

# Fired for Girl Sleeping in His Home, FBI Clerk Sues for Job and Back-Pay

*PAT 4/22/66*  
A former FBI clerk, fired after his superiors learned that his girl friend had stayed overnight at his apartment, has asked the Federal Court here to reinstate him.

Thomas Henry Carter, 25,

filed suit Wednesday requesting that FBI Director J. Edgar Hoover be compelled to reinstate him as a GS-4 clerk in the Identification Division and give him back pay from last August, when he was fired.

He contends that his dismissal violated his rights of due process. The FBI is exempt by law from normal Civil Service procedures for review and appeal of dismissals.

FBI spokesmen declined to comment on the case yesterday. Conceding that they did comment in a New York Times article yesterday, one spokesman said, "That comment was made a week ago . . . now that the suit is in the court, we can't comment."

Monroe H. Freedman, chairman of the National Capital Area Civil Liberties Union, said yesterday his organization may consider filing a friend-of-the-court brief in the case.

If Carter's attorney, Mary M. Burnett, rejects the idea, he added, "we'll certainly follow the case anyway to see if the civil rights aspects are supported."

Carter, a bachelor living in Oxon Hill, said his FBI supervisor told him last Aug. 18 that a complaint had been filed against him. When questioned by superiors, he said, he admitted having a girl friend from out of town stay one night at the apartment he shares with three other men.

He was required to put the admission in writing, he said, and was then fired Aug. 25 for "conduct unbecoming an employe of the Bureau."

He requested reconsideration of the action on Sept. 13, he said, and was turned down on Sept. 20.

The denial letter "made no mention of any internal departmental rules or regulations preserving a semblance of procedural due process respecting an appeal of a . . . dismissal," his suit contended.