Given to me 3/4/77 with [illegible] filed at [illegible] Blank Bay jdc

Memorandum to Mr. DeLoach
RE: MURKIN

Under the statute being used the complaint can be filed in any District in which the conspiracy took place or an overt act occurred. On the basis of facts presently available, we are limited to filing the complaint at Memphis or Birmingham.

We understand that we cannot rely on the U. S. Attorney at Memphis. If we tried to file there, we would immediately lose control of the situation and the complaint would become public knowledge.

We have checked with Birmingham and we have no assurance we could keep a complaint filed there a secret. We would have to go through the U. S. Attorney's Office and Macon Weaver, the U. S. Attorney, is presently in Houston. The U. S. Commissioner is a woman who does not have too firm a grasp on her operations.

Investigation at the Canadian address given by Galt, 7/31/67, has not been productive and a Kansas City address as of 3/1/67, that we obtained in Canada is nonexistent. Galt is last known to have been in Atlanta, 4/5/68, and his present whereabouts are unknown. We are faced with the danger that he may leave the country before he is located.

In view of the above circumstances, it now appears charges should be immediately filed and Galt's fugitive status should be given the widest possible publicity.

ACTION:

1. We should openly file the proposed complaint at Birmingham.

2. We should issue a wanted flyer and a fugitive press release.

3. We should issue an Identification Order even though no fingerprints are available.

4. At the appropriate time, the Attorney General should be advised that circumstances have required the action being taken.

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conspiring to interfere with the constitutional rights of Martin Luther King, Jr. Galt has been identified as being James Earl Ray.

Under the statute used, the complaint can be filed in any district in which the conspiracy took place or an overt act occurred. Since the shooting occurred in Memphis and the gun had been purchased in Birmingham, consideration was given to filing the complaint at Memphis or Birmingham. It was our understanding that we could not rely on the U. S. Attorney at Memphis and if we attempted to file the complaint there, we would immediately lose control of the situation. Therefore, the complaint was filed at Birmingham where, on the basis of facts then available, the first overt act in furtherance of the conspiracy was committed. Based on the complaint, the U. S. Commissioner then issued the warrant of arrest.

ACTION:

In light of the above it is recommended that Congressman Selden be advised along similar lines to the acknowledgment made by Mr. Lindenbaum. Congressman Selden is being advised that since the complaint alleged a conspiracy which, on the basis of facts available, began in Birmingham the warrant was obtained in that city. Attached for approval is a letter to Congressman Selden. A copy of our acknowledgment to Congressman Selden is being furnished to the Attorney General, Deputy Attorney General and Assistant Attorney General Stephen J. Pollak, Civil Rights Division.