

Containing complaint - use through first 2 pars.

~~3. Defendants are the National Archives and Record Service, which is part of the General Services Administration, and the executor of the estate of the assassinated President John F. Kennedy, Mr. Burke Marshall~~

*Defendant*

4. The National Archives is the repository for the official evidence relating to the Assassination of the President; whether or not used by or published by the former ~~XXXXXXXXXXXXXXXXXXXX~~ President's Commission on the Assassination of President Kennedy (also known as the Warren Commission), and is supposed to make the data and evidence available, without favoritism or prejudice, under applicable law and regulation.

*Defendant*

*agreement /* ~~5. The executor of the estate of the late President signed a letter with the General Services Administration dated October 29, 1966, under the provisions of which the General Services Administration ~~is~~ undertaken to suppress some of said evidence.~~  
*Defendant*  
*Defendants*  
*and National Archives have*

6. This contract is illegal, against public interest and, indeed, that of the heirs of said estate, and amounts to a conspiracy to accomplish under the pretended sanction of an inapplicable law that which could not otherwise be accomplished and which should not be accomplished, namely, the suppression of the most basic evidence relating to this assassination.

~~7. The first, unnumbered, paragraph of said letter agreement~~  
*of the United States Government and its subsidiary*  
3 Defendants are the General Services Administration, part of which is

7. The first, unnumbered, paragraph of said letter agreement contains this sentence:

The family desires to prevent the undignified or sensational use of these materials (such as public display) or any ~~XXXXXXXXXXXXXXXXXXXX~~ other use which would tend in any way to dishonor the memory of the late President or cause unnecessary grief or suffering to the members of ~~xxx~~ his family and those closely associated with him.

8. Plaintiff does not believe the signatory for the estate, Mr. Burke Marshall, who ~~xxxxxxx~~ was an Assistant Attorney General of the United States, in the Department of Justice, drafted this ~~alleged~~ contract on behalf of the estate of the late President, nor that the heirs knew or understood or desired that said ~~alleged~~

On 2

DEFENDANT'S ANSWER

IN REPLY TO PLAINTIFF'S COMPLAINT

13. Although Plaintiff's and others' appeals under the regulations had been systematically and deliberately ignored, by these defendants and by others, thus rendering any appeal a futility and making a mockery of the law, Plaintiff did make proper appeal, as provided by pertinent regulations, to which, after long and anticipated delay, there has been no response,

wherefore Plaintiff is compelled

to file this ~~complaint~~ <sup>Appeal</sup> Complaint. (Appeal)

Plaintiff has been advised that the regulations are being reviewed and that a new regulation will be issued in the near future. Plaintiff is advised that the regulations are being reviewed and that a new regulation will be issued in the near future.

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Very truly yours,  
[Signature]  
[Name]

contract was a vehicle for or could or would be used for the suppression of evidence that otherwise could not and would not have been suppressed.

9. While the objectives set forth in the language quoted in Paragraph 7, above, are superficially appropriate and desirable, they have been twisted, contorted and abused by Defendants <sup>mis</sup> and are (interpreted and, by the use of raw power, <sup>sc</sup> misused) that ~~best~~ evidence which may have and Plaintiff believes does have meaning and hold; proof contrary to the official explanation of the assassination can be and is denied Plaintiff and others, as said National Archives, without the legal fig-leaf of said alleged contract, could not do.

10. Verbally prior thereto <sup>and, thereafter,</sup> and in writing beginning August 6, 1967, Plaintiff has sought to be able to examine the damage to the late President's clothing during the <sup>course of the</sup> Commission of the assassination.

11. As an alternative, and in an effort to avoid dispute over access and ~~the~~ cluttering of the courts with unnecessary litigation, Plaintiff requested that certain simple photographs be taken for him, so that <sup>Plaintiff</sup> he might be able to make a study of said damage. in accord with the practice of and under the regulations of the Defendant National Archives, at Plaintiff's cost,

12. Plaintiff's proper request was first ignored, then denied, a quotation from the language quoted in Paragraph 7 above being cited as authority. <sup>Exhibit</sup> ~~is public and published~~ <sup>is public and published</sup>

INSERT 13.

