

Dear Jim,

4/15/83

Here is the affidavit. Remember, you agreed to use it to move that the LeHaire motion be expunged and in alleging, in more polite but nonetheless pointed lawyer's language because he lied. As I show, about everything, missing nothing at all.

There is, as I'm sure you realize, nothing that he will not object to nothing that Smith will not find unwelcome. Smith will do whatever he can to damage us and what we seek and the Act. So how he feels about us we do not have to ask. We know. We know he will not like what we file, whatever it is. So, if we are to get anything out of this, it must be in spite of his prejudice and opposition and insofar as it can effect him, it must be something about which he can't come up with some hokuspokus that seems reasonable to his peers. Whatever the judicial attitude toward, or should I say acceptance of official mendacity may be, I don't think there is a judge who will want to take a position endorsing it. Or tolerating it when it is made the issue. So please don't pussyfoot.

I think this should be accompanied by what gives it meaning and context, that it should not be an oversimplified, out-of-context intellectualized approach that is limited to law texts on narrow issues. With not much effort you can turn out a polite lecture in the form of a legal essay on the nature of the crime and the purposes of the Act and point out that not making searches when that is required is opposite the purposes of the Act. Taking more time to present untruths about such things as the police tapes, ticklers, critics, etc., takes more time, costs more money, than making the searches and that if the FBI has nothing to hide it ought certainly make the searches and disclose the results.

When you are finished the end produce should be something that gives perspective to this litigation and the mendacity and has other possible uses, besides Smith's possibly not liking his friends and peers to see it because if he tolerates all this lying it makes him look bad. The mendacity is total, omnipresent and basic. What you do should be of some use to others who have an interest in the Act and possibly to the Congress with regard to the Act. Leaving things not spelled out is futility. While I don't expect much to influence Smith, I think it was a needless error for you to expunge the paragraph of explanation I had for the record in which the Dallas FBI ordained the day of the crime and before Oswald was charged that there were not to be any other suspects and those reported would not be investigated "as true suspect located." Almost nobody reading this exhibit alone will understand what it says and means so Smith can pretend, as can LeHair, and others may genuinely, wonder why it is there. (I didn't go into it because of time and space, but not e that there is a handwritten note with a lone to Jimmy Robinson saying "see 3x5 cards..." rest illegible. This can be a tickler. One does not refer to an index this way.)

If the question comes up, there were threats against JFK attributed to Robinson's (and Stoner's) gang, three published by the Commission and at the approximate time of the assassination. I have it in the material edited out of the xerox copies of earlier writing.

I'm sending George a copy of the affidavit and of this Dallas 11/22/63 record.

Gird your loins!

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