

IN THE  
UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA

HAROLD WEISBERG,  
Appellant,  
v.  
U.S. DEPARTMENT OF JUSTICE,  
et al.,  
Appellee

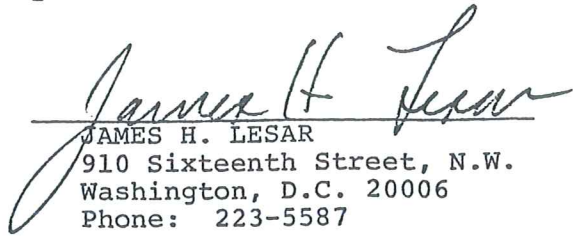
: No. 78-1107

MOTION FOR LEAVE TO FILE APPELLANT'S  
MOTION FOR FURTHER EXTENSION OF TIME  
IN WHICH TO FILE HIS BRIEF OUT OF TIME

Appellant respectfully moves the Court for leave to file the attached Motion for Further Extension of Time out of time. For the reasons stated in the attached motion and appellant's previous motions for extensions of time, appellant's counsel has not been able to file the brief on time. After May 22nd he will be able to give work on this case priority and expects to file appellant's brief within the time which would be allowed by this extension.

In accordance with Local Rule 8(h), appellant's counsel has notified Assistant United States Attorney John Terry of his intention to file these motions and Mr. Terry has advised him that he can state that appellee consents to the requested extension and will not oppose it.

Respectfully submitted,

  
A handwritten signature in cursive script, reading "James H. Lesar", is written over a horizontal line. The signature is fluid and extends above and below the line.

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

Attorney for Appellant

IN THE  
UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA

MAY 22 1978  
U.S. COURT OF APPEALS

HAROLD WEISBERG, :  
 :  
 Appellant, :  
 :  
 v. : No. 78-1107  
 :  
 U.S. DEPARTMENT OF JUSTICE, :  
 et al., :  
 :  
 Appellee :

MOTION FOR FURTHER EXTENSION OF TIME  
IN WHICH TO FILE APPELLANT'S BRIEF

Appellant respectfully requests this Court to grant a further extension of time for filing his brief from May 22, 1978, to and including June 5, 1978. In support of this motion, appellant states as follows:


1. Appellant's brief is currently due on May 22, 1978. Appellant has previously received two 30-day extensions of time.
2. As stated in his previous motions for extensions of time, appellant's counsel is a sole practitioner with very limited resources. For the past two and a half months he has been under extremely heavy time pressures in a number of different cases. Since the end of February, 1978, appellant's counsel has worked every weekend but one. Virtually all of this work has been done on a pro bono or contingency

fee basis.

3. Subsequent to the last grant of an extension of time to file appellant's brief, his counsel has had to spend a substantial amount of time representing the sister and brother of James Earl Ray, the alleged assassin of Dr. King, in their testimony before the House Select Committee on Assassinations. Although appellant's counsel would have preferred not to have undertaken to represent these witnesses before the Select Committee, he felt obligated to do so because he is the only attorney sufficiently knowledgeable about the facts of the Ray/King case to be able to represent them effectively. In addition, because the Select Committee continues to demonstrate that it is both uninformed and highly irresponsible, appellant's counsel was deeply concerned about the serious harm which might be done to these witnesses absent his representation of them.

4. Appellant's counsel presently has a brief due in the United States District Court in Lesar v. Department of Justice, Civil Action No. 77-0692, for which the District Judge has stated no extension of time will be granted. Appellant's counsel will spend substantially all of his available time between now and May 22, 1978 working on that brief. After May 22nd, appellant's counsel expects his obligations to slacken somewhat. This case will then have priority over all other work and appellant's counsel believes he will be able to file the brief by the date of the requested extension, June 5, 1978.

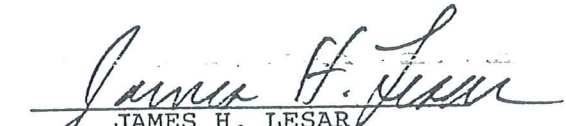
Respectfully submitted,

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

Attorney for Appellant

CERTIFICATE OF SERVICE

I have this 18th day of May, 1978, hand-delivered a copy of the foregoing Motion for Further Extension of Time In Which to File Appellant's Brief and the accompanying Motion for Leave to File Motion for Further Extension of Time to File Appellant's Brief to the office of Mr. John Terry, Assistant United States Attorney, United States Courthouse, Washington, D.C. 20001.

  
JAMES H. LESAR