

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

JAMES EARL RAY,

Petitioner-Appellant,

v.

Civil No. 74-166

J. H. ROSE, Warden,

Respondent-Appellee

DESIGNATION OF PORTIONS OF TRANSCRIPT
AND STATEMENT OF ISSUES ON APPEAL

Comes now the appellant, James Earl Ray, and designates the following portions of the transcript which he intends to include in the record on appeal in the above entitled case:

1. The testimony of all witnesses who testified at the evidentiary hearing held October 22, through November 1, 1974, with the exception of Les Hutchison.
2. The pre-hearing conferences held in open court on June 21, August 21, and October 17, 1974.
3. All in chambers conferences except insofar as they relate to the discussion of security problems involving James Earl Ray.

Appellant further states that he intends to present the following issues on appeal:

1. Whether the court's factual determinations are contradicted by the evidence adduced at the evidentiary hearing.
2. Whether the court applied erroneous legal standards with respect to the issues of ineffective assistance of counsel, voluntariness of the guilty plea, and surveillance.

3. Whether appellant was denied a full and fair evidentiary hearing by:

a. An erroneous ruling that the court could not subpoena witnesses residing beyond the territorial jurisdiction of the court in civil cases; and

b. Obstruction of court orders and falsehoods and misrepresentations made to the court by counsel for appellee.

This designation and statement of issues is made pursuant to Rule 10(b) of the Federal Rules of Appellate Procedure to notify the Clerk of the above Court, the United States Court of Appeals for the Sixth Circuit, and the appellee herein, that appellant does not intend to include the entire transcript in the record on appeal in this case.

JAMES HIRSH LESAR
1231 Fourth Street, S. W.
Washington, D. C. 20024

Attorney for Appellant

CERTIFICATE OF SERVICE

I hereby certify that I have this 3rd day of April, 1975, mailed a copy of the foregoing Designation of Portions of Transcript and Statement of Issues on Appeal to Assistant Attorney General W. Henry Haile, 420 Supreme Court Building, Nashville, Tennessee 37219.

JAMES HIRSH LESAR