14. Said clothing was in evidence before said Warren Commission, is basic to any study of the assassination or the work of said Commission or its conclusions, and, under law, stipulation and practice, should be accessible to Plaintiff. <sup>was basic to any conclusions reached by said Commission,</sup>

15. This and the following explanations <sup>through Paragraph 14,</sup> are not required of Plaintiff <sup>by the</sup> in an action such as is embodied in this Complaint, but Plaintiff believes such explanation would be helpful to this Honorable Court, which is without information on the questions at issue and what is involved therewith. <sup>12-12</sup>

16. Said clothing was examined before said Commission and on behalf of said Commission, prior to and during the taking of <sup>the relevant</sup> testimony, by those represented as experts but who were not experts in either forensic science or in the appropriate areas of scientific investigations.

17. For reasons of its own, neither acknowledged nor made public in any way, said Commission elected to ~~forgo~~ examination of said evidence by experts in forensic medicine, who were readily available to said Commission, or ~~by~~ <sup>(by)</sup> ~~even~~ <sup>those</sup> experts in such evidence as were available to it from or through the Federal Bureau of Investigation or the United States Secret Service, instead drawing upon the opinion of ordinary doctors, whose skills were in laboratory work, and an FBI agent <sup>an</sup> expert in the science of ballistics, ~~and~~ whose testimony in this area was both incompetent and equivocal.

18. But even this ~~and~~ <sup>these</sup> testimony and ~~the~~ <sup>said</sup> studies do not justify the conclusions made by ~~the~~ <sup>the</sup> Commission about the meaning of the damage to ~~the~~ <sup>the</sup> Presidential clothing.

19. Plaintiff prays this Honorable Court to take note of the date <sup>(of)</sup> and the circumstances surrounding the drafting and signing of the cited <sup>dated October 29, 1966;</sup> letter of agreement.

A. October 29, 1966, was more than two years after the conclusion of the work of said Commission and the filing of its Report.

B. It followed upon publication of and considerable international attention to Plaintiff's first book on this subject, WHITEWASH: THE REPORT ON THE WARREN REPORT, and ~~two~~ <sup>to three</sup> books which appeared subsequently, all ~~three~~ <sup>four</sup> by October 29, 1966, receiving ~~and~~ <sup>international</sup> widespread attention.

C. Several chapters of Plaintiff's cited book show that said Commission's conclusions, where the said clothing is essential evidence, are at best dubious and <sup>are</sup> ~~likely~~ <sup>probably</sup> erroneous.

D. The government, which caused said Commission to be organized and to function and to prepare an official explanation of the said assassination, was in considerable distress because its official accounting of the said assassination was under attack and ~~has~~ <sup>much of</sup> lost what credibility it may have had to begin with, as amply proven by public polls and other means.

E. Coinciding with the signing of this ~~letter agreement~~ <sup>letter agreement and its existence</sup> being made public, with enormous public-relations fanfare, the Acting Attorney General of the United States promulgated and published in the Federal Register and

Insert on 4 as Par H:

H. One of the provisions of said letter agreement is the so-called gift to the government, under certain restrictions that amount to total suppression when properly understood, of the pictures and X-rays of the autopsy performed on the late President. However, these were government property to begin with, and their passing from government possession under any circumstances was tantamount to the theft of government property. Coinciding with all of this publicity fanfare was a statement attributed to the autopsy doctors, that they "confirmed" the authenticity of said pictures, which was impossible, unless ~~this~~ their testimony before the Warren Commission was perjurious, that testimony being that they had never seen these said pictures and, in fact, knew they would not have these said pictures before them as the proper and required "best evidence" for use in their testimony. The said doctors are also quoted as saying these said pictures confirmed the accuracy of the autopsy, which is also false, as Plaintiff proposes to bring to the attention of this Honorable Court in another and different action.

Executive Order, dated October 31, 1966 (Federal Register, Volume 31, No. 212, Part II, <sup>Appendix</sup> pages 15966-15974), which the Government also arranged to <sup>have</sup> be greeted with extensive publicity, all contrived to appear as support for the official accounting of the crime and the integrity and probity of the government's investigation thereof.

