

APR 26 1967

TELETYPE

Mr. DeLoach	✓
Mr. Mohr	✓
Mr. Casper	✓
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	✓
Mr. Sullivan	✓
Mr. Tavel	
Mr. Trotter	
Tele. Room	
Miss Holmes	
Miss Gandy	

FBI WASH DC

434PM URGENT 4-26-67 TCS

TO DIRECTOR (62-109060) AND DALLAS (89:43)  
FROM NEW ORLEANS 89-69

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY,  
NOVEMBER  
DALLAS, TEXAS, NOV. TWENTYTWO, SIXTYTHREE, MISCELLANEOUS -  
OFFICE OF ORIGIN  
INFORM CONCERNING, OO: DALLAS.

ON APRIL TWENTYSIX, INSTANT, RED FLASH EDITION OF THE  
NEW ORLEANS, LA. STATES ITEM REPORTED THAT ATTORNEYS FOR  
CLAY L. SHAW HAD REQUESTED THE ISSUANCE OF A SUBPOENA FOR  
SATURDAY EVENING POST AUTHOR JAMES PHELAN. IT STATES  
HIS TESTIMONY WAS "ESSENTIAL TO THE DEFENSE". THE DEFENSE  
QUOTED THE LONG PASSAGES FROM THE POST ARTICLE AS BASIS FOR  
THE MOTION. THE MOTION CONTAINED STATEMENTS MADE TO THE  
AUTHOR BY A REPRESENTATIVE OF DA'S OFFICE.

THE ITEM CONTINUED THAT PHELAN WOULD BE ASKED "TO  
GIVE A DEPOSITION IN OPEN COURT FOLLOWING FORTYEIGHT HOURS  
NOTICE BY THE DEFENSE AND DA'S OFFICE. FURTHER, IF PHELAN  
WILL NOT VOLUNTARILY APPEAR, THE MOTIONS ASKS THAT HE BE  
PLACED UNDER BOND AND BROUGHT TO NEW ORLEANS UNTIL TESTIMONY  
CAN BE TAKEN". THE MOTION WAS FILED BEFORE CLERK OF THE  
COURT.

END PAGE ONE

56 MAY 8 1967

MR. DELOACH FOR THE DIRECTOR

*Pringle*  
*Stephan*  
*McDonald*

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*5-10-67*  
*6-1-67*

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THE ITEM ALSO REPORTED THAT STATEMENTS WERE MADE BY  
THE ATTORNEYS FOR LAYTON PATRICK MARTENS IN WHICH THEY  
STATE THEIR CLIENT'S "CONSTITUTIONAL RIGHTS WERE VIOLATED"  
WHEN HE APPEARED BEFORE THE GRAND JURY. MARTENS HAS BEEN  
INDICTED FOR PERJURY AS A RESULT OF HIS <sup>GRAND JURY</sup> APPEARANCE  
CONCERNING THEFT OF MUNITIONS FROM HOUMA, LA. THE <sup>LOUISIANA</sup> DA'S <sup>DISTRICT ATTORNEY</sup>  
OFFICE HAS DENIED SUCH CLAIM. THE HEARING ENDED WHEN THE  
JUDGE GAVE THE <sup>DISTRICT ATTORNEY</sup> DA REPRESENTATIVE UNTIL MAY FIVE NEXT TO  
PREPARE A MEMO ON THE MOTION.  
LETTERHEAD MEMORANDUM  
NO LHM BEING PREPARED.

END

NKH

WA..NHH

FBI WASH DC

CLR

CC- MR. SULLIVAN