

Dear UPI Legal Correspondent,

7/9/85

If you read the pro se en banc petition I filed with the federal appeals court in this litigation, the enclosed motion I'll file at district level tomorrow is different in form, content, in my putting my head on the block in an effort to force some kind of judicial proceeding, and in my using the new-evidence Rule, 60b, to seek sanctions against government employees. As you'll see, I allege and I think prove fraud, false swearing and other misrepresentation, none accidental.

The evil precedent of sanctions against plaintiff's counsel for no good reason has been overturned, but the also evil precedent of sanctions against an FOIA requester remains and unless overturned will, in practice, mean the end of FOIA for all practical purposes.

There is a long history only partially indicated in the opening of this motion, but the FBI has been trying to "stop" me and my writing for years. The word "stop" is their's. And they have done other nasty things only partially indicated in this background.

From my not inconsiderable experience I believe that one of the reasons the government dares pull frauds and other felonies is the certainty that it simply is not possible for the press to cover all the federal litigation. In one of my early cases, the one over which Congress in 1974 amended the investigatory files provision of FOIA, in its earlier form or when it was refiled after the effective date of this amending, I do not recall that a single reporter was ever present. And for that matter, even though it is quite explicit in the Senate debate on the amendment, that it was because one determined man made the system work also went unreported, other than in the Congressional Record.

In varying degrees official lying has characterized all my FOIA litigation, all of which sought records potentially embarrassing to the government, but both the judges and counsel tend to shun doing anything, I suppose, from the FBI records I've obtained, with what they regard as justifiable fear* They can't do to me what they make lawyers fear they'll do to them and I'm not afraid anyway. As I report in this motion, in the background section, two FBI efforts to ruin my first two books backfired and sold them out!

If you have any interest and if I can help in any way, please let me know.

In the attachments I use few pages. If the content of any of them is of interest, I can provide the parts of those records I do not use in this motion. Such things as the dossiers on the Warren Commission members and staff, which includes at least one judge today and Senator Arlen Specter, how it used Sid Epstein then of the Star, LBJ's project for having J. Edgar Hoover write a book responding to mine and others, etc.

* For example, with me, the FBI converted an annual religious gathering at a farm we owned into a celebration of the Red Revolution! Can you imagine the impact on LBJ and others when they read that? (And they didn't miss the lawyers defending against my FOIA litigation.)

Sincerely,

