

The action arises under the fifth, sixth, and fourteenth, amendments to the United States constitution; U.S.C. Title 28 § 1331 (a), as here-in-after more fully appears. The matter in controversy exceeds, exclusive of interest and costs, the sum of ten thousand dollars.

(c) Jurisdiction founded on the existence of a question arising under particular statute:

The action arises under Act 42 U.S.C.A. § 1983; U.S.C. Title 28 § 1343 (4). As here-in-after more fully appears.

THIS IS AN ACTION IN LIBEL & CIVIL RIGHTS VIOLATIONS.

GENERAL BACKGROUND:

On April 4th 1968, Rev. Martin Luther King Jr., was shot and killed in, Memphis Tennessee; in May 1968 the plaintiff was indicted by the Shelby county grand jury (cr. indictment no. 16645) for said shooting; on March 10th 1969 plaintiff, allegedly through coercion by his attorney, Percy Foreman & the prosecution, entered a guilty plea to said cr. indictment; on February 2nd 1974 the U.S. 6th circuit court of appeals ordered an evidentiary hearing into the circumstances of said plea, Ray v. Rose 491 F2d 285 {C.A.6, 1974; on February 27th 1975 after hearing said evidentiary proceedings the U.S. District court for the W.D. of Tennessee, Hon. Robert M. McRae, presiding ruled against plaintiff, Ray v. Rose, C-74-166; on May 10th 1976 the U.S. 6th circuit court of appeals upheld Judge McRae's ruling in said evidentiary hearing. Ray v. Rose, C-75-1795.

Plaintiff, JAMES E. RAY, sues

Defendants, TIME INC.; GEORGE McMILLIAN; W. HENRY HAILE; WILLIAM BRATFORD HUIE; GEROLD FRANK; ROBERT M. McRAE; BRENDA PELLICCIOTTI, and alleges:

2. That while awaiting trial in the aforementioned cr. indictment the plaintiff copied down from recollection information he had gained in his 1967 associations, associations which lead to plaintiff being charged under said indictment.

3. That a brief summary of said recollections and their subsequent disposition by plaintiff are as follows:

(a) during one period of plaintiff's confinement in 1966 he wrote down on a money receipt issued forth from the Sheriff's office of the Shelby county, Tennessee, jail information which plaintiff believed had a direct bearing on said cr. indictment. See, Ex--A.

(b) the information consisted of telephone numbers & one name & address; all numbers were written down backwards, including the address.

(c) the two telephone numbers were listed next to the word "Sister", the first being listed in, New Orleans, Louisiana; the second being in, Baton Rouge, Louisiana.

(d) the address is listed under the name, Vera C. Staples.

(e) the telephone number listed under the Baton Rouge address was furnished to plaintiff's attorney, Percy Foreman, who was representing plaintiff in said cr. indictment.

(f) the address was not investigated until plaintiff was incarcerated upon pleading to said indictment; a compendium of the post trial investigation would indicate: the information cited above was given to a St. Louis, Missouri, labor leader, and informed it pertained to the MLK jr. case, who apparently in turn furnished said information to a Nashville, Tennessee, ex-Attorney to investigate; said Attorney had sources in the State of Louisiana investigate the matter and thereafter said Attorney reported the Baton Rouge listed number resident was under the influence of the Teamsters union; and the New Orleans listed number resident was among other things an agent of a mideast organization disturbed because of Dr. King's reported forthcoming, before his death, public support of the Palestine Arab cause. (References to the address if any was unclear.)

(g) the plaintiff had come by said name & address shortly before crossing the border in November 1967 from Tijuana, Mexico, into the United States; the name was Randolph Erwin Rosen, 1180 N.W. River Drive, Miami, Florida; other reference was made to a LEAA; a check through the Miami directory in 1970 indicated no Rosen listed with the above first & second name; in 1973-74 a Chicago, Illinois, reporter was quired as to the name of a Rosen who was an official in the Progressive Labor Party, the reporter later responded said Rosen, or Rosens, activities were mainly in the New York, New York, area; shortly thereafter said reporter was substantiated by material plaintiff received indirectly from the Hon. Richard Ichord a congressman from

Missouri; thereafter an Attorney in Oklahoma City, Oklahoma, was furnished the Rosen name and asked if he could find any information re the subject in, New Orleans, and informed the subject might have a cr. record; the Attorney reported back that the subject's last name most likely was, Rosehson, and that he had a cr. conviction in New Orleans, Louisiana, federal court for a narcotics violation; thereafter a Tennessee licensed Attorney procured the tr. of said conviction; subsequently another check was made through the, Miami, telephone directory which did list a "Randy Rosenhon" but with an address discrepancy.

4. That plaintiff intended the above information for exclusive use, after a through investigation, in a jury trial under said cr. indictment--rather than for commercializing in the communications industry--and in consequence withheld parts thereof from plaintiff's cr. Attorneys, who were enmeshed with defendant (novelist) William Bradford Huie in commercial publishing ventures: 1st) Attorney Arthur Hanes sr., who immediately upon entering the suit contracted with defendant, Huie and 2nd) Attorney Percy Foreman, who while not entering into literary contracts with Mr. Huie until January 1969, two months after Foreman's entering the suit, Mr. Foreman did not question plaintiff about said information or other aspects of the cr. indictment--because of his (Foreman's) admitted trial preparation methods--until February 1969.

5. That in February 1969, after Percy Foreman had entered into literary contracts with defendant, Huie, plaintiff furnished Attorney Foreman with the above mentioned, Baton Rouge, phone number and asked him to investigate in connection with the MLK jr. homicide. Shortly thereafter Mr. Foreman replied in effect that if there were to be any telephone numbers referred to in court he (Foreman) would furnish them through contacts in interstate gambling--Mr. Foreman mentioned a, Mr. Meyer Lansky, as his source.

