

allegedly shot.

D. The results of any scientific tests performed on the butts, ashes or other cigarette remains found in the white Mustang abandoned in Atlanta after Dr. King's assassination and all reports made in regard to said cigarette remains.

E. All photographs or sketches of any suspects in the assassination of Dr. King.

F. All photographs from whatever source taken at the scene of the crime on April 4th or April 5th, 1968.

G. All information, documents, or reports made available to any author or writer, including but not limited to Clay Blair, Jeremiah O'Leary, George McMillan, Gerold Frank, and William Bradford Huie. [A copy of plaintiff's April 15, 1975 letter to the Deputy Attorney General is attached hereto as Exhibit A]

5. Plaintiff's information request was referred to the FBI, which acknowledged receipt of it by letter dated April 29, 1975.

[See Exhibit B]

6. No response to plaintiff's information request having been made within the time limit imposed by the Freedom of Information Act, plaintiff treated this as a denial of his request. On May 5, 1975, plaintiff appealed this denial to the Attorney General.

[See Exhibit C]

7. In a letter dated May 21, 1975, Mr. Quinlan J. Shea, Chief, Freedom of Information Appeals Unit, informed plaintiff that he would be advised of action on his appeal by the Attorney General "in a further communication to be dispatched not later

tiff that it is necessary to extend the period within which notification of the action by the Attorney General or other superior may be demanded. You will be advised of any action by the Attorney

General. A further copy of the report will be furnished upon request.

June 19, 1977. (See serial 11)

As further information is being received by this office, it will be reported to you as soon as possible.

removes jurisdiction of the matter from the courts and must be reviewed by the Attorney General.

Information Act. The Freedom of Information Act provides that the

novel and that it is by refusal to disclose to the public information which is

being sought, plaintiff's complaint is dismissed with prejudice.

which is the basis of the complaint. It is the duty of the

and that the Court should not be asked to decide on the merits of the

standards surrounding the disclosure of information. The

tiff raise questions of public policy and propriety which are beyond the scope of the

U.S. District Court
Federal Building
Washington, D.C.
June 20, 1977

EXHIBIT A

JAMES H. LESAR
ATTORNEY AT LAW
1231 FOURTH STREET, S. W.
WASHINGTON, D. C. 20024
TELEPHONE (202) 484-6023

April 15, 1975

FREEDOM OF INFORMATION REQUEST

The Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20531

Dear Sir:

On behalf of Mr. Harold Weisberg I am requesting disclosure of the following information on the assassination of Dr. Martin Luther King, Jr.:

1. The results of any ballistics tests.
2. The results of any spectrographic or neutron activation analyses.
3. The results of any scientific tests made on the dent in the windowsill of the bathroom window from which Dr. King was allegedly shot.
4. The results of any scientific tests performed on the butts, ashes or other cigarette remains found in the white Mustang abandoned in Atlanta after Dr. King's assassination and all reports made in regard to said cigarette remains.
5. All photographs or sketches of any suspects in the assassination of Dr. King.
6. All photographs from whatever source taken at the scene of the crime on April 4th or April 5th, 1968.
7. All information, documents, or reports made available to any author or writer, including but not limited to Clay Blair, Jeremiah O'Leary, George McMillan, Gerold Frank, and William Bradford Huie.

This request for disclosure is made under the Freedom of Information Act, 5 U.S.C. §552, as amended by Public Law 930502, 88 Stat. 1561.

Sincerely yours,

Jim Lesar



EXHIBIT B

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

April 29, 1975

James H. Lesar, Esquire
1231 Fourth Street, S. W.
Washington, D. C. 20024

Dear Mr. Lesar:

This is to acknowledge receipt of your letter addressed to The Deputy Attorney General which was referred to FBI Headquarters and was received on April 18th.

In connection with your request, on behalf of Mr. Harold Weisberg, for certain documents pertaining to the assassination of Dr. Martin Luther King, our Laboratory Division is attempting to locate and identify the requested material. Estimates of the costs involved are not presently available.

Please be assured that every feasible effort will be made to complete the processing of your request within thirty working days and you will be advised promptly.

Sincerely yours,

A handwritten signature in cursive script that reads "Clarence M. Kelley".

Clarence M. Kelley
Director



EXHIBIT C

JAMES H. LESAR
ATTORNEY AT LAW
1231 FOURTH STREET, S. W.
WASHINGTON, D. C. 20024
TELEPHONE (202) 484.6023

May 5, 1975

FREEDOM OF INFORMATION APPEAL

Attorney General Edward H. Levi
U. S. Department of Justice
Washington, D. C. 20530

Dear Mr. Levi:

On April 15, 1975, I made a Freedom of Information request on behalf of Mr. Harold Weisberg for the disclosure of certain specified information pertaining to the assassination of Dr. Martin Luther King, Jr. By letter dated April 29, 1975, FBI Director Clarence M. Kelley has informed me that "every feasible effort will be made to complete the processing of your request within thirty working days and you will be advised promptly."

As I am sure you are aware, the Freedom of Information Act contains no provision for a 30 day extension in the processing of such a request. A 10 day extension is permitted "in unusual circumstances," but Director Kelley has failed to invoke any of the three "unusual circumstances" specified by the Act.

Consequently, I am treating Director Kelley's response as a denial of Mr. Weisberg's request and I hereby appeal that denial.

Sincerely yours,

Jim Lesar

EXHIBIT D



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

MAY 21 1975

Mr. Jim Lesar
Attorney at Law
1231 Fourth Street, S.W.
Washington, D.C. 20024

Dear Mr. Lesar:

This letter is to advise you that your administrative appeal to the Attorney General on behalf of your client, Harold Weisberg, from the failure of the Federal Bureau of Investigation to complete the processing of your client's request under the Freedom of Information Act for information from the files of the Department of Justice relating to the assassination of Dr. Martin Luther King, Jr., was received by this unit on May 7, 1975.

As required by the provisions of Title 5, United States Code, Section 552(a)(6)(A)(ii), you will be advised of the action on your client's appeal by the Attorney General in a further communication to be dispatched not later than June 5, 1975, unless a delay authorized by Section 552(a)(6)(B) is required, in which event you will be notified of the fact of the delay and the new date by which the response will be forthcoming.

Sincerely,

A handwritten signature in cursive script, appearing to read "Quinlan J. Shea, Jr.", is written over a faint, larger signature.

QUINLAN J. SHEA, Jr., Chief
Freedom of Information Appeals Unit

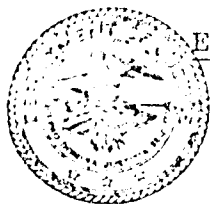


EXHIBIT E

OFFICE OF THE ATTORNEY GENERAL
WASHINGTON, D.C.

MAY 1971

Mr. Jim Lesar
Attorney at Law
1231 Fourth Street, N.W.
Washington, D.C. 20004

Dear Mr. Lesar:

This letter is in response to the administrative hearing held on the Administrative Procedure Act filed by Harold Weisberg on May 21, 1971.

Although the hearing is not complete the results are available by today, it is so as the results are in the purview of 5 U.S.C. 554, it is necessary to issue the notification which notification will be advised to the General in a letter not later than...

The need for this is required.

[Handwritten Signature]
Deputy Chief

