

Law student et al,

7/17/76

It is with mixed sudden fatigue and euphoria that I write, the writing made possible by a delay in the mail of what I'd planned to do plus the need to go to Greyhound to pick up what causes the euphoria.

We have received a little more than a hundred new pages in the Kingcase. Jim got them in today's mail. He skimmed them, found them significant in several ways, phoned me and said he'd xerox copies when he had to take his wife near where he gets xeroxing done. Then he said he'd mail them this evening and I could have them Monday, when the other work I planned to do did not come in the mail I asked him to take them to Greyhound. He made a bus.

The euphoria is not over the content, although I'm sure it has significances and all without reasonable doubt let me prove further withholding and purposefulness in it. It is mostly because the strategy to which I'm agreed worked. We filed a Motion to Compel, giving them a choice between a) full compliance or b) meeting the minimum requirement of the law and swearing to compliance. Swearing compliance, unlike the FBI, the DJ was not about to do. We've not pushed. It was a surprise to us both when lo! this was in the mail.

It is minuscule compared to what they have. But it does prove that the prior claims to compliance were not truthful.

They really can't do anything without hurting themselves. Example: they have a chronology they finally gave us. "They" meaning someone who does not know as much of the overall case as I do. This chronology shows only two ways of placing Ray in Memphis—ever. (Both that day.) One is with his fingerprints on the bill with which he paid the room rent. Odd that was never mentioned before, isn't it? And the only other, of later that day, is with his purchase of binoculars—two hours before the shooting. I've said all along they could not even place him in the city at the time of the crime.

On press contacts, they have a record of Les Payne's contact over the FBI's penetration of the Invaders. DJ had confirmed it to Les. This proves the time of his contact, whether or not the subject. And the FBI has come up with nothing on this at all.

In what we filed there was no citation of case law, no authorities. Very un-lawyerly. But somewhat effective. Jim executed his own affidavit. I didn't even see it until after it was filed. That was two weeks and two days ago. They have not bothered to respond or to try to rebut or to counter-file. What turned the judge on is that the Office of Professional Responsibility was a) in charge and has been for some time, having all the files; b) was as of the time of our motion going through Memphis Field Office files; c) had not given us a single page; and d) the harhead AUSA claimed not to know it was part of the DJ, of which he also is, and his client. They could argue case law. They could not argue this fact.

JL has agreed that as soon as he finds time he'll ask the judge for relief, the relief to include the restoration of costs to now. That will give them some other problems, whether to contest what may be a stretching of the law being one. Once they do not comply and I file suit and they deliver anything I can ask this recovery. I've asked Jim to take the position that with their having alleged full compliance, regardless of how falsely, and having deviled any records, we have met the requirements of the law. And we need this recovery with which to keep going—and will use it for that purpose only. I do so hope they oppose it! They have no grounds under the law except that the case is not over, which means an acknowledgement of not yet having complied. It is a no-loser even if the judge in the end holds we have to await the finale ultimo.

What lies immediately ahead is going over these records and then the earlier ones, making a list of all and then pinpointing each reference to other and still withheld docs. And then there is the substance of the records, too. Best, HW