

(Mount Clipping in Space Below)

# Ray Petitions To Get Out Of Maximum Security

By LARRY BRINTON  
James Earl Ray today petitioned U. S. District Court in joint State Prison officials from continuing to keep him confined in the maximum security cell where he has been held for the past eight months.

The petition was filed this afternoon with U. S. District Court Judge William E. Miller after being received by mail by deputy court clerk Guy Cooper.

Charging that his confinement in the maximum security cell was "cruel and inhuman treatment," the convicted slayer of civil rights leader Dr. Martin Luther King Jr. requested federal court to issue a preliminary injunction and a permanent injunction restraining prison officials "from further unlawful incarceration" of Ray.

Named as defendants in the petition were Lake F. Russell, commissioner of the Tennessee Department of Corrections, and William S. Nil, warden of State prison here.

Ray was sentenced to a 99-year term on March 10 in Shelby County where he pleaded guilty to the rifle-ambush slaying of King.

The defendant, under heavy guard, was transported the next day to Nashville where he was placed in the maximum security building.

Russell, warden at the prison that time, said Ray was confined to the maximum security cell for his own protection. Former corrections commissioner Harry Avery later claimed he had knowledge of an alleged plot by other inmates to kill Ray.

**'Unusual Treatment'**  
In Ray's petition for injunctive relief, signed by Ray and attorneys Richard J. Ryan, Memphis, J. B. Stoner, Savannah, Ga., and Robert W.

Hill Jr., Chattanooga, the defendant alleged he has been kept in solitary confinement and stated the treatment and incarceration "under maximum security is an unusual treatment in that he has not violated in any sense by word or deed any rules of the prison, statutes or ordinances of the state."

Ray contended in the petition that three days after he arrived at the prison he "began legal action to set aside his guilty plea on the grounds that it was not a voluntary plea" and that prison officials have made statements that he was going to remain in maximum security "until he ceases and desists from making all and any overtures for relief..."

The petition alleges that the convicted slayer has been told he will remain in maximum security until he halts all of his conviction appeals.

**Inmate Slain**  
Pointing up that one inmate has already been slain while he has been confined at the Nashville penitentiary and that officials claim there is a plot against him, Ray alleged "that if there is a plot upon the life of your petitioner, it should be brought out in the open and dealt with" because the concern of prison officials for his safety is causing him "untold anxiety," apprehension, ill health and he believes he cannot intelligently cope with it further.

In addition to seeking the preliminary and permanent injunction, the petition requested that the defendant be required to appear "at the earliest day convenient" for a hearing, that all costs be charged to the defendant and that Ray's attorneys be allowed reasonable fees.

Judge Miller signed an order allowing Ray to file the petition as a pauper, but did not set a date for a hearing.

(Indicate page, name of newspaper, city and state.)

PAGE 12

THE NASHVILLE BANNER

NASHVILLE, TENN.

Date: 11/24/69  
Edition:  
Author:  
Editor: ALVAND C.  
Title: DUNKLEBERGER

Character:  
or  
Classification: 44-1987  
Submitting Office: MEMPHIS  
 Being Investigated

44-1987-Sub-C-438  
SEARCHED  
SERIALIZED  
INDEXED  
FILED  
1/2