6. That subsequently, after the prosecution and Percy Foreman had maneuvered plaintiff into entering a plea to said indictment, the plaintiff on March 11th 1969 was checked into the Tennessee State penitentiary--Nashville Branch--and therein all plaintiff's personal property including the paper herein attached as EX-A, and including incoming legal & personal letters mailed to said prison, were confiscated from plaintiff. Two or three days later after discussing briefly with State corrections commissioner, Harry Avery, the letters including EX-A were returned to plaintiff by said,

Commissioner, Avery. (except for a thin line of some writings the property seemed in order.

7. That prior to Plaintiff's transfer to the aforementioned penitentiary, Commissioner Avery, the late Governor of Tennessee, Hon. Buford Ellington, and Governor Ellington's administrative assistant, Mr. William L. Barry, had decided and committed to writing (see, Avery testimony in, Ray vs. Russell, U.S. Dis. Ct. M.D. Tn. Civ. Action no. 5590, 1970) Plaintiff's treatment upon entering said penitentiary, i.e., arbitrary lodging of Plaintiff in solitary confinement immediately upon his entering prison.

8. That thereafter on (March 13, 1969) when plaintiff commenced petitioning the trial court for a new trial under said indictment, Commissioner Avery attempted to persuade Plaintiff against seeking a trial under said indictment and after failing that informed Plaintiff that he would never be released from solitary confinement while he (Avery) was corrections commissioner.

9. That in the succeeding years until the present Plaintiff has been arbitrarily locked in solitary confinement/segregation for approximately five years, during which time there has been several suicides by prisoners because of the harshment of the confinement including two (2) who burned themselves to-death. See, EX--B.

10. That after the aforementioned plea by Plaintiff the trial Judge, Hon. Preston Battle, departed from Memphis, Tennessee, for a vacation and while on said vacation the then Governor of Tennessee, Hon. Buford Ellington, upon learning of Plaintiff's effort to receive a jury trial under said indictment, dispatched State officials to locate Judge Battle to offer him the next Appellate Judgeship vacancy if the Judge would deny Plaintiff a trial under the petition referred to in paragraph-8 above.

11. That on or about March 12th 1969 in the prison segregation building Plaintiff was confronted through a ruse by special agent, Robert Jensen of the Memphis, Tennessee, federal bureau of investigation office. The thrust of Mr. Jensen's conversation was seeking cooperation of Plaintiff in furthering the FBI investigation of said cr. indictment. When Plaintiff refused the cooperation offer Mr. Jensen upon departing said Plaintiff could expect Plaintiff Brothers (John & Jerry Ray) to join him in prison, or words to that effect, thereafter:

(a) plaintiff's brother, Jerry Ray, was incarcerated to the extent that he had to resign his job in the Chicago, Illinois, area; subsequently after forcing him from his job the FBI attempted to frame him for numerous crimes.

(b) plaintiff's other brother, John Ray, was arrested by police while driving his car in the St. Louis, Missouri, area and subsequently charged by the FBI for aiding and abetting a bank robbery. Tried and convicted with a defendant whom the government alleged actually robbed said bank, John was given 18 years and the alleged robber 10 years; upon appeal the alleged robber's conviction was reversed by the 8th U.S. circuit court of appeals because the fruits of an illegal search & seizure was used against him; however, the 8th circuit ruled that the fruits of the illegal search was not ground for reversing John Ray's case because the alleged evidence (stolen money) was not taken from him; upon re-trial the alleged robber was acquitted; subsequently another defendant in the robbery was charged and entered a plea for three (3) years which was later reduced to eighteen months by the government.

12. That in June 1969 Plaintiff filed a civil action in the United States District court for the M.D. of Tennessee seeking to void contracts between plaintiff, the aforementioned Percy Foreman, and defendant, Huie. In attempting to have said civil action (Complaint) dismissed, thus necessitating the re-filing by Plaintiff in the W.D. of Tennessee, the defendants Attorney the late, John J. Hooker sr., of the Davidson county Tennessee bar, illegally procured Plaintiff's entire prison record, including domicile information, from the aforementioned corrections commissioner, Harry Avery, and was thus able to have said Complaint dismissed in the M.D. of Tennessee and refiled in the W.D. (civil action no. C-69-199) before Judge McRae, because of said domicile information.

13. That thereafter in civil action no. C-69-199 one of Judge McRae's initial rulings was that said action would be decided by deposition rather than live testimony--subsequently the Judge dismissed the suit on motion of the defendants.

14. That following the United States Sixth circuit court of appeals ruling on February 3rd 1974 ordering an evidentiary hearing into the circumstances of Plaintiff's aforementioned guilty plea under said indictment defendant, Judge McRae, again assumed jurisdiction to conduct said hearing (civil action no. C-74-166) and again ruled that the two principal witnesses, the

aforementioned Percy Foreman & defendant Huie, would not have to undergo live testimony, only depositions. The Judge accomplished this legal maneuver by ruling the Plaintiff's subpoena powers were limited to a 100 mile radius of Memphis, Tennessee.

That Judge McRae further prejudicial & arbitrary actions & inactions listed below effectively diminished the Plaintiff's right under the United States Supreme court mandate for a full and equitable evidentiary hearing:

(a) the court ruled in effect P_____ at the solicitation of the State's Attorney, defendant Haile--who had complained to the court that the press was urging the State to ask certain questions of Plaintiff--that General Haile could inquire of Plaintiff's alleged information he (plaintiff) provide said Percy Foreman concerning others persons allegedly culpable under said cr. indictment. Thereafter, althoe Plaintiff did refer to information described above as being given to Mr. Foreman by Plaintiff, and within the confines of the above court ruling, neither defendant, Haile, or, Judge McRae questioned Plaintiff in the matter.

