

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATION SECTION

MAY 16 1967

TELETYPE

Mr. Tolson	✓
Mr. DeLoach	✓
Mr. Mohr	✓
Mr. Bishop	✓
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

2-30 PM URGENT 5-16-67 4PGS MMW
TO DIRECTOR 62-109060 AND DALLAS 89-43
FROM NEW ORLEANS 89-69

ASSASSINATION OF PRESIDENT JOHN FITZGERALD KENNEDY,
DALLAS, TEXAS, NOV. TWENTYTWO, SIXTYTHREE, MISCELLANEOUS-
INFO CONCERNING, OO:DALLAS.

RE NEW ORLEANS TELETYPE INSTANT DATE.

AT EIGHT ZERO TWO AM, INSTANT DATE, *GENERAL SERVICE ADMINISTRATION*
AND COMMUNICATION SERVICE, NEW ORLEANS, TELEPHONICALLY
ADVISED FBI, NEW ORLEANS, THAT THE FOLLOWING TELETYPE HAD
BEEN RECEIVED OVER GSA COMMUNICATIONS FACILITIES:

"FROM RAMSEY CLARK ATTY GEN JUSTICE DEPT WASH DC
TO RUCHLDP/MR REGIS L. KENNEDY FEDL BUR OF INVESTIGA-
TION 701 LOYOLA AVE NEW ORLEANS LA

BT
EX-113
RE SUBPOENA SERVED ON YOU TO TESTIFY BEFORE GRAND JURY
IN ORLEANS PARISH CRIMINAL DISTRICT COURT MAY SIXTEEN,
NINETEEN SIXTYSEVEN. THIS CONFIRMS THAT PURSUANT TO
DEPARTMENT ORDER THREE TWO FOUR SIX FOUR DATED OCT.
EIGHT, NINETEEN SIXTYFOUR AND FEDERAL REGISTER VOLUME

END PAGE ONE

56 MAY 31 1967

MR. DELOACH FOR THE DIRECTOR

PERSON. REC. UNIT

5259

MAY 22 1967

PAGE TWO

NO 89-69

"TWENTYNINE, NO. ONE NINE NINE, PAGE FOUR ZERO TWO SEVEN, DATED OCT. TEN, NINETEEN SIXTYFOUR, YOU ARE DIRECTED TO RESPECTFULLY REFUSE TO TESTIFY ABOUT OR DISCLOSE INFORMATION OR MATERIAL ACQUIRED IN THE PERFORMANCE OF YOUR OFFICIAL DUTIES OR BECAUSE OF YOUR OFFICIAL STATUS. SEE UNITED STATES EX REL THOUGHT V. REGAN THREE FOUR ZERO U.S. FOUR SIX TWO AND CONSULT ORDER THREE TWO FOUR SIX FOUR FOR PROCEDURE TO BE FOLLOWED."

U.S. ATTORNEY LOUIS C. LACOUR ORALLY ADVISED SA KENNEDY INSTANT DATE, THE THE PURPOSE OF THE ABOVE TELETYPE WAS TO ENABLE SA KENNEDY TO HAVE A COPY OF SAME IN HIS POSSESSION WHEN HE APPEARED IN CRIMINAL DISTRICT COURT BEFORE JUDGE BERNARD J. BAGERT INSTANT DATE. A CONFIRMATION COPY OF THIS TELETYPE WAS IN POSSESSION OF SA KENNEDY WHEN HE APPEARED IN COURT INSTANT DATE.

END PAGE TWO

PAGE THREE

NO 89-69

AT ^CIVIL DISTRICT COURT BEFORE JUDGE BAGERT INSTANT DATE, STATE'S DISTRICT ATTORNEY FILED AN ANSWER TO THE GOVERNMENT'S MOTION ^{TO QUASH} ~~TO REACH~~ IN WHICH THE STATE ALLEGES THAT ORDER NO. THREE TWO FOUR - SIX FOUR DOES NOT HAVE THE EFFECT OF LAW AND DENIED THAT THE ATTORNEY GENERAL IS EMPOWERED TO PROHIBIT THE PRODUCTION OR DISCLOSURE OF INFORMATION PURSUANT TO THIS ORDER, EXCEPT PRIVILEGED INFORMATION AND STATES THAT THE COURT HAS SOLE PEEGOGATIVE FOR DETERMINING PRIVILEGED INFORMATION. THE STATE QUOTED U.S. VS. REYNOLDS, THREE FOUR FIVE U.S. ONE NLRB VS. CAPTIAL FISH CO., TWO NINE FOUR F. SECOND, EIGHT SIX EIGHT FIFTH CIRCUIT, GIAMCANA VS. JOHNSON, THREE THREE FIVE F. SECOND, SEVENTH CIRCUIT.

THE STATE'S MOTION FURTHER ALL^EGED THAT THE SUBPOENA WAS FOR PERSONAL TESTIMONY OF SA KENNEDY.

THE MOTION FURTHER ALLEGED THAT THE FEDERAL GOVERNMENT'S MOTION TO QUASH WAS PREMATURE AS NO QUESTIONS HAD BEEN ASKED UPON WHICH HE COULD ASSERT A PRIVILEGE.

END PAGE THREE

PAGE FOUR

NO 79-69

USA LOUIS C. LACOUR, EDLA, TELEPHONICALLY ADVISED TODAY HIS OFFICE FILED A MEMORANDUM IN SUPPORT OF THE FEDERAL GOVERNMENT'S NOTION TO QUASH IN WHICH THE FEDERAL GOVERNMENT STATED THAT THE ST'S ^{STATES} FAILURE TO DENY FACTS IN THE GOVERNMENT'S MOTION THAT THE GRAND JURY INVESTIGATION RELATED TO THE ASSASSINATION OF PRESIDENT KENNEDY, THEREFORE, THE COURT SHOULD CONSIDER IT TO BE TRUE. THE MOTION FURTHER REQUESTED THAT THE COURT TAKE JUDICIAL NOTICE OF PUBLIC STATEMENTS MADE BY ^{DISTRICT ATTORNEY} DA GARRISON TO THE LOCAL NEWS MEDIA AND ATTACHED FIVE CLIPPINGS FROM LOCAL NEWSPAPERS QUOTING THE DA.

AT THE CONCLUSION, JUDGE BAGERT STATED THAT HE WOULD TAKE THE MATTER UNDER ADVISEMENT AND RULE ON THE MOTION AT TEN AM, MAY SEVENTEEN NEXT.

COPIES OF THE STATE'S OPPOSITION TO MOTION TO QUASH, AS WELL AS COPIES OF THE MEMORANDUM FILED BY USA'S OFFICE AND TELETYPE FROM THE ATTORNEY GENERAL TO SA KENNEDY BEING FORWARDED BY AIRTEL.

NO ^{MEMO} LHM BEING SUBMITTED.

END LLD FBI WASH DC

~~CORRECTION~~

~~PAGE THREE LINE ONE SECOND WORD SHOULD BE CIVIL~~

~~PAGE THREE LINE THREE SECOND WORD SHOULD BE TO QUASH~~

CC- MR. SULLIVAN