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*Freeda
Scooby* *RC 272*
NARA
Prox 1101
Folder 12

CONSIDERATIONS ON ADMISSIBILITY OF EVIDENCE.

1. Walker Incident. No one ever saw Oswald in the vicinity of Walker's home. The bullet fired at him was not identified as coming from his or any other rifle. Independent of the testimony of Marina Oswald there is nothing to connect the two events except the equivocal letter Marina says Oswald left at the time (which does not itself mention Walker; ~~Exhibit~~ it is undated; it refers to no independent event by which it can be linked to Walker or to April 10, 1963. Even assuming that Marina could testify as to the circumstances of finding it, this note shows only that Oswald expected some crisis and that he might be taken prisoner. The only other "evidence" consists of pictures of the Walker and surrounding premises taken with the Oswald camera. Therefore, regardless of the "other crimes" consideration, no firm evidence linking Oswald with this shooting attempt would be available in a court of law.
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Note

2. The rifle/and much other incriminating evidence was obtained from the Paine residence on the afternoon of November 22. At this time no search warrant had been obtained. Mrs. Paine had no right without a warrant to consent to a search of Oswald's personal effects segregated in her garage, and it does not appear that Marina gave any "knowing consent." Probably everything turned up on this search would have been inadmissible.

3. Marina Oswald would have been incompetent to testify against her husband on a trial of the case. Marina is the only person who has said she saw this rifle in Oswald's possession. She is the only source

*Photo of
Paine's
place - no
Oswald in
operation*

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