 5642

Miss Kircher, 5243

Mrs. Laughland, 5243

See Me, Please

Call Me, Please

Note & Return

For Appropriate Action

Mail Room, 5531

Corres. Review, 5533

*Suggest we follow advice
of OGC - no response
necessary.*

Legal Counsel

Room 5642, Ext. 2676

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION.

FILED

DEC 27 1973

JAMES E. RAY, #65477
Plaintiff/ petitioner

BRANDON LEWIS, Clerk
BY *W. Lewis*

vs.

HON. WINFIELD DUNN, Governor,
State of Tenn.

MARK H. LUTTRELL, Commissioner
of corrections, State of Tenn.

Defendants

Civil action no 7358

PETITION FOR TEMPORARY RESTRAINING ORDER

Petitioner, acting pro se, alleges:

1. That on or about, December 21st 1973, petitioner was informed by deputy warden, Robert Norford, an employee of the Tenn. State prison, Nashville division, that said prison officials were negotiating with Federal authorities to transfer petitioner-who is an inmate of said prison- to a United States government penitentiary.
2. That petitioner is under no penitentiary sentence pursuant to a conviction in United States courts, nor does the Federal government hold detainers against petitioner.
3. That said reported transfer is a logrolling operation devised by the Tenn. Attorney General's office, and the State administration, to obstruct petitioner's legal processes under the charge petitioner is incarcerated under and, political considerations for 1976; and not, as Gov. Dunn implied Dec. 21st during a TV news conference, "that Tennesseans are incapable of managing their own institutions".
4. That petitioner intends to contest said reported transfer through the courts.