

Dear Mr. Lerer:

I am reading your several articles that come from
the newspaper, you can pass this one about Walter Rife
on to Mr. Weisberg when you see him. He knows Rife.

I didn't know you were going on a vacation until
after I already sent you the Court of Appeals brief. I
wouldn't waste any vacation time on it. I will send it
in or at least about the 10th of April.

Best Regards,

p.s. am also reading a letter from W. Millan

St. Louis-Post Dispatch
April 19, 1974



Jake McCarthy
a personal opinion

Strange Case Of John Larry Ray

THE UNUSUAL CASE of John Larry Ray has surfaced again, and it once again raises questions surrounding the assassination of the Rev. Dr. Martin Luther King six years ago this month.

John Larry Ray of St. Louis is the brother of James Earl Ray, who was arrested after an expensive trip to Europe and charged with killing Dr. King. Nobody ever explained where he got the money, because James Earl Ray's original attorneys entered a guilty plea after a brief court hearing and no testimony in the case was ever heard. In April 1969, James Earl Ray received a 99-year sentence and has since been held in a maximum security state penitentiary in Tennessee.

Ray objected to the guilty plea, however, and hired a new attorney, J. B. