

(Mount Clipping in Space Below)

Judge Delays Ray Lawsuit

A hearing was postponed today which was to determine whether two defendants should be removed from a federal libel suit filed by James Earl Ray, convicted killer of Dr. Martin Luther King Jr.

Federal Judge Harry Wellford continued the case to "sometime in September" when Ray's attorney, Richard Ryan, told him he was not prepared, primarily due to illness in his family.

State attorneys are seeking to have Shelby County Atty. Gen. Phil M. Canale and former Asst. Atty. Gen. Robert K. Dwyer dismissed as defendants in the civil case. Dwyer is now a state Court of Criminal Appeals judge.

The suit also names as defendants Gerold Frank, author of "An American Death," and Doubleday & Co., Inc., of New York, which last year published the book dealing with the assassination of Dr. Martin Luther King.

Ray is expected to be brought by state prison officials to Memphis to be present during portions of the arguments of the suit which charges that Canale and Dwyer supplied Frank with confidential records which Frank in turn, "falsely" quoted in his book.

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

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