

F B I

Date: 7-22-68

Mr. Tolson	_____
Mr. DeLoach	✓
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	✓
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

Transmit the following in _____
(Type in plaintext or code)

Via AIRTEL AM
(Priority)

TO: DIRECTOR (44-38861)
FROM: MEMPHIS (44-1987) P

MURKIN

Criminal Court Judge W. PRESTON BATTLE will hear trial of JAMES EARL RAY. Memphis indices disclose no pertinent derogatory data concerning BATTLE. Memphis indices disclose Airtel submitted to Bureau in Bufile 44-30948 captioned "Deputy (FNU) BONNANO, East Baton Rouge Parish, Louisiana, Sheriff's Office; UNSUB, Jailer, East Baton Rouge Parish Jail, East Baton Rouge, Louisiana; UNSUB, Jailer, Memphis Police Department Jail, Memphis, Tennessee; Judge W. PRESTON BATTLE, Shelby County Criminal Court, Division #3, Memphis, Tennessee; DOUGLAS LANIER - VICTIM, CR." This Airtel was RUC communication from Memphis. Victim instant case alleged Judge BATTLE violated his constitutional rights.

Another reference in Memphis file disclosed Airtel dated 11-1-65 submitted to Bureau under caption "W. PRESTON BATTLE, Judge, Shelby County Court, Memphis, Tennessee; GEORGE EDWARD DRAPER, Public Defender, Shelby County, Memphis, Tennessee; WILLIAM D. HAYNES, Assistant Attorney General, Shelby County, Memphis, Tenn.; Lt. JAMES P. TALLEY, Police Department, Memphis, Tennessee; HAROLD WARD YATES - VICTIM, CR." In this Civil Rights complaint, victim YATES alleged that Judge BATTLE refused to let him say anything during course of trial and alleged BATTLE violated his rights by this and the excessive sentence which was given him.

In addition, [redacted] advised he has known Judge BATTLE personally for 25 years. He described BATTLE as being respected both socially and professionally in the community. Judge BATTLE further described as Judge who makes all attorneys "toe the line" in his courtroom and is strict in regard to proceedings. [redacted] advised in confidence that he had never heard a word against Judge BATTLE's character, reputation, integrity, or ethics as a Judge.

3 BUREAU (Encl)
1 MEMPHIS
RGJ:BN
(4)
Approved: [Signature]
Special Agent in Charge
JUL 30 1968

7/24/68 15 38 64 REC-14
44-38861-4911
JUL 24 1968
REC'D MEMPHIS
Sent _____ M Per _____
[Signature]

F B I

Date:

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Via _____
(Priority)

ME 44-1987

Further, for the assistance of the Bureau, there is submitted herewith an article which appeared in the Mid-South Edition of the "Memphis Press Scimitar" on 7-19-68, which further described Judge BATTLE.

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

(Mount Clipping in Space Below)

He's 'Stickler For the Law'

Criminal Court Judge W. Preston Battle, one of the most experienced trial judges in Memphis, was announced today as the judge in the trial of James Earl Ray for the slaying of Dr. Martin Luther King Jr.

A short, heavysset man who runs a no-nonsense courtroom, Battle has been trial judge for a number of major cases since he first took the bench in 1959. He presided at both trials of Louis F. Montesi, grocery executive convicted of killing his wife.

Battle's decisions have been reversed several times, including the first Montesi trial, but lawyers say this is the mark of a judge who bears a lot of cases and isn't afraid to blaze new trails.

Serious, almost scowling, on the bench, the 60-year-old

judge is a stickler for legal aspects of a case and often recesses court to check a point of law.

Lawyers who try grandstand tactics in the courtroom are likely to draw sharp words from the judge, but he displays exceptional patience with defendants or witnesses who appear nervous or seem not to understand legal procedures.

A lifelong Memphian, Judge Battle attended Washington & Lee University and the University of Memphis Law School, now part of Memphis State University School of Law.

ONCE SHY

He has said in the past that his shyness and timidity in his younger days led indirectly to his law career, that he had an aversion to speaking in public and joined the literary society at Memphis University School to overcome it.

After receiving his license to practice law in 1933, he became assistant district attorney general for Shelby County, a post he held for 11 years, serving on the staffs of Atty. Gens. W. T. McLain, Marion Boyd and Will Gerber.

In 1945 he entered private law practice in Memphis, with the majority of his cases devoted to criminal law. In 1959 he was appointed judge for Division III of the Criminal Court of Shelby County, a newly created court, and has since been elected to the bench.

BAR LEADER

A member of the Memphis and Shelby County Bar Association, he has served on the board of directors and executive committee. He has served as president of the Memphis and Shelby County Mental Health Association, has been active in adult education classes at Southwestern and goes deep sea fishing for a hobby.

Married in 1941 to the former Florence Warfield Boyce of Memphis, he has four children, Mrs. E. Frank King, W. J. Britton III, Mrs. E. R. Kinnebrew III, and W. Preston Battle Jr.

(Indicate page, name of newspaper, city and state.)

Page 1

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Submitting Office: MEMPHIS
 Being Investigated

ENCLOSURE

44-38861-4911



JUDGE W. PRESTON BATTLE
To Preside in Ray Trial