

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

SEP 30 1968

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	_____

at 10:15 pm 9/30

FBI WASH DC

FBI MEMPHIS

633PM DEFERRED 9-30-68 DGB

TO DIRECTOR (44-38861)

FROM MEMPHIS (44-1987) 2P

MURKIN.

Mr. DeLoach
Logg

RE MEMPHIS AIRTEL TO BUREAU DATED SEPT. EIGHTEEN LAST ENCLOSING XEROX COPIES OF TWO MOTIONS FILED BY ATTORNEY ARTHUR J. HANES IN SHELBY COUNTY CRIMINAL COURT, MEMPHIS, TENN. HEARING ON THESE MOTIONS WAS HELD BY JUDGE W. PRESTON BATTLE IN SHELBY COUNTY CRIMINAL COURT, MEMPHIS, SEPT. THIRTY LAST.

AT THE CONCLUSION OF THE PRESENTATION OF THE PROOF BY BOTH DEFENSE AND PROSECUTION DURING THIS HEARING, JUDGE BATTLE DISMISSED BOTH MOTIONS FILED BY THE DEFENSE WITH THE EXCEPTION OF THE PORTION PERTAINING TO RAY'S CORRESPONDING WITH HIS ATTORNEY. JUDGE BATTLE RULED THAT WRITTEN NOTES EXCHANGED BETWEEN RAY AND HIS ATTORNEY ARE PRIVILEGED; HOWEVER, THE SHELBY COUNTY SHERIFF OR HIS DESIGNATED AGENT HAS THE AUTHORITY TO PERUSE THESE NOTES TO DETERMINE IF THERE IS ANY ATTEMPT TO BREACH SECURITY OF THE JAIL. THESE NOTES SHOULD NOT BE PERUSED FOR THE PURPOSE OF ASCERTAINING

EX-100 REC-23 44-38861-5209

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cc to [unclear]

[Handwritten signature]

ME 44-1987

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THE FULL CONTENTS OF THE MESSAGES.

AT THE INCEPTION OF THE HEARING, ARTHUR HANES SR., ATTORNEY FOR JAMES EARL RAY, ADVISED JUDGE BATTLE THAT AFTER CONFERRING WITH HIS CLIENT ON THIS DATE HANES AND HIS CLIENT HAD DECIDED THAT THE LAW FIRM OF HANES AND HANES WILL CONTINUE TO REPRESENT RAY IN RAY'S FORTHCOMING TRIAL FOR THE MURDER OF REV. MARTIN LUTHER KING, JR. IT IS NOTED THAT DURING THE HEARING BEFORE JUDGE BATTLE ON SEPT. TWENTY SEVEN LAST HANES SR. IMPLIED TO THE COURT THAT AS A RESULT OF A DIFFERENCE OF OPINION BETWEEN RAY AND HIS ATTORNEY THE LAW FIRM OF HANES AND HANES MAY NOT REPRESENT RAY AT THE TIME OF TRIAL.

BUREAU WILL BE KEPT ADVISED OF ANY CHANGE OR DEVELOPMENTS IN THIS REGARD. P.

END.

GMA

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