

To Mark Allen and Jim Lesar from HW 5/28/85 re FBIHQ tickler copy of NO's
6/12/67 TT to FBIHQ "Subject: Carlos Marcello."

Mark asks if Jim sent me that particular record and if he did I do not remember it; how it relates to the Marcello case, which I'll come to; and ~~it~~ is it evidence of withheld N.O. field office records, which it is, albeit not new evidence in any sense. The content, in other records, is in C.A. 78-0420.

The withheld name, already disclosed, is of Lt. Constock. He did a black bag job on Dave Ferrie and then he took what he stole to the FBI. It included records relating to Jack Wasserman's and G. Wray Gill's defense of Marcello in the deportation case. 46, the file classification, begins with "Fraud Against the Government and includes other crimes. In 1967, at the time of the indicated date, Garrison wanted the stuff Constock stole from Ferrie and Constock went to the FBI for it, and that involved the NO USA, to whom the FBI had given it, and other complications.

Some of the NO.O records were in an 80 file, others in 67, and he wasn't an applicant for FBI employment, the meaning of the 67 file.

Some but not all of the relevant records were disclosed to me, those that were included as xeroxes in the assassination main file. Those that I identified and were not provided remained withheld and my appeal was ignored. Ditto for in the litigation, in which I used the disclosed copies as attachments to an affidavit.

Duplicate filing in the assassination file need not be interpreted as relating to any Marcello involvement, if that is the thrust of your question. Relevance to Ferrie is enough to justify it. The intended purpose had to do with the attempt to deport Marcello for allegedly getting citizenship by fraud, which Ferrie's investigation defeated.

However, it appears to me that Constock was one of the FBI's sources inside Garrison's office, and if so those records remain withheld and are hidden in either the 80, the 67 files or both.

It had other sources inside Garrison's office, disclosed in the assassination file, without identification of them and again, in all likelihood, not all the relevant information was added to the assassination file.

If you have further interest, I'm pretty sure I have a Constock subject file, including the records I used in the litigation and on appeal. Jim also has them but he may not be able to retrieve them readily.

Best wishes,

Re: release of 2/15/85

Harold :

Did Jim send this to you?
How would this material relate
to the Marcello case?

Is this more evidence of withheld
New Orleans field office records?

Best wishes,

Maal

FBI WASH DC

10 10:22AM URGENT 6-12-67 2P85 MMV
TO DIRECTOR 46-42600
FROM NEW ORLEANS 46-1731

SUBJECT: CARLOS MARCELLO, AXA
PERJURY; 00J

ATTENTION: DIVISION NINE AND DIVISION FIVE.

AUSA GENE S. PALMISANO, ACTING USA WHILE WAS LOUIS C. LACOUR IS ON ANNUAL LEAVE, TELEPHONICALLY CONTACTED THE NEW ORLEANS OFFICE AND ADVISED TULLEY KOSACK DEPT. ATTORNEY HAD CONTACTED THE USA'S OFFICE IN NEW ORLEANS AND REQUESTED THE NEW ORLEANS OFFICE CONTACT THE [REDACTED] IN NEW ORLEANS TO DETERMINE IF THE BANK WOULD FURNISH TO THE FBI FOR THE DEPARTMENT OF JUSTICE, BANK STATEMENTS IN REFERENCE TO DAVID W. FERRIE WITHOUT THE ISSUANCE OF A SUBPOENA.

REFERENCE IS MADE TO NEW ORLEANS AIRTEL THREE TWENTY-ONE SIXTYFOUR FORWARDING A LETTERHEAD MEMORANDUM IN CAPTIONED CASE WHICH SHOWED THAT ON TWO THIRTEEN SIXTYFOUR, [REDACTED], A NEW ORLEANS POLICE OFFICER ASSIGNED TO THE DISTRICT ATTORNEY'S OFFICE, ADVISED THAT SHORTLY AFTER THE ASSASSINATION OF PRESIDENT KENNEDY, [REDACTED] WAS CONDUCTING AN INVESTIGATION TO LOCATE DAVID W. FERRIE, WHO WAS ALLEGED TO HAVE BEEN ASSOCIATE OF LEE HARVEY OSWALD.

[REDACTED] SAID IN AN ATTEMPT TO LOCATE FERRIE AT HIS RESIDENCE, 3330 LOUISIANA AVENUE PARKWAY, NEW ORLEANS, HE FOUND CERTAIN MATERIAL. [REDACTED]

END PAGE ONE

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MR. SULLIVAN

[Handwritten signature]

[Handwritten signature]

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PAGE TWO

NO 46-1731

ORLEANS. [REDACTED] ADVISED THIS MATERIAL WAS OBTAINED WITHOUT A WARRANT AND A SEARCH WAS NOT CONDUCTED INCIDENTAL TO AN ARREST. [REDACTED] MADE COPIES OF THIS MATERIAL AVAILABLE TO THE NEW ORLEANS OFFICE ON TWO THIRTEEN SIXTYFOUR.

AUSA PALMISANO WAS ADVISED THAT THE [REDACTED] [REDACTED] RECORDS AVAILABLE TO THIS OFFICE WITHOUT THE ISSUANCE OF A SUBPOENA.

MR. PALMISANO ASSURED THIS OFFICE THAT THIS INFORMATION WAS NOT BEING OBTAINED IN REFERENCE TO THE ASSASSINATION CASE BUT MERELY IN REFERENCE TO THE MARCELLO CASE.

NO CHECKS BEING DIRECTLY MADE WITH THE [REDACTED] [REDACTED] EVEN TO REAFFIRM THEIR STANDARD POLICY, WITHOUT PRIOR BUREAU AUTHORITY.

END

TMA

FBI WASH DC

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