(b) Judge McRae in concert with defendant, Pellicciotti, has consistently--despite petitions from Plaintiff's counsel, James H. Lesar--declined to forward to the U.S. 6th circuit court of appeals relevant & necessary portions of the transcript in said evidentiary hearing: specifically, the definitive portions of said transcript evidencing, Percy Foreman, after invitation, refused to offer live testimony in said evidentiary hearing; and thus through their deleterious inactions in the tr. matter contributed substantially to the 6th circuit decision against Plaintiff therein.

(c) Judge McRae has ignored a petition to take perpetuating testimony, filed after said evidentiary hearing, from defendant, Huie. Mr. Huie being a principal character therein.

15. That prior to said evidentiary hearing, Judge McRae, mislead or attempted to mislead Plaintiff's Tennessee cr. counsel as evidenced by a series of letters Plaintiff received from said Counsel (Mr. Robert I. Livingston) implying that during several encounters with Judge McRae he (Livingston) was lead to believe the court was sympathetic to Plaintiff's case and thus a vigorous presentation by Plaintiff's counsel would not be necessary or desirable.

16. That there have been publicized allegations that, Judge McRae, is more concerned with the political effects of his decisions than the law. See, EX--C.

17. That the clerk of the court defendant, Pellicciotti, wherein said evidentiary hearing was conducted acted in concert with, Judge McRae, in declining to prepare and forward tr. material, described in paragraph 14-b above, to the U.S. sixth circuit thus contributing substantially to the sixth circuit denying Plaintiff relief under said evidentiary hearing.

18. That defendant, Haile, who was the State's chief counsel in the aforementioned evidentiary hearing, but is now in private practice, has libeled Plaintiff by aiding & abetting defendant, McMillian, in McMillian's preparing & authoring the aforementioned article for defendant, TIME.

19. That defendant, McMillian, informed Plaintiff's brother, Jerry Ray, of his (McMillian's) relationship with defendant, Haile.

20. That in _____ 1975 defendant, Haile, appeared with defendant, McMillian, at the Tennessee State penitentiary--Nashville Branch--wherein McMillian requested warden, James H. Rose, a personal friend of Haile, to contact Plaintiff and ask if he would consent to an interview by, McMillian. Warden Rose did forward said interview request to Plaintiff which Plaintiff declined and, thereafter, Haile & McMillian viewed the solitary confinement building wherein Plaintiff was housed.

21. That defendant, Haile, while asst. att. gen. for the State of Tennessee several times publicly criticised court decisions unfavorable to him in a manner suggesting he was attempting to intimidate Judges, acts for which he subsequently was dismissed from the A.G.'s office by the Attorney General for the State of Tennessee.

22. That in the January 26, 1976, issue of TIME magazine (EX--D) under the title of "The King Assassination Revisited", defendant, McMillian, authored a malicious article subtitled "I'm gonna kill that nigger King" and alleged said subtitle to be a statement made by Plaintiff.

Said article is littered with deliberate fabrications, and while of a hollywoodish character they are delivered with malice intent, beginning -186-

"...In 1963 and 1964 Martin Luther King was on TV almost everyday, talking defiantly about how Black people were going to get their rights...Ray watched it all avidly on the cell-block TV at Jeff City. He reacted as if King's remarks were directed at him personally. He boiled when King came on the tube. He began to call him Martin 'Lucifer' King and Martin Luther 'coocoo'. It got so that the very sight of King would galvanize Ray ". p. 18 said article.

The facts are that there were no TV sets in the cellblocks or, cells, during Plaintiff's entire sojourn in the Missouri State penitentiary at, Jefferson City; and, that defendant McMillian is cognizant of this fact through conversations with Missouri corrections officials whom he has contacted for information numerous times. See, EX--E.

23. That several other deliberate fabrications with malicious intent in said article are:

(a) "Ray and (his fellow convict Raymond) Curtis would, set around, often high on speed..." Speed being a form of narcotic. p. 18.

(b) "On April 24, 1967, just one day after Ray escaped from the prison at Jefferson City, he met his Brothers Jack and Jerry in Chicago's Atlantic Hotel..." Allegedly, say's McMillian, discussing the murder of Martin Luther King. p. 18.

(c) that McMillian alleged Plaintiff's Brothers, John & Jerry Ray, had, from conversations with Plaintiff, knowledge before the fact of the MLK Jr. murder. PP. 18 & 23.

24. That the State of Missouri's department of corrections commissioner, Mr. George M. Camp, alleges in effect that defendant McMillian is a fraud in connection with McMillian's aforementioned allegations concerning Plaintiff's conduct while in said Missouri penitentiary. See, EX--E.

25. That the Missouri prisoner defendant McMillian principally relies on to substantiate his allegations, allegations that Plaintiff not only plotted the murder of MLK Jr. but was also a narcotic addict, narcotic peddler, ect. ect., is revealed to be one, Raymond Curtis.

Said, Raymond Curtis, attempted once to converse with Plaintiff while in said penitentiary, thereafter he (Curtis) voluntarily "checked into" segregation, after being exposed as a professional informer, and thus

was thereafter limited in his prison association to his own type.

