

FBI WASH DC

FEDERAL BUREAU OF INVESTIGATION  
U. S. DEPARTMENT OF JUSTICE  
COMMUNICATION SECTION

SEP 6 1968

TELETYPE

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

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506M URGENT 9-6-68 SAB

TO DIRECTOR 44-38861

FROM MEMPHIS 44-1987 4P

*Rec 60/for*

*HT*

MURKIN.

RE MEMPHIS AIRTEL TO BUREAU, AUGUST TWENTY EIGHT<sup>H</sup>,  
 LAST, FORWARDING ON<sup>E</sup>A COPY EACH OF THREE MOTIONS FILED IN  
 SHELBY COUNTY CRIMINAL COURT (SCCC), MEMPHIS, BY  
 HANES AND HANES, ATTORNEYS FOR JAMES EARL RAY; AND  
 ASSISTANT DIRECTOR AL ROSEN'S TELEPHONE CALL TO MEMPHIS  
 DATE ACCORDING  
 THIS ~~ARTICLE~~ TO THE SEPTEMBER SIX, INSTANT, ISSUE OF  
 THE<sup>E</sup> COMMERCIAL APPEAL, A MEMPHIS DAILY NEWSPAPER, ATTORNEYS  
 FOR RAY HAD A TEN MINUTE MEETING WITH CHARLES QUITMAN  
 STEPHENS, PROSECUTION WITNESS, AND STEPHENS' ATTORNEYS  
 MR. JAY FRED FRIEDMAN AND HARVEY GIPSON, IN FRIEDMAN'S  
 LAW OFFICE, MEMPHIS, AFTERNOON OF SEPTEMBER FIVE, LAST.  
 THIS ARTICLE RELATED THAT ARTHUR J. HANAS, RAY'S ATTORNEY,  
 WAS NOT SATISFIED WITH THE MEETING; HOWEVER, NEITHER  
 HANES NOR STEPHENS'S ATTORNEYS WOULD COMMENT ON WHAT  
 WAS SAID. HANES REMARKED THAT STEPHENS'S ATTORNEYS HAD  
 ARRANGED THE PRESENCE OF THE PRESS AND TELEVISION AT THE

*C*

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EXHIBIT 00

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MEETING AND THAT HANES WAS SURPRISED AT THEIR PRESENCE AS HE DID NOT WANT THEM THERE AS "WE COULDN'T TALK WITH THEM THERE." STEPHENS' ATTORNEYS DENIED THIS ACCUSATION.

ON SEPTEMBER SIX, INSTANT, W. PRESTON BATTLE, SCCC JUDGE, MEMPHIS, DENIED DEFENDANT'S MOTIONS TO WITHDRAW PLEA AND TO QUASH INDICTMENTS FOR CARRYING DANGEROUS WEAPON AND FOR MURDER.

JUDGE BATTLE DID GRANT PORTIONS OF THE DEFENDANT'S "MOTION TO PRODUCE," A COPY OF WHICH WAS ENCLOSED<sup>D</sup> WITH REAIRTEL. BATTLE INSTRUCTED THE SCCC CLERK TO ISSUE AN ORDER TO THAT EFFECT. THIS ORDER HAS NOT BEEN TYPED AS YET; HOWEVER, A COPY OF THE ORDER WILL BE OBTAINED AND FORWARDED TO BUREAU AT EARLIEST POSSIBLE DATE.

ROBERT K. DWYER, EXECUTIVE ASSISTANT, AG'S OFFICE. SHELBY COUNTY, MEMPHIS, WHO WAS PRESENT IN JUDGE BATTLE'S COURT FOR THE HEARING THIS DATE ADVISED THAT TO THE BEST OF HIS RECOLLECTION JUDGE BATTLE INSTRUCTED THAT DA'S OFFICE MAKE AVAILABLE TO THE DEFENSE ON SEPTEMBER

END PAGE TWO



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<sup>T</sup>  
EIGHTEEN, NEXT, THE WEAPON, AUTOMOBILE, ANY RECORDS OR  
DOCUMENTS RE RESIDENCY OF RAY BETWEEN PERIOD APRIL  
TWENTY THREE, LAST, AND JUNE EIGHT, LAST; RECORDS WHERE  
DR. MARTIN LUTHER KING, JR., RESIDED BETWEEN MARCH  
TWENTY FIVE, LAST, AND APRIL THREE, LAST; PHOTOS OF  
RAY; PENAL RECORDS FOR RAY INCLUDING MEDICAL AND PSYCHIATRIC  
REPORTS; MILITARY RECORDS; PASSPORT AND <sup>D</sup> VISA APPLICATIONS  
AND RECORDS OF ENTRY AND EXIT TO AND FROM THIS OR ANY  
OTHER COUNTRY; AND OBJECTS HANDLED BY DEFENDANT <sup>T</sup> SUCH AS

~~MAPS, PAPERS, A~~

MAPS, PAPERS, AND SO FORTH. DWYER STATED THAT THE  
JUDGE ORDERED THAT THE EVIDENCE EXAMINED BY THE FBI BE  
MADE AVAILBLE TO THE DEFENDANT; HOWEVER, THE DEFENDANT  
WAS NOT ENTITLED TO REPORTS CONCERNING THE OPINION OR  
CONCLUSIONS REACHED AS RESULT OF FBI EXAMINATION OF THE  
EVIDENCE.

DWYER STATED THAT THE ABOVE ITEMS WERE NOT THE ONLY  
ITEMS MENTIONED IN THE JUDGE'S INSTRUCTIONS TO THE  
SCCC CLERKS; HOWEVER THESE ARE THE ONLY <sup>T</sup> ITEMS HE COULD RECALL <sup>A</sup>  
AT THE PRESENT TIME <sup>E</sup>.

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DURING THIS HEARING, ACCORDING TO DWYER, HANES CONTINUED TO CRITICIZE WHAT HANES REFERRED TO AS THE INHUMANE TREATMENT OF RAY BY THE SHELBY COUNTY SO, MAINLY THE FACT THAT THE SHERIFF HAS LIGHTS AND TELEVISION CAMERAS ON RAY TWENTY FOUR HOURS A DAY, THAT RAY IS SEGREGATED FROM OTHER PRISONERS, AND AT LEAST TWO GUARDS ARE CONSTANTLY WITH RAY AT ALL TIMES. HANES ALSO ACCUSED THE SHELBY COUNTY AG'S OFFICE OF INSTRUCTING PROSECUTION WITNESSES NOT TO CONFER WITH OR DISCUSS DETAILS OF THEIR TESTIMONY WITH DEFENDANTS'S ATTORNEYS.

A COPY OF THE ORDER ISSUED BY JUDGE BATTLE THIS DATE WILL BE FORWARDED TO BUREAU IMMEDIATELY UPON ITS AVAILABILITY. P. END.

SLB

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