

6 APR 83

Writer's search for Kennedy facts ended

WASHINGTON, D.C. (AP) — A federal appeals court said Tuesday it has "bent over backwards" to help an author obtain government information on the assassination of President John Kennedy and ruled that the FBI need provide no more.

The U.S. Circuit Court of Appeals here upheld a lower court ruling that the FBI is not obliged to furnish the author, Harold Weisberg, with additional documents or tests.

"This court has bent over backwards to ensure that Weisberg have a reasonable oppor-

tunity to develop his case against the FBI," the appeals court said.

"We have sorted through the mass of Weisberg's contentions, in many instances with more care than he has demonstrated in making them," it continued. "At long last, we are convinced that the government has carried its burden. . . . We therefore bring this long and difficult litigation to a close."

Weisberg, author of six books on the Kennedy assassination, filed suit in 1970 under the Freedom of Information Act. The court of

appeals noted that it has considered various aspects of Weisberg's suit three times in the past.

"We find that the government has finally proven the adequacy of its search for all documents Weisberg has requested," the three-judge panel said in a 38-page opinion.

Weisberg contended that the FBI destroyed or withheld evidence that would show Lee Harvey Oswald did not act alone in shooting Kennedy on Nov. 22, 1963, in Dallas.

For example, he sought additional evidence

to show that a curbstone near the assassination site was chipped by a bullet fired at Kennedy. The bullet could not have been fired from Oswald's location, Weisberg said.

The appeals court said the FBI concedes a spectrographic plate used to test a lead smear on the curbstone once existed. But the FBI believes the plate was discarded.

Weisberg also asked for an FBI report on whether two holes in Kennedy's shirt overlap — evidence that might indicate existence of another bullet fired by a second assassin.