

DW

Abstracts appeals

Re Changed Serials, King assassination records

Harold Weisberg 5/23/80

IA request Abstracts
FOIA request
Removal of records from 44-38861

In the abstracts for the records in Sections 86-91 of 44-38861 there is a series of "changed to" forms representing the shifting of a number of records pertaining to the King assassination investigation to another file, 62-117200, where at in all cases they have I in their new serial numbers. They appear to be insertions into existing serializations.

The records indicate that 62-117200 also includes the request of the House subcommittee for my FOIA requests.

All of these shifts appear to have been on three different days.

The other purpose was to remove records I had been promised in C.A. 75-1996 from the MURKIN file. Obviously, not removed serials would have been used. I agreed this.

If the records pertain to me or to EBOA, they are within the other requests, one for all records on me, the other for all provided to EBOA.

At this time point 26 MURKIN records are removed, from Serial 5193 to Serial 6235.

Because this seems unusual and because I regard your prior explanation about removed serials as inadequate and based on an atypical matter I asked Ms. Barrett to check the records as provided to me. If she has ink copies at all I will attach her notes. I do request that you ask the FBI for an explanation, because each and every one of these removed records was properly a MURKIN record and they are a fair representation of the MURKIN file in general. However, each and every one is involved in my requests and appeals on which you have not acted. I am saying that the FBI removed records that are material to appeals you have done nothing about.

Among the topics of the removed records are where the FBI's records were moved to; what EBOA was investigating; what records it was examining in Memphis; ticklers not provided to me; FBI Morris Davis; McCullough and the black firemen who were transferred from the scene of the crime just before Dr. King was killed; the Clifton Blair matter (for your information, fabrications that defamed both the FBI and me and a number of

innocent Louisville policemen. The thoroughly discredited ISCA report was continued with an assist from these fabrications, after which I broke the whole thing up by providing dependable information to the lawyer for the harassed Louisville policemen.) and the FBI's providing of Royal Canadian Mounted Police and Memphis Police reports to the ISCA, with at least the latter's approval of giving these reports to ISCA, which means making them public while in no way does the FBI withhold them from me.

There is absolutely no doubt that this is the kind of information that is not normally removed from one file and placed in another but rather is the kind of information the FBI removes and files in duplicate by Not Recorded Sections. It includes information potentially embarrassing to the FBI on all of the subjects above and if you had noted on my appeals.

Of course all of this information should be in the abstracts and all of it was abstracted and now the abstracts also have been removed.

A typical sentence, from the first of these removed records, is "This case pertains to the assassination of Dr. Martin Luther King, Jr." Such a record should be removed from the MURKIN file with the captioned subject "MURKIN" The second line of the caption is: I'm not checking all but would expect this to be true of all.

Serial 6189 discloses that former FBI Farris Davis was disclosed to ISCA long before the FBI asked his permission. This confirms what I informed the Court and you, that the FBI used him to infiltrate the committee. Naturally the FBI would not want this to surface in a review of the MURKIN records, which it is captioned.

Serial 6199 discloses Davis fear that he would be "compromised" by the way ISCA was handling him - more than two months before the FBI's records without asking his permission to identify him to ISCA. By then the press was on to him.

Serial 6208 reports that the Memphis Police informed the name SA Earl F. Johnson, who provided an affidavit in C.A. 75-1996 without including this then recent information, that its records "may be released" to ISCA "without the expressed consent" of the FBI. Because this is inconsistent with the policy in this litigation there is motive for removing it from the MURKIN file.

For example, if you were to check the MURKIN file in evaluating my appeal you'd not find this pertinent record, and having been persuaded incorrectly by the FBI about this "changed to" thing would not have any reason to go further.

Special ~~Section~~ ^{Section} person on prejudicial information to MIA, that the resident J.B. ~~Stoner~~ ^{Stoner} ~~represented~~ ^{represented} ~~an~~ ^{indicated} ~~larger~~ ^{named} James Leslie Buckley. It also quotes Stoner as having said exactly what I informed MIA in 1968, stating to another FBI fabrication of definition of me.) Intently this was basis enough for the MIA to select, from all possible legends, only having to represent Mrs. Jessie Pepper, James Earl Ray's sister, when it refused to permit me to have contact of her choice, Mrs. Leanne. (Mrs. Pepper insisted she wanted Leanne, after one experience with Buckley, he then persisted, MIA backed down, and the effort to freeze her as a big woman who allegedly travelled to her brother James, who she'd not seen since she was a baby, the story every law office bathroom sign-ally get in best collection, the FBI's conspiracy theory, subsequent collapsed.) Buckley was only too aware of the federal charges against him and he did nothing that would displease anyone in Washington the one time he represented Mrs. Pepper.

Of course, this is only coincidence, as is the removal of 25 other clearly MURKIN records from the MURKIN file rather than the following its normal practice, of filing duplicate records. Perhaps the FBI will argue that it was cheaper to make no cash entry and to waste clerical time of considerably higher cost not to have to pay MIA the approximately half-cent a page it charged for use of its automatic machines?

I am aware that you told me on 3/19 that you are doing nothing about the King case, even though the judge involved you in it. I am also aware that you have done virtually nothing about the file drawers of King records appeals I have filed. I know of your staff turnover and that the Department has not replaced the lost personnel. However, this case is not going to go away, I had serious purposes in filing all these appeals, and the abstracts are a very important record. I therefore inform you in this appeal and again request action on all the "changed to" removals of records from all pertinent files in all cases. There is no doubt that these records belong in the file from which they were removed and are necessary for evaluation of my appeals.