

6/15/71

PH, MF, HR, RB,

Until I can bring this to an end, I want no distribution, please.

In losing my case in court today, on the pictures of the clothing, I think I actually won a significant victory, as I'll explain. Not being a lawyer, I think the prospects on appeal are very good. When the judge told me I could appeal, I told him that was without meaning because I had no means. He said the appeals court would provide them, and I propose asking it to immediately.

But the victory lies, I think, in the exhaustiveness with which I prepared long, detailed and emphatic pleadings. I think that despite everything, the government was worried, for they came into court with promises that he accepted and I would think are binding. I propose to take these promises up promptly. Part of what they said and part of what the judge said was inaudible to me. But what it amounts to for sure is that the Archives will take such pictures as I require for me, but not give me copies. They will let me examine them. This in itself is a major breakthrough, as I see it. Of this there appears to be no doubt, that was explicit and there was an assistant general counsel of GSA there to validate it.

Let me digress here to point out that nobody from the Archives was, and one of their arguments was that I had not exhausted my administrative remedies.

The point on which I am not at all sure and may be wrong is this: I think he also directed that they provide me with copies of the pictures they have already taken, those besides the FBI pictures, which are in almost all cases rubbish (meaning those they gave the Commission).

I will let you know how I make out on my request for pictures to be taken and shown me in the Archives. They have hitherto agreed only to show me those they had taken. I have a pretty good idea of what I want without benefit of seeing the clothing. As an exercise, because I expect to make the request before any of you will have time to respond (and because I may make further requests if they may not have done it), I'd like to know what pictures you'd ask for if you could have any made that you desire. I do not plan to ask for any on the jacket. Disagree if you will, but I believe this would be but harassment, that no picture of the jacket can help. Examination might.

HW