F. Said Executive Order begins with this finding by the Attorney General:

...I have determined that the national interest requires the entire body of evidence considered by the President's Commission on the Assassination of President Kennedy and now in the possession of the United States to be preserved intact.

G. <sup>announcement</sup> in the ~~release~~ <sup>(of the report since I had not the text of)</sup> by the Government ~~of~~ this so-called letter agreement with the executor of the estate of the late President and of this executive order, most of the press made these items the major objects of its attention and heralded both as meaning <sup>that</sup> no evidence was withheld or suppressed and all <sup>that</sup> <sup>(the evidence)</sup> confirmed the official accounting of the crime.

INSERT #

I. The delay of almost three years after the assassination and more than ten years after the issuance of the Warren Report in taking these two actions is indicative of other than what is by them represented, for were the real objectives the preservation of evidence for the people and for history, <sup>such</sup> these things would have been done immediately, upon commission of the crime, or at the latest, <sup>very</sup> prior to the ending of the functioning and existence of the Warren Commission, not when the government was troubled by popular disbelief in the official accounting of the assassination and at a time when <sup>the government desired</sup> it needed the buttressing of effective propaganda.

H. Over and above the fact of <sup>its</sup> ~~the~~ <sup>the</sup> evidence to the Commission, said Executive Order also requires this clothing to be treated as <sup>Commission</sup> other evidence by the National Archives and made available for proper study and examination.

<sup>Commission</sup>  
~~NO FURTHER INFORMATION~~  
<sup>in the ~~text~~ evidence</sup>

A. Other clothing is freely available at the National Archives, where it can be studied, including by being handled, as Plaintiff was permitted to do with the shirt of the late murdered accused assassin, Lee Harvey Oswald, which is

~~else part of said Warren Commission's evidence, but~~ of much less significance and of no significance <sup>of any kind</sup> (as evidence of the crime itself.

22. However, if it were <sup>feared</sup> ~~to be determined~~ that ~~examination of the said~~ clothing of the late President might be damaged <sup>in the course of</sup> ~~by such~~ study by those who have become experts in this subject, the Government has the obligation of making such study possible by other means, among ~~such~~ being by the making of meaningful photographs <sup>for the use of</sup> those making such a study.

23. The Government <sup>may</sup> ~~cannot~~ ~~properly~~ discriminate between evidence in its availability for research, granting access to what is or can be interpreted as being congenial to what the Government wants believed and denying access to that which can or does disprove the official version of the crime.

24. The shirt and the tie worn by the late President at the <sup>moment</sup> ~~time~~ he was assassinated are among the most basic evidence relating to that crime and how and by whom it was and was not committed.

25. If what is conjectured about them, <sup>the</sup> ~~they~~ having been offered no probative evidence based upon ~~them~~ damage to the shirt and tie, is not true beyond reasonable doubt, the entire official accounting of the crime is at best in doubt and at worst fictitious, either being the proper cause of deep national concern, either rendering what has been called "the crime of the century" an unsolved crime.

*As to what was used?*

25. There exists and is also withheld from Plaintiff <sup>other</sup> evidence relating to whether or not such official conjectures about the ~~damage~~ damage to these garments are or can be valid, in the form of ~~photograph~~ or photographs taken by the Defendant National Archives.

26. For the crime to have been committed as officially alleged, there has to ~~have been~~ a bullet hole in the <sup>corresponding to</sup> ~~the~~ lower right rear of the neck, <sup>the overlap of</sup> two bullet holes in the front neckband of the shirt, and a bullet hole through the knot of the tie, <sup>Dallas, Texas,</sup> all caused by a single, virtually pristine bullet allegedly recovered in the <sup>hospital,</sup> said bullet being in evidence before the Commission as its Exhibit No. 399.

27. All the testimony about said Exhibit 399 is that it could not have had the magical career attributed to it, the inflicting of all seven non-fatal wounds upon the late President and John B. Connally, then Governor of the State of Texas, <sup>including</sup> ~~the~~ <sup>into</sup> smashing of bones in three parts of the governor's body, <sup>have emerged</sup> and its ~~emerging~~ <sup>intact, unmanipulated and undeformed</sup> from this spectacular performance ~~in~~ <sup>in</sup> virtually pristine condition.

28. The testimony about the direction of the bullet through the shirt is equivocal, it being <sup>only</sup> that <sup>flexible, soft parts of the damaged spots</sup> if the threads of the shirt had not been touched during the extensive handling and transportation before it reached the FBI laboratory, <sup>of which no one had any knowledge either way</sup> ~~the~~ <sup>the</sup> direction of the threads <sup>made</sup> of said ~~damaged~~ shirt was consistent with an entry from the back.

29. But <sup>this</sup> ~~the said~~ testimony is also to the effect that the insertion of so ordinary an object <sup>as the end of a pencil</sup> could reverse the direction in which <sup>these</sup> ~~the said~~ threads pointed and <sup>thereby</sup> ~~reversed~~ the interpretation that could be placed upon <sup>thereon.</sup> ~~the direction in which the said threads pointed.~~

30. While there is a still-suppressed spectrographic analysis of the traces remaining <sup>on</sup> ~~on~~ the <sup>the</sup> ~~said~~ thread at the point allegedly struck by the bullet in the back of the shirt, the testimony about <sup>this and all other</sup> ~~said~~ spectrographic analysis was taken from ~~an~~ incompetent witness who specified his incompetence and designated his own testimony as hearsay, whereas when the spectrographer who performed said ~~test~~ <sup>was</sup> a witness before the ~~said~~ Commission, he was asked no single question <sup>any of</sup> about ~~this~~ <sup>of</sup> said spectrographic analysis. <sup>of 931. Plaintiff also seeks the release of all</sup> ~~The suppressed spectrographic analysis.~~

32. Nonetheless, even this incompetent, hearsay testimony does ~~not~~ not include what spectrographic analysis permits, the unequivocal statement that the traces remaining on the said shirt exactly coincide in analysis with the metal of the said bullet, Exhibit 399, <sup>or that such traces do not merely coincide in such analysis.</sup>

33. Moreover, at the point in the neckband where there is damage, ~~there~~ being two holes, one in each front end, the testimony is that there are and were no metallic traces, which is indicative that no bullet caused this damage, for the said bullet is alleged to have left traces on each <sup>and every one</sup> object it ~~allegedly~~ <sup>allegedly</sup>



struck, including the back of this same shirt.

34. Even more incredibly, this magical bullet is alleged to have gone through the knot of the tie without making a hole in it, instead causing but a light nick to be made on the extreme left-hand side of the knot, as worn, and here also not to have left any traces of metal, for spectrographic analysis disclosed none.

Insert 35 from p.5

35. Defendant National Archives informed Plaintiff that it ~~took~~ <sup>had made</sup> said ~~photograph or~~ photographs so that the shirt could be studied by those doing research into the assassination. (<sup>Supplemental Affidavit</sup>)

36. Plaintiff alleges, as should be obvious, that, if the pictures <sup>made by the FBI for</sup> used by, and delivered unto Defendant National Archives by the Warren Commission were <sup>set in fact on</sup> ~~in any way useful~~, were ~~in any way~~ sufficient for study and research, it would not have been necessary for the Defendant National Archives to take its own pictures for <sup>use</sup> in such research.

37. The residual files of the Warren Commission do not contain a single clear photograph of said Presidential garments, the FBI having delivered to the Commission only reproduction copies, made from ~~photographic~~ negatives designed not for photographic pictures but for pictures to be used in offset printing.

38. Such offset <sup>photographic</sup> negatives contain myriads <sup>called "Screen"</sup> small dots, invisible to the naked eye but essential to the <sup>photoengraving</sup> lithographic process, by which reproduction by printing is accomplished.

39. Upon enlargement, even with a simple <sup>magnifying</sup> lens, such dots dominate and <sup>offset</sup> hide the content of the pictures ~~made from such offset negatives~~.

