

Dear Jim,

6/4/76

Dugan's papers in 1996-Wiseman's new affidavit.

Because of the constant time pressures and the limitless capability of the government to add to them, which hurts us in so many ways, I want to suggest an approach on the 10th, based on what I understand of this from your call of a short while ago.

Force the issues on Vaughn, good faith and stonewalling.

Say that while we have been patient because we know the burden on the court it is apparent that there is deliberate non-compliance, that there is the persisting intent not to comply, that no amount of patience on our part is going to overcome it after so much more than a year, that no effort to be helpful to respondents so that they can more easily comply has worked or gives any hope of it (and is misrepresented under oath by them), and that it is more than apparent that they are never going to supply a competent affidavit, meaning a first-person one, to meet their burden of proof because they know from a long record that I will immediately prove the swearing is false and they will not risk this.

Use pictures of the scene of the crime as one example, ~~photos~~ other suspects and their continuing failure to comply either with promises made to the court (the files from Memphis), their continuing failure to comply with instructions of the court-as on masking, Wiseman's failure to deliver the letter promised from Time (Life) and say these are simplifications, far from all, but enough to make the point that without compulsion this is going to drag out indefinitely. If I don't get these papers from Dugan in tomorrow's mail use this, too, and say that it is the third time he has made this promise and not kept it. At least, I remember 2/11 and when you were in Carbondale.

If you want I'll tick off a list of what I told Wiseman was being withheld that I knew they had and you can confirm it.

Remind her about WFO and the receipts, of the names of the withheld agents in public domain from subpoenas, and tell her that while we do not want to let them know all we know that they are deliberately withholding, we are prepared to give her proof of our good faith on all these things and that in every case it will address the deliberateness of what amounts to contempt.

On Harris I recommend against full disclosure but tell her we can give the name of the agent who received the original evidence, the dates on which he made inquiry and the date of at least one subsequent checkback. And that I told Wiseman and Blake in your presence all they had to know - months ago - with no compliance since.

I'd add that there have been all these alleged internal investigations and despite this they pretend not to ~~know~~ have what we have indicted we know they have. I'd ask what can be in those 203,500 documents the AG admits they have if we have so little, how there could have been any investigation of a homicide that produced so little in response to a complaint of it so long ago after all these alleged searches for which we have been charged excessive fees despite Wiseman's pieties about their self-impoverishment.

I'd go further. Tell her I'm limited from a permanent injury, have no regular income; that you have been working for virtually no fee, and that this continual stonewalling is bleeding us- that we do feel we do have clear rights under the law and that there has to come an end to tolerance of clear and persisting official trickery and toying with the law no matter what the official semantics and stalling games may appear to be.

You might want to bracket the request for a decision on the Vaughn motion with one to depose. Remind her that in another case the same respondents, after six years,

not met the initial burden of proof and that the appeals court told them this 6/3; and that I'm still waiting for a response to my request of 1969 on their Communist-type activities involving me because of my writing and that of October for all the files on me, a request they originally pretended had not been filed.

Tell her that on 12/2/70 I filed a BF-118 form (Powell picture and reports), that there has been no action on it yet, and they have given this to another. They have. We can produce it in print but I've not spent the \$10 on Cover-Op. I have put my copy aside and will take it with me so you can flash it. (Show it to Dugan first!)

Tell her that if she wants I'll produce a series of other requests going back at least four years and a number of last year's which there has been no action at all. Some of for but a single record that requires checking only a single name or a single file and these have not been done. There has been only one case of compliance from Justice except under a summary judgement of 1970 (or was it as I think early 1971) in a long series of easily-met requests. None are as this one in 1996 except that for my personal records and that is not a difficult one. I've never used an alias.

This is one hell of a record. It is also one of Griselda-like patience in the face of the most ~~willful~~ deliberate violation of the law.

I think the time has come to let it all hang out.

As for if the court should be burdened by my filing a complaint in each and every one of these legitimate and almost all simple requests or if the time is not past for some judicial action to end this persisting, illegal conduct in the clearest contempt for the law.

I'd begin by asking for a report from Dugan on what he has done or arranged for pursuant to the last hearing.

Think about this approach and this time. Otherwise they'll continue to run our asses off. Neither of us has the time and ought again be asked to waste any.

This might be an opportunity for her to look into each of these cases of total non-response. I think the most recent is of last October. The Powell one is a grievous one. They even kept my check. And gave what I asked for some six years ago to a competitor. She can, if she wants, require a report on each of these requests of we can get this in this record and there can be a case of the punitive provisions.

Off the top,