

Hon. John L. Hill  
May 22, 1967  
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before decent citizens. Unfortunately, the Governor of Louisiana has no control of the affairs of his State and has announced publicly that he will not challenge Garrison because of Garrison's enemies are politically dead after becoming his enemies.

2. With this background, we approach the Affidavit which is the foundation of the Information and the Louisiana Governor's Warrant of Extradition. Again, we note that Garrison does not expose himself but has had a young assistant, James L. Alcock, frame the basis of this proceeding by executing the only Affidavit in support of the Information, which reflects the commission of a crime in Louisiana. As mirrored by Martindale-Hubbell Legal Directory (see, Exhibit B, Affidavit of Frank P. Hernandez, with attachments), it appears that Alcock was not an attorney in 1961 at the time of the occurrences alleged, that he had no knowledge of the facts alleged, and had no connection with the Office of the District Attorney for the Parish of Orleans. This is further corroborated by the conversation between Mr. Burton Klein, attorney of New Orleans, and the attorneys herein representing Mr. Smith, a tape recording of which will be offered in evidence. It is submitted that Alcock has no personal knowledge of the facts he has alleged in the Affidavit. Further, we note that he takes particular care to avoid stating the allegations are made on any personal knowledge on his part. Indeed, it appears, according to the Affidavit, that only Garrison and his investigator, Gurvich, had any knowledge pertaining to the subject; such knowledge being based upon an interview with one Novel. Again, Garrison is cautious enough not to personally make any such allegations under oath himself. The Affidavit upon which this request for extradition is based is, in fact, an instrument amounting to nothing more than an unfounded claim pertaining to a discussion between third parties not under oath. It is suggested that the instrument was purposely so designed and drafted to avoid legal responsibility for its birth. Despite the illegitimacy of its birth, it remains the sole foundation of the Information executed by the Affiant, Alcock.

3. In support of this Bill of Particulars, we submit the Affidavit, with attachments, of Mr. Smith (Exhibit C). As is reflected by the Affidavit of Smith, he has made every effort to cooperate with the personnel of Garrison's office, subject to the reasonable qualifications reflected in his Affidavit. Failing in his attempt to induce Smith into the State of Louisiana, Garrison and his staff proceeded on extradition. It is noted that, at any time, Garrison could have obtained the person of Mr. Smith as a witness under the "Uniform Act of Secure the Attendance of Witnesses from Without the State in Criminal Proceedings", Article 24.28, V. A. C. C. P. (the Uniform Act having been adopted in Louisiana in 1936, LSA-RS015:152.1 - - 15:152.5). It is obvious,

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