40. There is no restriction upon the availability of or the use of <sup>these</sup> reproduction pictures, which show absolutely nothing but gore and which cannot be properly enlarged, and such pictures have been widely reproduced and were <sup>by the government,</sup> caused to be widely reproduced, having been released for this purpose by the government <sup>and ~~been~~ emphasized in the Warren Report and its supplementary volumes.</sup>

40. Defendant National Archives permits ~~unrestricted~~ examination of the ~~picture or~~ pictures it took of the said Presidential clothing, having shown ~~them~~ <sup>same</sup> to Plaintiff, but it refuses to follow its usual and proper practise, of making <sup>copies for</sup> ~~and~~ selling copies to those doing research in <sup>the people's</sup> ~~its~~ files entrusted into its care.

41. The reason given for this refusal to make <sup>usable</sup> a picture available for close study and comparison <sup>of the damage to the President's garments</sup> is spurious, it being that the making available of a clear picture <sup>there is</sup> would make possible ~~its~~ undignified or sensational use, whereas <sup>copies of</sup> ~~the~~ unclear picture <sup>showing nothing but gore and</sup> is not susceptible of <sup>such</sup> use <sup>as that provided</sup>.

42. In fact, Plaintiff went to great pains to eliminate any <sup>how slight,</sup> ~~justification~~ for any such spurious interpretation, asking not for a picture of the entire shirt, but for only the very small area of <sup>neckband</sup> ~~damage~~, which is a band of much less than an inch across the front of ~~the~~ said shirt. <sup>Exhibit</sup> (Appendix )

43. Despite the widespread publicity attendant upon the release of <sup>these pictures</sup> ~~said pictures~~ of the said shirt, all showing nothing at all but gore and all being of only non-evidentiary use as released by the government in pretended support of its official ~~xxxxx~~ solution to this crime, Defendant National Archives refused Plaintiff's proper request for a photograph of said small area of damage to the said shirt, the only kind of photograph not susceptible of sensational or undignified use, unless it be considered that disclosure of the truth is undignified or sensational, for the only use to which Plaintiff could put such picture is as part of what the government never did, the making of a proper, probative examination of the evidence, <sup>to</sup> ~~the~~ picture he requested <sup>would</sup> ~~showed~~ no gore at all, and would not be identifiable to the uninformed as even a picture of the President's shirt.

<sup>Exhibit</sup> (Appendix )

44. Whereupon Plaintiff appealed to <sup>The Executor Marshall,</sup> ~~the~~ executor of the estate of the ~~late~~ <sup>late</sup> President, Mr. Burke Marshall, challenging him to show any but undignified <sup>that are possible with</sup> or sensational uses <sup>of</sup> the pictures of the shirt freely available, or any means by which undignified or sensational use could be made by Plaintiff of the picture

sought, and sending Defendant <sup>Marshall copies of</sup> estate executor the freely-available pictures for his own examination and understanding. <sup>Exhibit</sup> (Appendix )

45. As invariably he does, said Defendant Marshall rubber-stamped the wrongful and improper decision of Defendant National Archives, ignoring the obvious fact <sup>are capable</sup> that the available pictures ~~were~~ <sup>were</sup> of only undignified or sensational use, <sup>whereas</sup> ~~possibilities and~~ the sought <sup>are</sup> pictures ~~were~~ <sup>use Exhibit</sup> not suitable for such use. (Appendix )

46. Whenever it cannot suppress <sup>that which it wants to suppress,</sup> by other means, the Defendant National Archives alleges its purposes in the withholding that amounts to nothing but suppression is to prevent what it describes as undignified or sensational use.

47. When Plaintiff, on or about November 1, 1966, requested a copy of the afore-described letter of agreement, then the subject of the most sensational publicity, he was refused, this being the reason <sup>one Fred Graham,</sup> false given for the refusal. (Exhibit )

48. When <sup>50</sup> another, <sup>one Fred Graham,</sup> who knew nothing of the fact of the assassination or its investigation but who could be depended upon to write sycophantically, to ~~be~~ believe uncritically what he was told, either asked or was persuaded to ask for what had already been denied Plaintiff, allegedly to prevent undignified or sensational use, <sup>and Graham</sup> he was given said letter agreement on what was thereupon, in open and direct violation of Defendant's own regulations, arranged as an exclusive release to him and his newspaper, the New York Times.

