

Mr. Jim McManus
CBS News
2020 M St., NW
Washington, D.C.

12/2/82

Dear Mr. McManus,

It is about time for the appeals court decision in my FOIA suit for the scientific testing in the FBI's JFK assassination investigating. If I win, and there appears to be the possibility, the decision can be exceptional, if not unprecedented.

I've asked that because the records did exist and their destruction was prohibited, the FBI be required to do them again and disclose the results. I've actually asked that the tests, which are non-secret in nature, be done with the press present, but I do not expect any court to order that.

The affidavit of which you have a copy was a basis for legal arguments that followed and for briefing the appeals court after the district court again ignored the uncontested evidence.

If you recall the evidence in that affidavit (one of many in that case, all undisputed by the FBI), there is no reasonable doubt that the curbstone, struck by the "missed" bullet, was patched before the FBI dug it up and went through the charade of "testing" it, and the FBI knew it. You have pictures of this, before and after, and of the shirt collar, which has two slits, not holes, and they do not coincide, which they would if caused by a bullet.

Those slits were made by a scalpel, not a bullet, evidence that the FBI also has failed to dispute. But the official solution requires them to have been made by an exiting bullet.

These are the two simple tests the records of which allegedly do not exist, analysis of the curbstone deposit, and examination of the buttoned collar to determine whether those slits coincide.

If both do not support the official solution, then the crime is officially unsolved and there is a not inconsiderable scandal because the FBI was aware of the actuality in both matters and the Warren Commission knew that those slits were caused by a scalpel and that the wound was above the collar.

While there is no way of knowing what the appeals court will do, Jim Lesar, based on reception of his oral argument, believes it was not unfriendly.

If you do not have copies of the briefs and would like them in advance of decision, he can provide them. You are welcome to anything I have if there is anything you may want. I'm away every morning for walking therapy at a local mall, where I can sit when I must, but I'm usually home by 11.

Sincerely,

Harold Weisberg