2/7/71

Dear Gary,

Mind fatigue and physical tiredness impel me to stop work on which I must be sharp. Before reading something light or looking at something crappy enough on TV to get my mind off of it, let me update you on my clothing/pix suit.

Aside from my lack of knowledge of the law, the real problems are time and gov't crookedness. Lil is so busy at work she is having to bring it home nights, start early in the morning, do what she can on weekends. This weekend she got farthur behind by typing what she could on the papers I have to file by 2/17. Whether I'll be able to get them all done in time is a serious question. I doubt it. But she has completed the essentials. I've got 20 more edited pages awaiting her, and more to edit when I'm sharp enough. This will be a long one, the kind judges do not welcome and I suppose rarely read. My purposes is to make a definitive record of the political aspects and the permeating crookedness, I think in this case to the point where they deceived the judge. The amount of work I had to do was enormous. Perhaps the dirtiest trick was certifying to the judge that they sent me everything, including attachments of exhibits and affidavits and sending no attachments. I've asked for them twice without getting them, and in order to be sure I'd get any response done in time had to complete that part without them. Perhaps it was dirtier for the gov't attorney to tell me there was no fixed time limit on my time to respond when that was the sixth of the 10 days I had! Nice people. But it all helps put the entire thing in perspective. It is faithful as anything can be.

Jim, who sometimes suffers from insomnia, was supposed to get here early yesterday a.m. but feared driving, having been sleepless until 5 a.m. Last time he did under those circumstances he ent ovef a 30-foot embankment. He is busy preparing the appeal in my spectro suit. It is disspiriting to hear him tell me all the points his research has turned up to know that I had anticipated them all, or all the important ones (save a single technicality), and had done so, in writing, before the unsuccessful hearing. Got barn doors, but jaskasses instead of horses. Pretty much of the law is quite logical and can be doped out without professional training. This case again proves it. Even the flaws and defects and incompetence of the FBI affidavit, even the one who made it, I had outline. Maybe I sent you a copy. Rather than making me feel good for having been so right, it makes me feel bad because the defects were all anticipated-and ignored. I don't think anything could have persuaded that judge to rule against the government, but how much better a record we could have had, and how many fewer problems and time-wasters now!

The judge on my current case shows signs of being hungup on Warren, etc. This is something I felt I couldn't ignore and it turns out that what the government papers impelled me to want to say and make a matter of court record, phrased as I'd already indicated to you prior to learning this, may help him understand or at least may not rub his prejudices (if any) the wrong way. We'll see. But I know the length with send him up the wall. But, I do feel that on the law and fact, if he reads the first half of the 20 pages now typed, I should prevail. If I do, this is not the end but the beginning. It would be foolhardy not to expect the government to appeal. How do I handle that?

When I began to get foggy, I tpyed with the idea of writing Ned further (I sent him a brief note of thanks yesterday), to suggest that on behlf of his liberal, Eastblishment friends and contacts he might want to read this before filing. But, I then realized that I want no interruptions until I get everything I can done, and that means no interruptions until after filing, which must be by the 16th. The, however, I think he should. I'll have very few copies. The court gets so many and the government so many, I need one for Bud and one for me and that almost takes all. The amount of copying will be such that I'll not be able to afford to xerox the original before filing...So you may better understand, I think that I pin the hat of suppression and trickery on DJ and show they are saddled with an irr e-concilable conflict in this case...Long story in Post today on Teddy's fear of assassination, number of threats, effect on kinds, etc. HHH is champ in total number received, over 1,000 to end vice presidency. He has a three-monkeys security system, I guess. Besy,

H