## $20 / 23 / 77$

Ton. David Bazalon, Cinoi Judse
U. S. Court of Appeals for the

Distriet of Columbia
washington, D.C. 20001

> Re; $C_{r} \cdot 2359-70$
> \#o. $^{2683}$

Dear Judge Daselon,
ilarold vieLsbarg V. US GIB and U.Soliationel Arohives

I have just neceived a copy of tho Orier of Judges Wright and nciowen rejecting my motion for leave to proceed on apseel in forme osuperis nad for ap ointront of counsel. It is, an I suppose is customary, entiroly unexplained. It leaves mo bafled, for if I do not qualify, I find it hard to believe anyone can.

I Iiled the proper affidavit stating ry financial condition. When I got to a liating of my debts that exce ded the assessed value of ay (mortgaced) property, 2 stopped Listing them. If and have bean udithout income because of the unpopular nature of my worit ani whan lqat wouk my wife conguted our cash resources, thoy totalled but $z 71.00$. I have just had to ask my bank for an extengion of time in peying the now-overche paymant of 31,250 on that part of tay indebtodness it holds. I am. I think, closer to boing a pauper than anyone roceiving public asalatance in the District of Colusbla.

Ley interest transcends wiat I rozand as my rights in thia litigation, anthough I co not protend that I have no interest in my own riehts or my dosira to ve able to pursue then in court. I dild act pro se in thiss matter in thas court below becuuse there was no altomative. howevor, it is utteriy inposible for nee to conplete the prorequisites for sppeal. And whan this queation oane up in the court belon, Judge geseli, iftiout walificetion of ony kini, as the transcript will show, did Bay that the npeals court would hap me.

What is involved is my repeated and denied requast for public information, in this casc copiea of of ificial exhibita of the late warron Comaiasion. Uther and meaningless copies as profeasionally incoapetent as the not inconaiderable soience of the FhI permits are phalishad. Whers it served officiel intere to ootain the riciest possible distribution of aensational pictures showing notione but gore, this was done, hy raquest, which is, I : bslicvo, quite consistant adth all ap liaable ragulations ae of that time they have ainco been altered), was for pieturea that did not show eore but did show only the evidence, namely the very amall areas of this offichal evidence allogedly daraagod by a bullet or fragments. In sone oxses thiia means an aras of cloth no Larger than $1 / 2^{\prime \prime}$, obviously not tha hind of thing that lends itaelf to sengational or improper use as these worda are nomally used.

Prior to the aborted hearius in this matter, the governasmt inled not one aingle faithful or complete citation of eny of the ap Ilcable reculations and despito the requirementa imposed upon it, actually withheld fros the Court the one most dircctiy apilioable, the one ainos ahunged. Its miacorduct included porjury, winich I charged and which to this day is undenied. and when I was trying to develop the apjliosbility of the regulations in my argument, I vas lirst interrupted by the judge to put on the govermaont's counsel and then, when I had to at once iisten to end be prepared to inspond to his argunent and find the oitation akiked of ne, no easy matter for a non-lanyer, when I was allowed to talk agroin I was cut off in modu-citation. Abruptily, as chay be his right ard the prevailing prectise, the judese ruled and I was told ey remedy in hia court was over

If there is any trickary and deception the government did not practisc in this case that was pessible, I can't think of it. I have spocifiediperjury and tise oditing and total misnopresentation of citations of lan and regulation. Othors ranged frow the firvolous to the false to the oertifyine to the court that it had sant me papers it not only had not but didn't until efter my thing request for them. I think you cen underatand the problem tiis made-for a layman forced to be his own lawyar when he also felt that if nothing else history required of him the pruvention of the making of another false official record in such an event as the assassination of a Presidunt and its subsequent official fuvestisntion. When I finally recelvod those pepors they had boun altered by being arop ed and to tilis aky I have not received uncropged copies. And the day after the last bay of court buainean before ny responses wuro due I got a letter from the government beying it had misinformed me on one of tho besic issues at question. What thila neceseitated of me I think you cen inagine.

The question I sus raising with you is one of justice, with regari to the notion in forma pouperis and the overal, for as a consequence or this the Eovernment has obtained a rulinc it ia alroady using to frustrate the clear intont of the law, 5 U .3 .0 .552 , oalled the "Froedom of Inforwation" Act. And in orier to got this ruling it aasured the juage it would do what it has not but no. says it cannot, take such pictures as my work requires for we but not give to copies, as I belleve the regulations and the law clearly require.

In ahort, becauso I an in fact a wan without weans, th government kas unfairly and I think I can say without fear of successfili contradiction, by tikemery, perjury and othor dishonesty obtainech a decision it can and has milsused as part of a consiatent cempaign to frustrete tho clear intent of the Congress as onbodiad in this lavi.

In orier to be certein that I an not ranscreasing acainat proprioty I have restri cted myself in tias latter to what is a mater of officiel record. Shoula your time permit it and should it not be imppoper, because of what I recand as a considerable national and legal interest involved, I would welcose an op onrtunity to discusa this furthere I hete to o. the innocent instimentality of the corruption or frustration of the law, and the
 has already ofted this dismissal of my action without $e$ trial as preoudent. God hows how many othor taimes this can or will hapen. Nr. Robert nerdie was the asalstant U. S. intromey in tilis matter, should you dedre to wer in further and to have him presunt.

If this is far from the full story, I think you can understend my enxiety to be able to ap eal, my feeling that I cualify for holp, and my fear that without it there will rasult the nost aurious niscarziage of juatice for others besides ne.

Iky ejoligios for this intruation into your buay das, ny tanks for anythine you may peoperiy be able to do, and an expression of thenics to Hr. Peulson and his office for what to be a sincere effort to be helpful, the only place I found this disposition.

Sincerely,

