

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

611PM URGENT 5-16-67 CDC

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.

REMYTELS MAY SIXTEEN INSTANT.
U.S. Attorney Eastern District Louisiana
USA LOUIS C. LACOUR, EDLA, ADVISED INSTANT DATE THAT

THE SUBPOENA ISSUED BY ORLEANS PARISH DISTRICT ATTORNEY'S
OFFICE TO REQUIRE CIA HEAD RICHARD HELMS TO PRODUCE A

PHOTO OF LEE HARVEY OSWALD, ALLEGEDLY TAKEN IN MEXICO CITY

SHORTLY BEFORE THE ASSASSINATION OF PRESIDENT KENNEDY HAS
NOT BEEN SERVED ON HELMS OR ANY CIA REPRESENTATIVE. LACOUR

STATED THIS SUBPOENA WAS SENT TO THE USM, WASHINGTON, D.C.,

BY REGULAR MAIL AND THAT THE USM HAS RETURNED THE SUBPOENA
TO THE ORLEANS PARISH DA'S OFFICE BY REGULAR MAIL WITHOUT

SERVING SAME. LACOUR STATED THAT AS OF TODAY THIS SUBPOENA
HAD NOT BEEN RECEIVED BY THE DA'S OFFICE.

END PAGE ONE

EX-113

82 MAY 31 1967

MR. DELOACH FOR THE DIRECTOR

PERS/REC UNIT

Leitch

5260

5/05 L

MAY 22 1967

PAGE TWO

LACOUR ALSO ADVISED THAT ^{Central Intelligence Agency} CIA IN WASHINGTON IS DIRECTING A LETTER TO A JUDGE, IDENTIFY NOT MENTIONED BY LACOUR, BUT BELIEVED TO BE ONE OF THE JUDGES IN THE CRIMINAL DISTRICT COURT, ORLEANS PARISH, ADVISING THAT ^{Central Intelligence Agency} CIA DOES NOT POSSESS A PHOTO OF OSWALD AS REQUESTED BY GARRISON'S OFFICE.

LACOUR EXPRESSED AN OPINION TO BUREAU AGENTS THIS DATE THAT JUDGE BERNARD C. BAGERT, CRIMINAL DISTRICT COURT, ORLEANS PARISH, WILL RULE AGAINST THE GOVERNMENT IN CONNECTION WITH THE SUBPOENA ISSUED TO ^{Special Agent} SA REGIS L. KENNEDY AND THAT ^{Special Agent} SA KENNEDY WILL PROBABLY BE REQUIRED TO APPEAR BEFORE THE ORLEANS PARISH GRAND JURY. LACOUR ESTIMATED THAT KENNEDY MAY HAVE TO APPEAR BEFORE THIS GRAND JURY ON THE AFTERNOON OF MAY SEVENTEEN, SIXTYSEVEN. LACOUR STATED THAT HE HAD SO INFORMED THE DEPARTMENT OF HIS OPINION IN THIS REGARD.

LACOUR ALSO ADVISED THAT IN THE EVENT JUDGE BAGERT RULES AGAINST THE VALIDITY OF PRIVILEGE AS CLAIMED BY THE U.S. GOVERNMENT, THE ^{U.S. Attorney's} USA'S OFFICE WILL THEN SEEK TO HAVE THE CASE REMOVED TO U.S. DISTRICT COURT IN NEW ORLEANS.

END PAGE TWO

PAGE THREE

SET FORTH BELOW IS A VERBATIM TRANSCRIPT OF A STATE-
MENT FURNISHED TO ^{Special Agent} SA KENNEDY BY ^{U.S. Attorney} USA'S OFFICE WHICH ^{Special Agent} SA
KENNEDY WILL UTILIZE IN THE EVENT THAT HE IS QUESTIONED BY
THE ORLEANS PARISH GRAND JURY RELATIVE TO INFORMATION IN
HIS POSSESSION AS RESULT OF ^{FF} OFFICIAL INVESTIGATION CONDUCTED
BY HIM AS A SPECIAL AGENT OF THE FBI:

"I RESPECTFULLY DECLINE TO ANSWER THE QUESTION ON THE
GROUND THAT TO ANSWER THE QUESTION WOULD REQUIRE ME TO
DISCLOSE INFORMATION AND MATERIAL WHICH HAS BEEN ACQUIRED
BY ME IN THE PERFORMANCE OF MY OFFICIAL DUTIES AND OFFICIAL
STATUS AS A SPECIAL AGENT OF THE FEDERAL BUREAU OF INVESTIGA-
TION.

"I WOULD LIKE TO FURTHER INFORM THIS GRAND JURY THAT I
HAVE BEEN DIRECTED IN A TELEGRAM FROM THE ATTORNEY GENERAL
OF THE UNITED STATES AS FOLLOWS: "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 OCTOBER EIGHT, NINETEEN SIXTYFOUR AND FEDERAL
END PAGE THREE

PAGE FOUR

REGISTER VOLUME TWENTYNINE, NO. ONE NINE NINE, PAGE ONE
FOUR ZERO TWO SEVEN, DATED OCTOBER 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 THOUHY V. REGAN, THREE FOUR ZERO
U.S. FOUR SIX TWO AND CONSULT ORDER THREE TWO FOUR SIX FOUR
FOR PROCEDURE TO BE FOLLOWED." AND FURTHER THAT I AM PRO-
HIBITED BY DEPARTMENT OF JUSTICE ORDER NUMBER THREE TWO FOUR
SIX FOUR FROM GIVING ANY INFORMATION AND MATERIAL WHICH HAS
BEEN ACQUIRED BY ME IN THE PERFORMANCE OF MY OFFICIAL DUTIES
AND STATUS AS A SPECIAL AGENT OF THE FEDERAL BUREAU OF
INVESTIGATION."

Letterhead memorandum
NO LHM BEING SUBMITTED.

END

~~CORR PAGE THREE LINE TEN WORD FIVE AND SEVEN SHOULD BE~~

~~PR...PERFORMANCE AND MY~~

END

RCH

FBI WASH DC

CC MR. SULLIVAN