

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

.....
HAROLD WEISBERG,
Route 12
Frederick, Maryland 21701
Phone: [301] 473-8186

Plaintiff,

v.

CLARENCE M. KELLEY, Director
Federal Bureau of Investigation
J. Edgar Hoover Building
10th & Pennsylvania Avenue, N.W.
Washington, D.C. 20535

GRIFFIN BELL, Attorney General
U.S. Department of Justice
10th & Pennsylvania Avenue, N.W.
Washington, D.C. 20530

and

U.S. DEPARTMENT OF JUSTICE
10th & Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Defendants
.....

78- 0249

Civil Action No. _____

FEB 1 1978

C O M P L A I N T

Freedom of Information Act, 5 U.S.C. 552]

1. Plaintiff brings this action under the Freedom of Information Act, 5 U.S.C. §552, as amended by Public Law 93-502, 88 Stat. 1561 [93rd Cong., 2d Sess.], and Public Law 94-409, 90 Stat. 1241 [94th Cong., 2d Sess.]

2. Plaintiff is HAROLD WEISBERG, an author residing at Route 12, Frederick, Maryland 21701.

3. Defendant CLARENCE M. KELLEY is Director of the Federal Bureau of Investigation, 10th & Pennsylvania Avenue, N.W., Washington, D.C. 20535. Defendant Kelley is responsible for seeing

that the Bureau of Investigation meets its obligations under the Freedom of Information Act.

4. Defendant GIFFIN BELL is Attorney General of the United States. In his official capacity defendant Bell is responsible for seeing that the Department of Justice meets its obligations under the Freedom of Information Act.

5. Defendant DEPARTMENT OF JUSTICE is an agency of the United States and is responsible for supervising the implementation of its regulations governing the FBI's processing of Freedom of Information Act requests.

6. On December 7, 1977 the Federal Bureau of Investigation made public a reported 40,001 pages of its Headquarters' records on the assassination of President John F. Kennedy. Subsequently, on January 18, 1978, a second batch of these records, reportedly totaling 58,754 pages, was also made public.

7. By letter dated December 6, 1977 to Mr. Allen H. McCreight, Chief, FOIA/PA Branch, Records Management Division, FBI, plaintiff requested:

1. All worksheets related to the processing of the records described in paragraph six above.

2. All other records related to the processing, review, and release of these records.

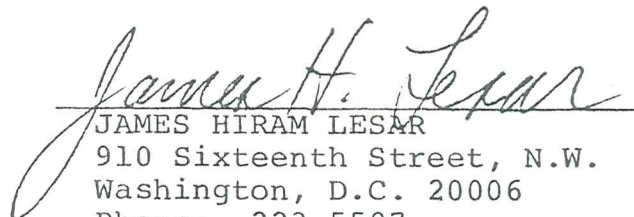
3. Any other records which indicated the content of FBI Headquarters records on the assassination of President Kennedy; and

4. Any separate list or inventory of FBI records on President Kennedy's assassination not yet released.

8. As of this date, plaintiff has received no response to his December 6, 1977 request. Accordingly, he is deemed to have exhausted his administrative remedies under the Freedom of Information Act.

WHEREFORE, plaintiff prays this honorable Court for the following relief:

1. That the defendants be enjoined from withholding the records plaintiff has requested;
2. That the Court award reasonable attorney fees and the costs of bringing this action; and
3. That the Court issue a written finding that the circumstances surrounding the withholding of the records requested by plaintiff raise questions as to whether agency personnel acted arbitrarily and capriciously with respect to such withholding.


JAMES HIRAM LESAR
910 Sixteenth Street, N.W.
Washington, D.C. 20006
Phone: 223-5587

Attorney for Plaintiff

DATED: February 13, 1978