49. <sup>51</sup> As Defendant National Archives properly estimated, in Plaintiff's opinion, <sup>and by uphanta</sup> said ~~uninformed~~ Graham made the most sensational and undignified use of said letter <sup>agreement,</sup> ~~contract,~~ which he never did understand, presenting it as an endorsement of the fact the government was hiding nothing about the assassination and that the evidence thereof was pure as the driven snow <sup>Exhibit</sup> (appendix )

50. But the regulations of Defendant National Archives require Plaintiff to have had equal access to said letter agreement with said Graham, so that Plaintiff, who had made the first request for said letter agreement, could have <sup>for</sup> equal opportunity ~~of~~ first use. <sup>than</sup>

DEFENDANT'S ANSWER

54. It should be noted that the story in the form of government propaganda appeared in the New York Times issue of \_\_\_\_\_, meaning ~~xxxxx~~ said letter agreement had been given exclusively to Graham prior thereto, and Defendant National Archives' ~~the~~ letter to Plaintiff, enclosing a copy of said letter agreement, was not written until \_\_\_\_\_, meaning Plaintiff did not receive it until later, <sup>long</sup> after publication in the New York Times, when it served no purpose other than adding insult to injury and wasting the funds deposited by Plaintiff with said National Archives, which was then making excessive and profitable <sup>fees</sup> ~~profit-making~~ charges for the making of copies.

55. To this day, Defendant National Archives has failed and refused to explain how the only possible uses of said hitherto-secret letter agreement ~~were~~ would have been "sensational or undignified", <sup>until</sup> ~~but the xxxxxxxxxxxxxxx~~ this ~~changed immediately~~ it became possible to put an exclusive copy of said letter agreement in the hands of a man both uninformed of the fact and syco-phantic by pre-disposition.

56. The <sup>answer</sup> ~~reason~~ is obvious, the withholding was but suppression, and the release was propaganda.

<sup>3/</sup> 51. However, Defendant National Archives violated its own regulations, did not properly notify Plaintiff, and did not even mail him a copy of what had been withheld from him, so its use and the nature of its use could be controlled by Defendant National Archives, until after said letter agreement had been misinterpreted by said Graham and the New York Times and this misinterpretation foisted off on the people and fastened upon history. (Appendix <sup>Exhibit</sup> )

~~52. To this day, Defendant National Archives has failed and refused, after countless requests, to explain why and how it held any use of the letter agreement would be undignified and sensational until it could be placed in the hands of a sycophant.~~  
*in fact 54-6*  
*and how and why the use thereof by such a sycophant could be defended upon not to be "National*

53. Plaintiff submits this instance alone ~~is ample~~ evidence of the misuse, and the deliberate misuse, by the ~~government~~ Defendants of the ~~edit~~ claim <sup>ed</sup> to the right to prevent ~~such falsely claimed~~ undignified or sensational use, that such allegation is contrived to mask the deliberate, <sup>l</sup> wilful and entirely ~~wrong~~ wrongful, improper and, indeed, on such a subject, reprehensible suppression of proof contrary to the conjectures <sup>l</sup> ~~alchemized into pretended evidence~~ by Defendants.

*Defendants want accepted as though they were established fact.*

54. There is, in fact, no proper reason for withholding from Plaintiff the pictures he seeks, witness the fact that similar <sup>pictures</sup> copies have been freely provided him by the Department of Justice, which is itself <sup>without fear</sup> no slouch in the suppression of evidence, ~~and~~ the false representation that evidence sought by Plaintiff does not exist *being one of its favorite dodges (see Civil Action 718-71)*

*in this honorable court,*  
59

55. Plaintiff submits that, were it possible to stretch and contort the regulations and laws to make it possible, the Department of Justice would not freely have given Plaintiff a number of pictures of said garment that do not contain the aforementioned photoengraving screen.

56. However, these pictures <sup>by themselves,</sup> are inadequate for <sup>complete</sup> proper study and evaluation, which perhaps accounts for the willingness of the Department of Justice to give them to Plaintiff.

57. Moreover, despite the vaunted reputation of the FBI, so sedulously

*orderly manner*

*and cultivated*  
 fostered by ~~the~~ its own self-publicizing activities, the composite of the  
 aforementioned pictures it presented to the Warren Commission as FBI Exhibit 60,  
 is in the grossest error. (<sup>Exhibit</sup> Appendix )

62. That this error was not detected by the Commission or its large  
 staff of experienced lawyers is evidence of the character of their "investigation",  
 said investigation never having been intended to discover fact but rather to rubber-  
 stamp an official preconception.

