

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

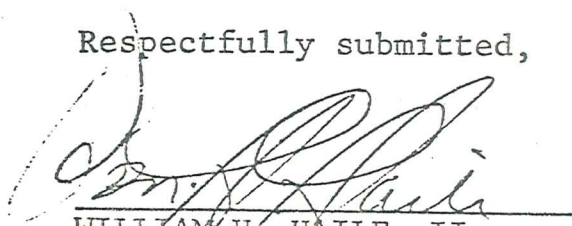
JAMES EARL RAY, )  
 )  
 ) Petitioner, )  
 )  
 v. ) Civil Action No. C-74-166  
 )  
 )  
 JIMMY H. ROSE, Warden, )  
 )  
 ) Respondent. )

MOTION TO STRIKE PETITIONER'S MOTION FOR  
PRODUCTION OF DOCUMENTS BY  
DISTRICT ATTORNEY GENERAL

Respondent moves the Court to strike petitioner's Motion for Production of Documents by the District Attorney General for the following reasons:

1. Discovery has already been had on all letters and notes in the possession of the Shelby County District Attorney General. The petitioner's attorneys were able to peruse all letters and notes in the District Attorney General's possession before the hearing and the same letters and notes were brought into Court by the witness John Carlisle and re-examined by petitioner's attorneys and there are no others.
2. Petitioner's motion was not timely filed.

Respectfully submitted,

  
WILLIAM H. HAILE, II  
Assistant Attorney General  
421 Supreme Court Building  
Nashville, Tennessee 37219

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been sent this 17<sup>th</sup> day of January 1975 to Mr. Bernard Fensterwald, Jr., Attorney at Law, 910 16th St. N.W., Washington, D.C. 20006, Mr. James H. Lesar, Attorney at Law, 1231 4th St. S.W., Washington, D.C. 20024 and Mr. Robert Livingston, Attorney at Law, Commerce Title Building, Memphis, Tennessee 38103.

*W. Henry Haile* *the*  
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W. HENRY HAILE  
Assistant Attorney General