

ACLU

Dear Mark,

7/2/85

This is an explanation I do not want to forget when I mail you a copy of what I'll be filing. And to thank you for the copy of what you filed to be excused, which came today. It tells me to whom to send the government's copy, which I did not know.

I decided that what I'm filing is also a political document and because it is I've included a few more explanations and details to provide proper context for the courts, whether or not they pay any attention. This should, and I hope will, make more comprehensible to those who have no knowledge of the litigation what is involved in it. I believe, for example, that suggesting if not establishing a motive for all the rather serious misconduct documented as it is, will help others understand that this is not merely purposeless misrepresentation.

Although everything I know about it tells me that DJ's so-called "Office of Professional Responsibility" is its whitewashing component, I may decide to send it a copy. What I know about it is based on personal experience but I nonetheless am now inclined to give it a copy and present it with a problem. I am inclined to believe that this is useful in and of itself and can be more useful if there is ever any attention to what I file. As, for example, an FOIA subcommittee or Don Edwards' judiciary and oversight committee. (I've never met or spoken to Diane Cohn and I have no idea how she knew about the list of 25 ignored requests she gave the Senate subcommittee back in the late 70s, but it served a useful purpose.)

I do not know if it will interest you, but I'll keep a list of those to whom I'll send copies if it later does interest you. I'll include those to whom I sent what I filed pro se, on appeal.

As I read Rule 60(b) this does not end my possibilities. While I have no knowledge of case law, this seems to say that I can also file a new suit. This appears to be impossible for me now but perhaps in the future, and I think this means within a year, the situation may change.

My wife will now read my draft and will have questions, after which she'll retype it. You'll know when I filed it from the certificate of service. It ought be before the rather appropriate last day, Pastille day.

I had, by the way, no inkling that the FBI had prepared those various dossiers before I saw this tickler. I have no notion of any sexual misconduct by any of the so-called critics save for one which the FBI did misuse fairly often. Some years ago, when he was in the NY Assembly, Mark Lane had some sexual pictures of himself taken and when others obtained copies it appears to be the reason he did not run again. The FBI showed those pictures to a number of reporters and appears to have made copies available to Clay Shaw's defense. This is not indicated in any New Orleans record disclosed to me but believe me, one of Shaw's lawyers, with whom I had a rather good rapport (and he found my treatment of Shaw very fair) had a set.

Only time will tell whether anything can make any difference to Smith but I do not believe that the added length will make any difference to and with him.

Again, thanks, and I hope you are having a good vacation.

Sincerely,