

once already specified to it. Mr. Tyler's letter represented full compliance. Mr. Dugan began claiming mootness in February. The claim, meretricious as it obviously is, has been repeated often enough. What respondent wants to believe respondent may believe, but belief and fact are not identical. Thus it here is not a reasonable belief that what little has been disclosed is "discretionary." Hardly after what the judge directed 3/26 on pictures of the scene of the crime.

It is apparent that the Department has tried to figure out a minimum on pictures of the scene of the crime. It has more and others. It is claiming a previous exemption that, were it valid, would have been waived in 1968 under American Hall, because it used those pictures.

It also is apparent that Mr. Walley's letter makes no reference to any other record in this case while claiming mootness, as in Dugan of 2/11/76, without compliance and with non-compliance specified. The most visible non-compliance is the non-delivery of a single record of the Memphis F.O., or from the Washington F.O., despite the specifics already in the record.

The judge was directed justification of all maskings, to address a simplification on compliance, there has been not a single response of any nature, neither verbal nor written, and in this open defiance of the judge's direction there is the claim of full compliance?

I close with their close, a falsehood by them, that they showed me on 3/23 and I asked for copies of "10 photographs" were described with deliberate falsehood as "crime scene photographs." They had, remember, sworn there are none. Those pictures I was shown are not classifiable as of the scene of the crime. None of which I asked copies a month and a half ago can be described this way.