26. That shortly after Plaintiff's arrest in 1968 to answer for said cr. indictment defendant McMillian stated at a news conference that since he (McMillian) knew Plaintiff was guilty of the indictment charge he (McMillian) would not have to investigate the case. Thus it follows a fortiori that McMillian has relied on the work product of other novelist to substantiate sizeable portions of his allegations in said TIME article.

27. That defendant McMillian has posted Plaintiff numerous letters, first threatening, then cajoling, in seeking interviews for use in said article and his alleged forthcoming book re Plaintiff.

28. That defendant TIME magazine has a vested (financial) interest in publishing said article by McMillian--thus in promoting McMillian's forthcoming book re Plaintiff-- in that McMillian's publisher, Little Brown, is a subsidiary of TIME inc.

29. That defendant TIME deceived their own agent (Richard C. Woodbury) in their Chicago, Illinois, office into thinking TIME would run an objective story re the matter. See, EX--F.

30. That defendant TIME was consciously endeavoring to influence the United States Sixth Circuit court of appeals in, Ray v. Rose, no. 73-1543, which just a few days subsequent to said article heard arguments in the above Ray v. Rose suit to determine whether to order Plaintiff a new trial under said cr. indictment.

31. That TIME inc. has a history of conspiring to subvert the judicial and political processes by publishing, timely, malicious articles prior to judicial decisions or election of public officials.

32. That because defendant, TIME, has made a fresh investigation (p. 17 said article) into the "case"--their initial investigation evidently being performed by Time inc. LIFE magazine in 1968--TIME is cognizant that a substantial portion of said article is false & malicious.

33. That substantial portions of said article by McMillian were supplied to Mr. McMillian by defendants, Frank & Huie--Defendant, Huie, published a novel re Plaintiff in 1970 titled "He Slew the Dreamer"; defendant, -188-

34. That the false allegations in said article: "that Plaintiff committed a holdup in London, England, and that George C. Wallace would pardon plaintiff, pp. 17 & 23 respectively, were supplied to defendant McMillian by defendant Huie as evidenced by statements made directly to Plaintiff by the above mentioned Percy Foreman (quoting Huie to Plaintiff) along with oral & written declarations by Defendant, Huie. See, [redacted].

35. That defendant Huie in his ongoing media campaign against Plaintiff libeled Plaintiff in a CBS-TV interview hosted by, Dan Rather, on or about January 2, 1976, by falsely alleging in effect that Plaintiff had murdered MLK Jr. and, robbed a loan company in London, England.

36. That the false allegations in reference to Adolph Hitler (p. 23 said article) was supplied to defendant McMillian by Defendant, Frank, as evidenced by statements made directly to plaintiff by Plaintiff's former Attorney (who was interviewed extensively by defendant, Frank) Robert Hill, of the Chattanooga Tennessee bar.

37. That defendant Huie has a history, for commercial reasons, of contentiousness with said, Gov. Wallace.

38. That defendant Frank has a history of defending Zionism even when it includes murder, eg, see Frank's novel, publisher in 1963, titled "THE DEED", and if allegations in count 2-f above are substantiated in court proceeding Mr. Frank's intrusion into said cr. indictment as a Government advocate is readily explicable.

39. That an article in the BILALIAN NEWS published March 12, 1976, page 15, penultimate paragraph, reported MEK Jr. was shifting his political alliances.. "Dr. King was shifting his political allinaces and civil rights approach. To support this view observers point to Dr. King's views on the Viet Nam war and his growing support of the labor movement. Dr. King was also coming under the influence of the Teaching of the Honorable Master Elijah Muhammad..."

40. That Plaintiff filed a libel suit in the United States Dis. Ct. for the W.D. of Tennessee titled, Ray v. Frank, Civil Action no. C-73-126, against herein defendant, Frank, in 1973, and had process served upon him through his publisher, Doubleday company. Mr. Frank was subsequently

releived by the Court as a defendant in said suit by falsely alleging (See, EX-6. p. 1) a process deficiency; Mr Frank's in effect falsely alleged that he & Doubleday Company's affiliation was formal & transitory.

41. That the record will confirm that not one of the Plaintiff's accusers in the communication industry have ever offered live testimony in a court of law but on the contrary, they have utilized numerous ruses to avoid process and the subpoena while the record will evidence Plaintiff has not only given live testimony (in the aforementioned evidentiary hearing) but prior to the plea in said cr. indictment was in contention with his cr. counsel in their insistence--in collusion with defendant, Huie--that plaintiff not be a defense witness therein.

Moreover, nothing of substance indicates that the legal system-influential publishing companies combine are not acting in concert to assure that their shall never be a (jury) trial for Plaintiff, criminal or civil, that's related to said indictment...apparently because it would not be a "show trial", i.e., the Government could not sustain it's heretofore media case.

And it would appear that a cr. defendant without the economic or political influence to effectively contest the above situation is not only subject to the denial of due process but can also expect his family members to be jailed and framed for criminal offences while the same publishing industries, eg, defendant, TIME, complain self-righteously about some distant country's corrections or legal system.

Further, it seem's that, by chance, the same media-political combine that coalesced in the Watergate investigation-prosecution and demanded full disclosure are out of the same sack as thoes who prosecuted plaintiff under said cr. indictment and who are now opposed to disclosures.

IN SUMMARY: the above mentioned Percy Foreman has heretofore, since he & the Government maneuvered Plaintiff into said indictment plea, been giving a running commentary in the media on how he (Foreman) accomplished the feat. Now he has published analogously the epilogue to the feat in the STAR magazine wherein he pronounces:

"...with the publicity, appellate courts are reluctant to reverse because it would bring down a heap of criticism from the public who are not familiar with the rule and regulation of law...to find a Judge or a group of Judges with enough courage would on experience, be unexpected". See, EX--M.