63. The point at which the Bullet #99 is said to have entered the  
 back of the President's shirt is enlarged and added as one of the insets in the  
 said FBI Exhibit 60.

64. But the damage to the shirt depicted in this enlargement does not  
 coincide with that discernible in the picture of the entire back of the shirt,  
 both the shape of the Mole and its relationship to the vertical stripes in the  
 pattern of the shirt being different.

65. Having been given prints of said pictures capable of enlargement,  
 by the Department of Justice, Plaintiff <sup>has</sup> ~~has~~ <sup>was able to</sup> inform the said Department that  
 such enlargement makes innocent explanation of this discrepancy in the most  
 fundamental <sup>in a</sup> possible, if so gross an error by both the FBI and the Presidential  
 Commission can be considered innocent in any way, considering the nature of the crime.

66. For whatever reason, said fabled FBI of the well-advertised  
 arcane skills, ~~and~~ whose science is beyond the comprehension of mere mortal man,  
 reversed the vertical direction of the enlargement when making its composite  
 picture for its Exhibit 60 <sup>in the assassination of the President</sup>

67. If the question be asked, why did <sup>the FBI</sup> ~~it~~ consider a composite  
 necessary, why did it consider that it had to predigest the evidence for so  
 important a body as a Presidential Commission, Plaintiff is without innocent  
 explanation thereof.

68. But the fact remains that this case <sup>in a special way</sup> illustrates how the public  
 interest requires unofficial examination of all the evidence; for here we have

70. But if it cannot be shown that a bullet could have caused this damage, the entire official "solution" to the assassination, the "crime of the century", is in jeopardy.

71. And if it cannot be shown without question that the damage to the front of the President's shirt, the pictures of which are sought in this Complaint, was caused by ~~the~~ the bullet, Exhibit 399, then the entire official "solution" to the said "crime of the century" is destroyed beyond repair, which ~~is~~ is the real if disguised reason Defendants refuse these pictures to Plaintiff.

the respected, in some quarters revered, and allegedly infallible FBI, in effect, manufacturing evidence and whether or not innocently, giving a Presidential Commission as proof of the guilt of the accused what is, without the study and constructive work of Plaintiff, actually disproof of said alleged guilt; and <sup>we also have a</sup> Presidential Commission so negligent, if not incompetent, or so unconcerned and so uncritical in its evaluation of its own evidence, or so disposed not to examine the evidence, that it accepted so gross and amateurish an error by the FBI.

69. Aside from the requirement of the law, that all the evidence ~~that is~~ not subject to proper withholding be made freely and equally available, there remain the most substantial questions about the evidence said to be mutely borne by the clothing, among these being that already cited in Paragraph 33 above, that the evidence not still suppressed is contrary to the official conjecture substituted for fact, namely, that no bullet caused the damage to the front of the President's shirt.

<sup>Insert 70</sup>  
<sup>72</sup>  
<sup>73</sup> ~~Under the cloak of and~~ With the suppression of the pictures and X-rays of the autopsy, also connived in in the name of the heirs of the assassinated President, <sup>all named</sup> by ~~Defendants,~~ Marshall <sup>and</sup> ~~by the Defendant National Archives,~~ and with the obliteration of the wound in the anterior neck, during emergency surgery in Dallas; and with the testimony of the autopsy physicians that they saw no evidence of an anterior neck wound, ~~public~~ <sup>suppressed</sup> access to the pictures, <sup>to</sup> if not the clothing, <sup>itself, becomes an urgent</sup> because ~~more of a~~ national need.

<sup>73</sup>  
<sup>74</sup> ~~Even~~ more is this true when it is understood that the FBI provided not normal photographs to the Warren Commission but offset, reproduction photographs which are not subject to proper magnification for proper and competent study, <sup>the kind of study</sup> which the Commission failed to make in any event.

