

44-38861-5983X

EX-116
REC-69

~~44-4-975-828~~

October 7, 1975

ml

- 1 - Mr. Cochran
- 1 - Mr. Moore (Attn: Mr. Gunn)
- 1 - Mr. Gallagher (Attn: Mr. Lawn)

Mr. Ernest S. Leiser
 CBS News
 524 West 57 Street
 New York, New York 10019

Dear Mr. Leiser:

This is in response to your Freedom of Information Act request dated September 5, 1975.

The information you request is exempt from disclosure pursuant to the provisions of Title 5, United States Code, Section 552 (b) (7) (A) and (B). These cited subsections relate respectively to investigatory records compiled for law enforcement purposes, the disclosure of which would interfere with enforcement proceedings; and information, the disclosure of which would deprive a person of a right to a fair trial or an impartial adjudication. These particular exemptions are cited since the case involving James Earl Ray is currently on appeal in the 6th Circuit Court of Appeals.

You have thirty days from receipt of this letter to appeal to the Attorney General for any denial contained herein. Appeals should be directed in writing to the Attorney General (Attention: Freedom of Information Appeals Unit), Washington, D. C. 20530. The envelope and letter should be clearly marked "Freedom of Information Appeal" or "Information Appeal." Following the Attorney General's decision, judicial review is available in the district of your residence or principal place of business, or in the District of Columbia, where the records are situated.

Sincerely yours,

C. M. Kelley

Clarence M. Kelley
Director

MAILED 7
 OCT 8 1975
 FBI

1 - The Deputy Attorney General - Enclosure
 Attention: Susan M. Hauser

jav:cag (8)

NOTE: Reply coordinated with External Affairs and General Investigative Division.

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____
- Director Sec'y _____

MAY 11 1978

TELETYPE UNIT

CBS NEWS

A Division of Columbia Broadcasting System, Inc.
524 West 57 Street
New York, New York 10019
(212) 765-4321

Dep. A.D.A.
Dep. A.D. in
Asst. Dir.:
Admin.
Ext. Affairs
Ident.
Inspection
Intell.
Lab.
Plan. & Eval.
Spec. Inv.
Training
Legal Coun.
Telephone Rm.
Director's Sec'y

Dear Director Kelley:

September 5, 1975

Acting under the Freedom of Information Act, I request access to the following FBI documents relating to the assassination of Martin Luther King, Jr. in Memphis, Tennessee, April 4, 1968:

1. Bullet comparison photomicrographs of the evidence bullet and the test bullets made by your ballistics expert, Mr. Robert A. Frazier.
2. Results of laboratory examinations of the evidence bullet.
3. Results of the microscopic examination of the windowsill in the bathroom at 422½ Main Street, Memphis, from which the murder weapon was allegedly fired.
4. Photographic enlargements of the dent in the window-sill and of that part of the rifle which allegedly caused the dent.

I have seen your letter to my colleague, Mr. Haley, in response to his request in the matter of George Wallace and realize you are snowed under with FOIA requests. However, I would appreciate your expediting this as much as possible. Our program is scheduled for broadcast this fall.

Sincerely,

Ernest S. Leiser
Senior Producer

44 - 38861 - 5993X

EX 104 REC-48

Clarence M. Kelley
Director, Federal Bureau of Investigation
10th and Pennsylvania Aves., N.W.
Washington, D.C. 20535

21 SEP 8 1975

F.O.I.A.