

16 June 1971

Dr John Nichols  
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Kansas City 66103

Dear John,

As requested in your letter of the 12th, I am returning herewith the copy of your brief of appeal to the Denver Appeal Court. I have read it somewhat hurriedly, but carefully, and can only say that if your suit is to be judged purely on intrinsic merit I would have every confidence in the success of your appeal. However, it seems indisputable from the long record of individual and collective efforts to obtain a reexamination of the Warren Report and of the contested evidence treated in your brief that we must expect every kind of subterfuge, deception, and prejudice--to say nothing of official pressure--to preserve the status quo and to disregard the most flagrant malfeasances on the part of the authorities while denying the letter and the spirit of the freedom of information statute.

I am just readying myself for a long vacation, the first since the assassination, and will be leaving the city soon to return in early September. If you should come to New York next week, I am not certain that it will be possible to get together, but I will certainly try. I have not been doing any work on the case, for a variety of personal reasons that I will not go into, and unhappily I feel my knowledge of the detailed evidence becoming increasingly hazy.

One item that may have some interest for you concerns a suit against the Government for access to certain items of evidence in the JFK assassination on grounds of a possible link with the Martin Luther King assassination. I have no direct knowledge of this but was told of a TV news report, perhaps two or three weeks ago, about a suit by Emory Brown (I think his name is) of Farmingdale, New York, and testimony by an FBI representative to the effect that Brown should not be given access to the materials in question because the case was still under investigation. That, of course, is the most transparent kind of deceit and only a contrivance to impede disclosure. I mention it because the Government could always produce the same fiction in defending against your suit. If you want more information on the Emory Brown suit, you can probably get it from Dick Sprague and/or the Fensterwald committee.

All the best,

Sincerely yours,

Enclosure:

Brief of appeal