42. That the defendants, TIME inc., George McMillian, W. Henry Haile, William Bratford Huie, and Gerold Frank are guilty of the violation as follows:

(a) of libeling plaintiff in said TIME article with malicious intent.

43. That the defendants, TIME inc., George McMillian, W. Henry Haile, are guilty of the violation as follows:

(a) of acting in collusion, by the nature of said article and its publishing date, to influence the U.S. 6th circuit court of appeals in, Ray v. Rose, No. 73-1543, adversely to herein Plaintiff, thus obstructing justice and violating plaintiff's civil rights.

44.--That defendant, McMillian, is in addition guilty of the violation as follows:

(a) of receiving & publishing malicious material from defendants, Huie & Frank, with a reckless disregard for the truth or falsity of said material thus compounding McMillian's libel.

45. That defendant, Huie, is in addition guilty of the violation as follows:

(a) of libeling with malicious intent by falsely charging on a CBS-TV special dated January 2, 1976, and hosted by Dan Rather, that Plaintiff had in effect murdered, Rev. Martin Luther King Jr., and, robbed a loan company in, London, England.

46. That defendant, Haile, is guilty of the additional violation as follows:

(a) of violating Plaintiff's civil rights with malicious intent by aiding & abetting defendant, McMillian, in his (McMillian's) publishing said article, through furnishing McMillian information from the files of the Tennessee Attorney General's office while he (Haile) was asst. Att. Gen.

(b) of having direct knowledge resulting from his tenure in the Tennessee A.G. office and his association with the aforementioned, Percy Foreman & William L. Barry, of the truthfulness of allegation made in count-3 herein above, thus violating Plaintiff's civil rights.

47. That defendants, Judge McRae & Brenda Pellicciotti, are guilty of the civil rights violation as follows:

(a) of deliberately withholding relevant portions of Plaintiff's transcript from an appellate court, referred to in count-14 b above, and thus contributed substantially to that court--U.S. 6th circuit court of appeals--sustaining Judge McRae's earlier ruling therein against Plaintiff.

48. That defendant, Judge McRae, is in addition guilty of the civil right's violation as follows:

(a) of refusing to act on a motion to take perpetuating testimony from defendant, Huie, in the aforementioned evidentiary hearing, referred to in count-14 c above.

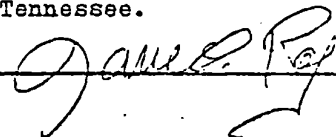
49. That the Plaintiff is entitled to exemplary damages because defendants, excluding Judge McRae & Pellicciotti, should be taught that the culpability of defendants in cr. indictments were intended under the United States constitution to be decided in courts of law rather than through fraudulent misrepresentations in the commercial communications industry; and the other two defendants that legal requirements precede political considerations or biasness against a particular litigant.

50. That as a result of the defendants actions cited herein the Plaintiff has not only been liged in a malignant fashion but thoes who have the responsibility of upholding litigants constitutional rights have by their collusive acts indirectly contributed to and encouraged the libel.

WHEREFORE, Plaintiff demands judgment from defendants, excluding Judge McRae, punitive damages of Five hundred thousand dollars respectively.

James E. Ray
Station--A
Nashville, Tennessee.

Plaintiff



Dr. Greenleaf Pinner

DATE: *Dec 23, 1965*

*1000 MARSH AVE. MEMPHIS
TENNESSEE*

Received of Sheriff William N. Morris, Jr. the
sum of \$*10.00*. Said monies being sent
by mail to James Earl Ray, with aliases, from *CAROL PEPPER*
who resides at *1035 BELLEVUE MAPLEWOOD, MO. 63143*

SISTER The above sum was received in the form of
No. 7573-4834429

cash, check, money order.
(circle appropriate)

VERA C. STAPLES

8811-N.W. RIVER DR.
MI, FL.

ROSEAL LEA
Hanes & Hanes, Attorneys

BY: *[Signature]*

James Earl Ray, County Jail

*RAY RAY - 710 ANN AVE,
LOUIS, MISSOURI, 63104*

JAN RAY 1982

EXHIBIT 16

State of Tennessee }
SHELBY COUNTY ss.

I, J. A. BLACKWELL, Clerk of the Criminal Courts of said County, do hereby certify that the foregoing (5) FIVE Pages contain a full, true and perfect copy of the PETITION FOR WAIVER OF TRIAL AND REQUEST FOR ACCEPTANCE OF PLEA OF GUILTY AND ORDER AUTHORIZING WAIVER OF TRIAL AND ACCEPTING PLEA OF GUILTY AND VOIR DIRE OF DEFENDANT ON WAIVER AND ORDER - OF JAMES EARL RAY - DOCKET NUMBER B-16645 as the same appears of record now on file in my office.

In Testimony Whereof I have hereunto set my hand and affixed the seal

of said Court, at office, in the City of Memphis,
this 16 day of AUG. 1976

/s/ J.A. BLACKWELL Clerk
By *Don Cavitt* D. C.

State of Tennessee }
SHELBY COUNTY

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENN.
Memphis, Tenn. AUG. 16, 1976 19

I, WILLIAM H. WILLIAMS, sole and presiding Judge of the Criminal Court of said County Division 3, certify that J. A. BLACKWELL, who gave the foregoing certificate, is now, and was at the time of signing the same, Clerk of said Court, and that said Court is a Court of Record, and that his attestation is in due form, and his official acts, as such, are entitled to full faith and credit.

Witness my hand, this 16 day of AUG. 1976

William H. Williams Judge.

