

United States District Court

FOR THE

MIDDLE DISTRICT OF TENNESSEE

RECEIVED FOR ENTRY.

3:00 P.M.

DEC 5 - 1972

JAMES EARL RAY,

Petitioner,

vs.

J. H. ROSE, WARDEN,  
TENNESSEE STATE PENITENTIARY,  
NASHVILLE, TENNESSEE

BRANDON LEWIS, Clerk  
By: [Signature] D.C.

No. 6800

APPLICATION TO PROCEED WITHOUT PREPAYMENT OF COSTS, AFFIDAVIT  
IN SUPPORT THEREOF, AND ORDER

I, James Earl Ray, hereby apply for leave to proceed in the above-entitled action without prepayment of fees or costs or security therefor. In support of my application I declare under penalty of perjury that the following facts are true:

- (1) I am the Petitioner in the above-entitled case and I believe I am entitled to redress.
- (2) Because of my poverty I am unable to pay the costs of said proceeding or give security therefor.
- (3) The nature of my ~~action~~ <sup>action</sup> is briefly stated as follows: ~~petition~~ <sup>petition</sup> for a Writ of Habeas Corpus.

[Signature] James Earl Ray  
Applicant.

Sworn or affirmed to and subscribed before me this 5 day of December, 1972.

MY COMM. EXP. AUG. 9, 1975

[Signature]

ORDER OF COURT

In reliance upon the representations set forth in the above application and affidavit, it is ordered that the petitioner in the above-entitled proceeding be and he hereby is permitted to pursue said proceeding to conclusion without prepayment of fees or costs or security therefor.

December 5 1972

[Signature]  
United States District Judge.

IN THE  
SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1974

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No. 74-409

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JIMMY H. ROSE, Warden,  
Petitioner,

v.

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF  
TENNESSEE, WESTERN DIVISION, and HONORABLE  
ROBERT M. McRAE, Judge  
Respondent.

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AFFIDAVIT

I, James Earl Ray, being first duly sworn according to law,  
depose and say, in support of my motion for leave to proceed with-  
out being required to prepay costs or fees:

1. I am the Real Party In Interest in the above-entitled case.
2. Because of my poverty I am unable to pay the costs of  
said case.
3. I am unable to give security for the same.
4. I believe that I am entitled to the redress I seek in  
said case.

5. The nature of said cause is briefly stated as follows:  
In preparation for the evidentiary hearing on my habeas corpus  
petition ordered by the United States Court of Appeals for the  
Sixth Circuit in Ray v. Rose, 491 F. 2d 285 [6th Cir. 1974], cert.  
den. \_\_\_ U.S. \_\_\_, 94 S. Ct. 2650 [1974], the Honorable Robert M.  
McRae, Jr. granted several discovery motions which I filed. Judge  
McRae's discovery orders were upheld by the Sixth Circuit Court of  
Appeals. Petitioner seeks to have these rulings reviewed in  
this Court by means of certiorari. This Court has asked me, as the

Real Party In Interest, to file a response to the Petition for Writ of Certiorari in this cause.

*James Earl Ray*  
\_\_\_\_\_  
JAMES EARL RAY

STATE OF TENNESSEE

COUNTY OF DAVIDSON

Before me this 27 day of December, 1974, deponent, JAMES EARL RAY, has appeared and signed this affidavit, first having sworn that the statements made therein are true.

My commission expires on AUG 9, 1975

*[Signature]*  
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NOTARY PUBLIC