(Mount Clipping in Space Below)

ecurity To Be Tight At Ray Court Hearing

By NELLIE KENYON When James Earl Ray appears in U.S. District Court here Jan. 29, the courtroom will be under its tightest since security measures James R. Hoffa got shet with a pellet gun in 1962.

Judge William E. Miller ordered yesterday that Ray be physically present for an evidentiary hearing on his plea to be released from colitary confinement at the state penitentiary. Miller directed that provision be made for Ray's appearance "under proper security precautious."

RAY, SERVING 99 years for the confessed slaying of Dr. Martin Luther King Jr., has filed a motion for an injunction against State Corrections Commissioner Lake Russell and Warden William S. Neil, charging that his continuous confinement in maximum security quarters since March 11 is a violation of his civil rights.

Hoffa, Teamsters International Union president, was on trial on charges of accepting a payoil to insure labor peace for a Detroit frucking firm when a young

man pulled a pellet gun and fired several shots. Hoffa leaped from his seat at the deferse table and began punciing the attacker before a U.S. marshal club,hed the young man to the floor with a ristel.

Horfa was only stung by the pollets, but U.S. marshals began searching spectators and newsmen before letting them enter the courtroom during the trial.

WEEN RAY appears for his heating, penitentary guards will bring him handcufied to the courthouse by car. His security will be augmented by a several U.S. marshals assignto court.coom duty ed throughout the hearing."

Miller said in his order vesterday that "the principal issue raised by pertioner is whether his present incarceration in a stars of selitary continement constitutes the sort of cruel and urusual run shment which is pro-hibiled by the Eighth Amend-ment to the Constitution of the United States."

The judge sail that in order to expedite the "resolution of this issue," he was ordering

an cy dentiary hearing ' on the nature of and he reasons for petitioner's solitary confinement ...."

PRISON OFFICIALS have indicated privately they would be pleased to release Ray from maximum security but would not do so unless a court order was issued relieving them of responsibility if Ray. is wounded or killed within the prison walls.

In his petition for injunctive relief, Ray alleged that begin-

ming on March 13 he began legal action to set aside his guilty plea on grounds "that it was not a voluntary plea." He further alleged that upon

his arrival in Nashville from Memphis following his sentencing he was placed in "maximum security, solitary confinement," where he has been ever since, "under maxi-mum security guard and observation . . .

HE ALLEGED that this unusuat treatment "is an

Date: 12/10/69 Edition:

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

PAGE 17

NASHVILLE TEN

VASIIVILLE, TH

SEAN

Author: JOIN SEIGENTHALE Editor: Title:

Character: 44-1987-

- Nib-C-44

01

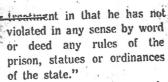
Classification: MEMPHI Submitting Office:

Being investigated

INDEXED

SERIALIZED CLE\_FILEDCLE J.I.N 1 2 1970 FBL-MEMPHIS

CEARCHED



A provision of the state code was cited providing solitary confinement for violation of rules. It provides for solitary confinement for a period not exceeding 30 days for each offense, at discretion of the warden, or a person acting for him.

. The code says solitary confi-

nement may be imposed for wilfully injuring materials, implements, or tools, or where a prisoner engages in conversation with other convicts or in any other manner violates any or the regulations.

RAY ALLEGED that the prison officials had made statements that he would be under maximum security until hostops appealing his conviction.

Ray charged that officials had said there was a plot against him and that he was placed in maximum security for his own protection.

If there is a plot against his life, Ray said, it should be brought out in the open and deals with; that concern by officials is causing time "untold anxiety, apprehension, ill health," and that he believes he cannot intelligently cope with it further.

He is in a small cell with no opportunity to exercise, the petition alleged.