State of Tennessee }
SHELBY COUNTY

I, J. A. BLACKWELL, Clerk of the Criminal Courts of said County, certify that HON. WILLIAM H. WILLIAMS, whose genuine official signature appears to the above and hereto annexed Certificate, is and was at the time of signing the same, sole and presiding Judge of the Criminal Court Division 3, in and for the County and State aforesaid, duly commissioned and qualified, and that all his official acts, as such, are entitled to full faith and credit.

In Testimony Whereof I have hereunto set my hand and affixed the seal

of said Court, at office, in the City of Memphis,
this 16 day of AUG. 1976

/s/ J.A. BLACKWELL Clerk.
By *Don Cavitt* D. C.

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE
DIVISION III

STATE OF TENNESSEE

VS.

NO. 16645

JAMES EARL RAY
DEFENDANT

PETITION FOR WAIVER OF TRIAL AND REQUEST FOR
ACCEPTANCE OF PLEA OF GUILTY

That my true full name is JAMES EARL RAY and I assert that all proceedings against me should be had in the name which I hereby declare to be my true name.

My attorney in the cause is PERCY FOREMAN, who was selected and retained by me, who was appointed by the Court ~~xxxxxxx~~, to represent me in this cause. and Hugh Stanton, Sr., Public Defender,

I have received a copy of the indictment before being called upon to plead, and I have read and discussed it with my attorney, and believe and feel that I understand the accusation made against me in this case and in each case listed herein. I hereby waive the formal reading of the indictment.

I have told my attorney the facts and surrounding circumstances as known to me concerning the matters mentioned in the indictments, and believe and feel that my attorney is fully informed as to all such matters. My attorney has informed me as to the nature and cause of each accusation against me, and as to any and all possible defenses I might have in this cause.

My attorney has advised me as to the punishment provided by law for the offenses charged and embraced in the indictment against me. My attorney has further advised that punishment which the law provides for the crime with which I am charged in the indictment is as follows:

death by electrocution or confinement in the State Penitentiary for

life or for some period of time over twenty (20) years

and if accepted by the Court and Jury my sentence on a plea of guilty will be:

confinement in the State Penitentiary for ninety-nine years (99).

It has been fully explained to me and I understand that I may, if I so choose, plead "Not Guilty" to any offense charged against me, and that if I choose to plead "Not Guilty" the Constitution guarantees and this Court will provide me the right to a speedy and public trial by jury; the right to see and hear all witnesses against me; the right to use the power and process of the Court to compell the production of any evidence, including the attendance of any witness, in my favor; and the right to have the assistance of counsel in my defense at all stages of the proceedings.

In the exercise of my own free will and choice and without any threats or pressure of any kind or promises of gain or favor from any source whatsoever, and being fully aware of the action I am taking, I do hereby in open Court request the Court to accept my plea of guilty to the charges outlined herein. I hereby waive any right I may or could have to a Motion for a New Trial, and/or an appeal.

Witness:

Percy Foreman

Hugh Stanton Sr.
Hugh Stanton Jr.

James Earl Ray
Defendant

THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE
DIVISION III

STATE OF TENNESSEE

VS

NO. 16645

JAMES EARL RAY

DEFENDANT

ORDER AUTHORIZING WAIVER OF TRIAL AND ACCEPTING
PLEA OF GUILTY

This cause came on for hearing before the Honorable W. PRESTON BATTLE, Judge of Division III, of the Criminal Court of Shelby County, Tennessee, on the petition of the defendant, JAMES EARL RAY, for Waiver of trial by jury and request for acceptance of a plea of guilty, said petition being attached hereto and incorporated by reference herein; upon statements made in open Court by the defendant herein; his attorneys of record; the District Attorney General, the Assistant Attorneys General representing the State of Tennessee; and from questioning by the Court of defendant and his counsel in open Court; and

IT APPEARING TO THE COURT after careful consideration that the defendant herein has been fully advised and understands his right to a trial by jury on the merits of the indictment against him, and that the defendant herein does not elect to have a jury determine his guilt or innocence under a plea of Not Guilty; and has waived the formal reading of the indictment, AND:

IT FURTHER APPEARING TO THE COURT that the defendant intelligently and understandingly waives his right to a trial and of his own free will and choice and without any threats or pressure of any kind or promises, other than the recommendation of the State as to punishment; and does desire to enter a plea of guilty and accept the recommendation of the State as to punishment, waives his right to a Motion for a New Trial and/or an appeal.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the petition filed herein be and the same is hereby granted.

Enter this the 10th day of March, 1969.

W. Preston Battle
JUDGE

JUDGE "James Earl Ray, stand."

JUDGE "Have your lawyers explained all your rights to you and do you understand them?"

DEFENDANT "Yes"

JUDGE "Do you know that you have a right to a trial by jury on the charge of Murder in the First Degree against you, the punishment for Murder in the First Degree ranging from Death by Electrocutation to any time over twenty years? The burden of proof is on the State of Tennessee to prove you guilty beyond a reasonable doubt and to a moral certainty and the decision of the Jury must be unanimous both as to guilt and punishment?"

In the event of a jury verdict against you, you would have the right to file a Motion for a New Trial addressed to the trial judge? In the event of an adverse ruling against you on your Motion for a New Trial, you would have the right to successive appeals to the Tennessee Court of Criminal Appeals and the Supreme Court of Tennessee and to file a petition for review by the Supreme Court of the United States? Do you understand that you have all these rights?"

DEFENDANT "Yes"

JUDGE "You are entering a plea of Guilty to Murder in the First Degree as charged in the Indictment and are compromising and settling your case on agreed punishment of ninety-nine years in the State Penitentiary. Is this what you want to do?"