<sup>74</sup> ~~But~~  
<sup>75</sup> ~~and~~ even if it were otherwise possible and proper to withhold pictures of the said clothing, the widespread use already made of such pictures by the government ~~and~~ in its propaganda interest constitutes an effective waived ~~of~~ <sup>of</sup> any right to withhold any picture or pictures of said clothing, or of any right to be able to refuse any proper requests for such photographs as are normally



made by Defendant National Archives, as part of its duties and obligations to the people under law, regulation and established practise.

75. The government cannot insist upon the right to have the cake which it has ~~ex~~ already eaten, to be able to make <sup>and</sup> a release for widespread publicity carefully-contrived photographs which it can allege and cause to be publicized as showing ~~and proving~~ that which the government wants believed, and at the same time <sup>to</sup> suppress and deny the right to <sup>have made the</sup> ~~make~~ and publicize any pictures that might prove other <sup>preferred</sup> than the officially-conjectured ~~allegations~~.

76. Were the government confident its accounting of the assassination is capable of close and expert examination, it would be anxious to make all <sup>evidence</sup> ~~proofs~~ available for <sup>any</sup> ~~such study for whatever~~ critical analysis, for failure to show official error after such examination would fortify, not weaken, the official story of the crime.

77. Conversely, official reluctance to make <sup>possible</sup> such critical examination of the most basic evidence, under whatever evasion can be ~~contrived~~ for the various instances in which this has been done, including that ~~at~~ issue herein, fosters belief the government is well aware that its "solution" to the crime is false and spurious and cannot withstand such examination and study of the evidence that is and has been suppressed.

78. For this reason also, Plaintiff avers the national interest requires access to the suppressed evidence, particularly the clothing or, as an alternative, the existing pictures thereof <sup>and</sup> those Plaintiff prays this "honorable ~~the~~ Court order Defendants to make for Plaintiff, at his cost, under existing regulations and rate schedules, as is done <sup>customarily, if so met with reluctance,</sup> with the unsuppressed evidence.

79. Plaintiff has exhausted his administrative remedies and, in an excess of caution, has appealed to and been rejected by Defendant Marshall, <sup>in</sup> ~~what~~ <sup>Defendant Marshall</sup> describes as the interest of the heirs, <sup>also,</sup> said Defendant Marshall <sup>confirmed in writing</sup> ~~having~~ informed Plaintiff that he blindly and uncritically subscribes to whatever Defendant National Archives does and <sup>ordains.</sup> ~~does.~~

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74. Defendant National Archives has made it a practise to ignore what it feels it dares ignore of the proper requests by Plaintiff, and where it does not ignore such proper requests, <sup>or deny them,</sup> it delays <sup>response</sup> them inordinately long, <sup>and unnecessarily,</sup> two months having <sup>for</sup> become the length of time required by what is <sup>now</sup> a speedy response.

Several years been

75. Such delays constitute deliberate violation of the spirit of the law, if not its letter, and the expressed will of Congress, as embodied in the <sup>law and</sup> legislative history of the law, as well as of the lofty pronouncements by the President and the Attorney General in formal statements accompanying the effectuating of the law.

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76. However, Plaintiff did make appeal as prescribed by the regulations of Defendant National Archives, and, consistent with its record over the years, his appeal was ignored, which requires that ~~he~~ Plaintiff seek <sup>relief through</sup> relief from ~~the~~ this Honorable Court.

Wherefore, Plaintiff prays this Honorable Court to order and direct Defendants to make said clothing available to Plaintiff for examination under precisely those conditions under which it has made other clothing in the evidence of the Warren Commission available for examination and study;

That this honorable Court direct Defendants to make copies of the existing pictures of the said and above-described clothing for Plaintiff, under <sup>those</sup> precisely the conditions <sup>under which</sup> it makes other pictures available;

That this Honorable Court order Defendants to regard requests for the taking of pictures of this evidence exactly as they regard other requests for the taking of pictures of other of the evidence, directing neither more of Defendants in this regard nor accepting and tolerating less;

And that this Honorable Court order and direct Defendants to cease and desist in <sup>any and</sup> suppressing <sup>all suppression of</sup> evidence relating to the assassination and its official investigation under <sup>whenever</sup> the various guises and deceptions <sup>heretofore</sup> practised for this purpose by Defendants and others.