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(WASHINGTON)--A FREDEROCK, MARYLAND AUTHOR SAID ~~TODAY~~ HE IS FILING SUIT IN A FEDERAL COURT ACCUSING THE JUSTICE DEPARTMENT OF WITHHOLDING EVIDENCE THAT SHOW IT COULD NOT HAVE PROVED JAMES EARL RAY KILLED DOCTOR MARTIN LUTHER KING. HAROLD WEISBERG...AUTHOR OF SEVERAL BOOKS ON THE ASSASSINATION OF PESIDENT KENNEDY...SAID THE SUIT WILL ASK THAT THE JUSTICE DEPARMTNET AND STATE DEPARTMENT BE REQUIRED TO RELEASE THE VIDENCE UNDER THE FREEDOM OF INFORMATION ACT.

WEISBERG SAID THE SUPPRESSED EVIDENCE INCLUDES RESULTS OF BALLISTICS TESTS AND MEDICAL REPORTS AS WELL AS AFFIDAVITS FROM WITNESSES.

WEISBERG SAID THE EVIDENCE WAS PRESENTED AT EXTRADITION HEARINGS FOR RAY IN LONDON...BUT THAT ALL RECORDS OF THE PROCEEDINGS AND THE EVIDENCE WERE SENT TO THE STATE DEPARTMENT WHICH EVENTUALLY SENT IT TO THE JUSTICE DEPARTMENT. WEISBERG CLAIMS THE JUSTICE DEPARTMENT TOLD HIM IT WOULD NOT RELEASE THE EVIDENCE...EVEN IF IT HAD IT. THEREFORE...ACCORDING TO WEISBERG...THE PUBLIC COURT RECORD OF AN AMERICAN CITIZEN HAS BEEN TAKEN AND HIDDEN.