

258
COMMUNICATIONS SECTION
SEP 30 1968
TELETYPE

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| Mr. Tolson | |
| Mr. DeLoach | |
| Mr. Mohr | |
| Mr. Bishop | |
| Mr. Casper | |
| Mr. Callahan | |
| Mr. Conrad | |
| Mr. Felt | |
| Mr. Gale | |
| Mr. Rosen | |
| Mr. Sullivan | |
| Mr. Tavel | |
| Mr. Trotter | |
| Tele. Room | |
| Miss Holmes | |
| Miss Gandy | |

FBI WASH DC

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633PM DEFERRED 9-30-68 DGB

TO DIRECTOR (44-38861)

FROM MEMPHIS (44-1987) 2P.

MURKIN.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/13/80 BY SP-6/MLC

McArthur

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RE MEMPHIS AIRTEL TO BUREAU DATED SEPT. EIGHTEEN LAST
ENCLOSING XEROX COPIES OF TWO MOTIONS FILED BY ATTORNEY
ARTHUR J. HANES IN SHELBY COUNTY CRIMINAL COURT, MEMPHIS,
TENN. HEARING ON THESE MOTIONS WAS HELD BY JUDGE W. PRESTON
BATTLE IN SHELBY COUNTY CRIMINAL COURT, MEMPHIS, SEPT. THIRTY
LAST.

AT THE CONCLUSION OF THE PRESENTATION OF THE PROOF BY
BOTH DEFENSE AND PROSECUTION DURING THIS HEARING, JUDGE BATTLE
DISMISSED BOTH MOTIONS FILED BY THE DEFENSE WITH THE
EXCEPTION OF THE PORTION PERTAINING TO RAY'S CORRESPONDING
WITH HIS ATTORNEY. JUDGE BATTLE RULED THAT WRITTEN NOTES
EXCHANGED BETWEEN RAY AND HIS ATTORNEY ARE PRIVILEGED;
HOWEVER, THE SHELBY COUNTY SHERIFF OR HIS DESIGNATED AGENT
HAS THE AUTHORITY TO PERUSE THESE NOTES TO DETERMINE IF
THERE IS ANY ATTEMPT TO BREACH SECURITY OF THE JAIL. THESE
NOTES SHOULD NOT BE PERUSED FOR THE PURPOSE OF ASCERTAINING

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cc to [unclear]

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THE FULL CONTENTS OF THE MESSAGES.

AT THE INCEPTION OF THE HEARING, ARTHUR HANES SR., ATTORNEY FOR JAMES EARL RAY, ADVISED JUDGE BATTLE THAT AFTER CONFERRING WITH HIS CLIENT ON THIS DATE HANES AND HIS CLIENT HAD DECIDED THAT THE LAW FIRM OF HANES AND HANES WILL CONTINUE TO REPRESENT RAY IN RAY'S FORTHCOMING TRIAL FOR THE MURDER OF REV. MARTIN LUTHER KING, JR. IT IS NOTED THAT DURING THE HEARING BEFORE JUDGE BATTLE ON SEPT. TWENTY SEVEN LAST HANES SR. IMPLIED TO THE COURT THAT AS A RESULT OF A DIFFERENCE OF OPINION BETWEEN RAY AND HIS ATTORNEY THE LAW FIRM OF HANES AND HANES MAY NOT REPRESENT RAY AT THE TIME OF TRIAL.

BUREAU WILL BE KEPT ADVISED OF ANY CHANGE OR DEVELOPMENTS IN THIS REGARD. P.

END.

GMA

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