DEFENDANT "Yes"

JUDGE "Do you understand that you are waiving, which means "giving up", a formal trial by your Plea of Guilty although the laws of this State require the prosecution to present certain evidence to a jury in all cases of Pleas of Guilty to Murder in the First Degree?"

Jan

P. J.

By your plea of guilty you are also waiving your rights to (1) Motion for a New Trial; (2) Successive Appeals to the Tennessee Court of Criminal Appeals and the Supreme Court of Tennessee; (3) Petition for Review by the Supreme Court of the United States.

By your plea of guilty you are also abandoning and waiving your objections and exceptions to all the Motions and Petitions in which the Court has heretofore ruled against you in whole or in part, among them being:

1. Motion to withdraw plea and quash indictment
2. Motion to inspect evidence
3. Motion to remove lights and cameras from jail
4. Motion for private consultation with attorney
5. Petition to authorize defendant to take depositions
6. Motion to permit conference with Huie
7. Motion to permit photographs
8. Motion to designate court reporters
9. Motion to stipulate testimony
10. Suggestion of proper name"

DEFENDANT "Yes"

JUDGE "Has anything besides this sentence of ninety-nine years in the penitentiary been promised to you to get you to plead guilty? Has anything else been promised you by anyone?"

DEFENDANT "No"

JUDGE "Has any pressure of any kind, by anyone in any way been used on you to get you to plead guilty?"

DEFENDANT "No"

JUDGE "Are you pleading guilty to Murder in the First Degree in this case because you killed Dr. Martin Luther King under such circumstances that would make you legally guilty of Murder in the First Degree under the law as explained to you by your lawyers?"

DEFENDANT "Yes"

for

P. 7

JUDGE "Is this Plea of Guilty to Murder in the First Degree with agreed punishment of ninety-nine years in the State Penitentiary, freely, voluntarily and understandingly made and entered by you?"

DEFENDANT "Yes"

JUDGE "Is this Plea of Guilty on your part the free act of your free will, made with your full knowledge and understanding of its meaning and consequences?"

DEFENDANT "Yes"

JUDGE "You may be seated."

James Earl Ray

Percy Foreman

EXHIBIT 17
(Classified)

EXHIBIT 18
(Classified)

-201-



Department of Justice

FOR IMMEDIATE RELEASE
FRIDAY, FEBRUARY 18, 1977

AG
202-739-2028

The FBI conducted a thorough investigation of the assassination of Dr. Martin Luther King, Jr., a Department of Justice task force concluded in a report released today by Attorney General Griffin B. Bell.

The 149-page report was submitted by the task force of the Office of Professional Responsibility following an eight-month intensive review of FBI files and interview of witnesses. The purpose of the study was to examine FBI activities involving Dr. King and to evaluate the effectiveness of the assassination investigation.

The report concluded that the FBI had conducted a painstaking and successful investigation of the 1968 assassination in Memphis, Tennessee.

The task force also found no evidence of FBI complicity in the murder.

The only new evidence that was developed related to details that did not affect the ultimate conclusion that James Earl Ray was the properly convicted murderer.

44-310-301

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44/12

The task force of five attorneys and two research analysts reviewed more than 200,000 documents from FBI Headquarters and Field Office files and interviewed some 40 witnesses in its study of the King case.

On April 26, 1976, then Attorney General Edward H. Levi directed the Office of Professional Responsibility, headed by Michael E. Shaheen, Jr., to review Department files to determine:

(1) Whether the FBI investigation of Dr. King's murder on April 4, 1968, at Memphis, Tennessee, was thorough and honest;

(2) Whether there was any evidence of FBI involvement in Dr. King's death;

(3) Whether any new evidence had come to the attention of the Department bearing on the assassination which should be dealt with by the proper authorities; and

(4) Whether the relationship between the FBI and Dr. King called for criminal prosecution, disciplinary proceedings, or other appropriate action.

After reviewing the murder investigation, the task force turned to the pre-assassination security investigation of Dr. King. The task force found that there may have been an arguable basis for the FBI to initiate a security investigation on Dr. King, but continued that the security investigation should have been ended in 1963 and not continued until his death five years later.

The FBI's COINTELPRO-type harassment of Dr. King and efforts to drive him out of the civil rights movement were found to have been clearly improper.

Mr. Shaheen's report concluded that any criminal action against FBI participants in the harassment campaign was barred by the statute of limitations. The task force recommended no disciplinary action because the chief FBI officials responsible for the harassment are dead or retired.

The task force submitted recommendations for tighter supervision of the FBI's domestic intelligence activities and endorsed the Department's new guidelines in this area. The task force also proposed outright prohibition of COINTELPRO-type activities against domestic intelligence subjects.

TRANSMIT VIA: Airtel

PRECEDENCE: _____

CLASSIFICATION: _____

3-1-77

DATE: _____

To: SAC, Albany

From: ~~Director~~ Director, FBI

BUREAUWIDE INFORMATION PROGRAM, 77-5

DEPARTMENT OF JUSTICE TASK FORCE REPORT
ON FBI INVESTIGATIONS INVOLVING
DR. MARTIN LUTHER KING, JR.

44-310

Attached is a copy of a three-page news release which was made by Attorney General Griffin B. Bell on 2/18/77 pertaining to the report prepared by the Department of Justice Task Force which conducted a review of our security investigation, as well as our investigation regarding the assassination, of Dr. Martin Luther King, Jr.

There also is attached a copy of the Task Force's report, together with its exhibits. Copies of this report, including its exhibits, have been made available to news media by the Department of Justice.

