

What was searched

At the outset in this litigation I informed the FBI that it could not possibly comply with my requests by processing the MURKIN file ^{only}. Many of the Items ought not be filed in it, as the FBI never denied. Instead, it just ignored anything not in the MURKIN file and because it processed that ^{entire} file it made no ^{real} search.

The brief acknowledges the fact that the FBI took this position. It also pretends that all the Items of my request must be within the MURKIN file to be relevant, which is not true. In making this admission the brief also states what is not true and what was proven not to be true in this litigation.

It does state, "(I)t has always been the FBI's position that any information about individuals relevant to the King assassination is contained in the Bureau's MURKIN file." (Page 25)

As an example, ^{of the untruthfulness,} the request includes all records of any kind pertaining to any kind of surveillance ever performed on any of the listed persons, ^{all public figures in this case}

This information is not and the FBI knows it is not in the MURKIN file and ^{that} some of it is not relevant to MURKIN in any event. ~~But~~ ^{is} contrary to the FBI's claim, repeated in the brief after I corrected the FBI in the case record, the FBI ~~never~~ does not file the tapes of electronic surveillances in ~~the~~ ^{is} case main files. It hides them as "administrative matters" in its 66 classification files. It also does this with logs and other records pertaining to these surveillances.

Records of the physical and electronic surveillances of Jerry Ray, which were not in the MURKIN file, are hidden in a bank robbery file, 91 classification. And rather than the ticklers merely duplicating what is in the main case file, which is claimed on page 26, ^{the surveillance} none of those records were in the main case file. They were, however, in the long tickler when I finally received what remained of it after it was gutted during this litigation,

Thus it is apparent that ^{w/} ~~that~~ the FBI now states to this court with regard to these matters is not only untrue, it was proven to be untrue in the case record in the court below.

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~~The~~ false pretense, that all the ^{information response} items of my request are contained in the MURKIN file -when the FBI knew very well that they ~~were~~ ^{are} not and could not have been - is the major single cause of all the delays and noncompliances and their attendant costs in this litigation. They and the persisting misrepresentations necessary to preserve that fiction.