

UNITED STATES GOVERNMENT

Memorandum

Mr. Tolson	
Mr. DeLoach	
Mr. Mohr	
Mr. Bishop	
Mr. Casper	
Mr. Callahan	
Mr. Conrad	
Mr. Felt	
Mr. Gale	
Mr. Rosen	
Mr. Sullivan	
Mr. Tavel	
Mr. Soyars	
Tele. Room	
Mr. Holmes	
Miss Gandy	

TO : Mr. DeLoach

FROM : J. Rosen

SUBJECT: MURKIN

DATE: April 17, 1970

1 - Mr. DeLoach
1 - Mr. Rosen
1 - Mr. Malley
1 - Mr. McGowan
1 - Mr. McLaughlin
1 - Mr. Bishop

MR. DELOACH

7/1/70

This is the case involving the murder of Martin Luther King, Jr.

James Earl Ray, the subject who is serving a 99 year sentence in a Tennessee State Prison on his guilty plea to the murder of King, has filed a petition under the Tennessee "post Conviction Relief Act". This is his last avenue of appeal in State Court as his appeal previously was denied by the Tennessee State Supreme Court.

The bases of his current appeal are the same, namely:

1. He charges conflict of interest by his previous attorneys Arthur Hanes and Percy Foreman and writer William Bradford Huie in connection with the financial returns from publications on Ray's story relative to the King shooting.
2. He was deprived of full and free access to his attorneys while incarcerated in Shelby County (Memphis), Tennessee, Jail.
3. The death of the trial judge, Preston Battle, soon after his trial and sentencing also deprived him of his right to new trial.

Attached to the petition is an affidavit by Jerry Ray, James Earl Ray's brother, which was taken under oath, in which Jerry Ray claims that Percy Foreman stated that the prosecution and/or the FBI was bribing witnesses, "specifically a man by the name of STEVENS who the prosecution was bribing by offering him a large sum of money as a reward."

This undoubtedly refers to Charles Quintan Stephens, who occupied the room adjacent to James Earl Ray at the house in Memphis from which the shot was fired.

EJM:js
(7)

EX-115 REC 12 4 5870

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PERS. REC. UNIT

SIX

Rosen to DeLoach Memorandum
RE: MURKIN

There is no basis for Jerry Ray's statement that the FBI bribed Stephens. The Tennessee State Prosecutor has advised SAC, Memphis that there is no basis to Jerry Ray's statement that the prosecution bribed Stephens. The prosecutor indicated that they would answer the petition within the next 30 days.

ACTION:

It is recommended that SAC, Memphis be instructed to prepare an affidavit and furnish it to the Criminal Court of Shelby County, Tennessee, refuting the statement in Jerry Ray's affidavit pertaining to the FBI in order that the record will be set straight.

Handwritten notes and initials:
JRM
PK.
A
V
WSS

4/21/70

1 - Mr. McDonough

AIRTEL

TO: SAC, MEMPHIS (44-1987)
FROM: DIRECTOR, FBI (44-38861) - 5872
MURKIN EX-115

REC-11

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SAC, Memphis should prepare an appropriate affidavit refuting the statement set forth in Jerry Ray's affidavit pertaining to the FBI and furnish the original to the Criminal Court of Shelby County, Tennessee, and furnish copies to the Bureau for dissemination to the Civil Rights Division.

EJM:js
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Tolson _____
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