I have made the following statement in response to inquiries regarding the Task Force's report which have been received at FBIHQ:

"I noted with great satisfaction the conclusions of the task force that the FBI's assassination probe of the Martin Luther King slaying was 'credible and thorough'; that there was no evidence of a conspiracy; and that the report clearly indicates no complicity on the part of the FBI in this assassination.

Enclosures (2)

- 1 - All Field Offices - Enclosures (2)
- 1 - Each Legat - Enclosures (2)

(Do not type below this line.)

CC of only in
66-2974

44-310-302

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Airtel to SAC, Albany

RE: DEPARTMENT OF JUSTICE TASK FORCE REPORT
ON FBI INVESTIGATIONS INVOLVING
DR. MARTIN LUTHER KING, JR.

"There are portions of the report which describe objectionable actions on the part of the FBI.

"Guidelines, procedures and our determination to be completely observant of civil rights and the dignity of man will prevent a recurrence of these activities."

If requested to comment regarding any of the conclusions of the Task Force or concerning the contents of its report, you should feel free to quote my above-cited statement. However, you should not expand on my statement or volunteer observations of your own.

In addition, you should not hesitate to refer news media representatives who make inquiries about matters covered in the Task Force report to the Press Services Unit (Ext. 3691) of the External Affairs Division.

Should you receive inquiries regarding the availability of copies of the Task Force report, you should state that the report was released by the Department of Justice and that the FBI has been advised that copies of the report are being printed and will be available for purchase through the Superintendent of Documents, U. S. Government Printing Office, Washington, D. C. 20402.

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, OMAHA (44-310) (C)

DATE: 6/13/77

FROM : *DJH* SA DANIEL JOHN HOFFMAN

SUBJECT: JAMES EARL RAY
EFP

At approximately 3:30 a.m., on 6/12/77, the DMPD Dispatcher notified SA DANIEL JOHN HOFFMAN, FBI, that a call had been received alledging that JAMES EARL RAY was spending the night at the Casa Bella Motel, 3132 Southeast 14th, Des Moines, Iowa.

Sgt. WILLIAM MULLINS, DMPD, and SA HOFFMAN proceeded to the motel and found a late model red Ford with a black vinyl top and Tennessee license plate number 12Y063, in the parking lot.

ELAINE VILLINES, manager, Casa Bella Motel, advised that the red Ford belonged to Mr. R. L. SKOG, 330 Featherstone Drive, Gallatin, Tennessee. VILLINES advised that SKOG has been registered at the motel since 6/2/77, and is described as follows:

Race	White
Sex	Male
Age	48-55
Height	6'1"
Weight	230
Hair	Black, curly
Complexion	Olive skin

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VILLINES advised that all occupants at the motel have been residing there for at least a week and no one matched the description of JAMES EARL RAY.

DJH:skp
(1) *skp*



5010-108-01

DESTROY FILE 6/13/87

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

VIA ENCRYPTED TELETYPE

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FM DIRECTOR FBI (62-117290)

TO ALL FBI FIELD OFFICES ROUTINE

ALL FBI LEGAL ATTACHES ROUTINE

BT

UNCLAS E F T O

HOUSE SELECT COMMITTEE ON ASSASSINATIONS (HSCA)

RE BUTEL TO ALL FIELD OFFICES AND LEGAL ATTACHES DATED
NOVEMBER 24, 1976.

REFERENCED TELETYPE ADVISED IN PART THAT HSCA WAS CREATED
TO INVESTIGATE THE ASSASSINATION OF JOHN F. KENNEDY AND
MARTIN LUTHER KING, JR., AND THAT RECIPIENTS WERE TO BRING TO
THE ATTENTION OF FBI HEADQUARTERS (FBIHQ) ANY ATTEMPTS BY HSCA
STAFF MEMBERS TO INTERVIEW FBI PERSONNEL.

THE HSCA HAS INTENSIFIED ITS INVESTIGATION INTO BOTH
ASSASSINATION CASES, REVIEWING VOLUMINOUS FBI FILES INVOLVING
MANY ASPECTS OF OUR OPERATIONS. HSCA STAFF MEMBERS ARE CON-
DUCTING INTERVIEW OF CURRENT AND FORMER EMPLOYEES AND HAVE

cc
62-3503

44-310-304

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PAGE TWO DE HQ 0193 UNCLAS E F T O

TRAVELED THROUGHOUT THE COUNTRY AND ABROAD CONDUCTING INTERVIEWS OF MANY INDIVIDUALS. SOME OF THESE PERSONS ARE LIKELY TO BE PRESENT OR FORMER INFORMANTS AND CONFIDENTIAL SOURCES OF THE FBI WHO MAY BE SUBPOENAED TO TESTIFY BEFORE THE HSCA. BASED ON INFORMATION AVAILABLE AT FBIHQ, THE HSCA PLANS TO CONDUCT APPROXIMATELY 40 DAYS OF PUBLIC HEARINGS DURING FALL OF 1978 AND RELEASE OF ITS FINAL REPORT IS SCHEDULED FOR DECEMBER, 1978.

RECIPIENTS ARE REMINDED TO PROMPTLY ADVISE FBIHQ CONCERNING ANY ATTEMPTS BY THE COMMITTEE TO OBTAIN INFORMATION THROUGH YOUR PERSONNEL, OR THROUGH YOUR PRESENT OR FORMER INFORMANTS AND CONFIDENTIAL SOURCES. INFORMATION SHOULD BE FORWARDED TO THE ATTENTION OF THE CONGRESSIONAL INQUIRY UNIT, RECORDS MANAGEMENT DIVISION.

BT

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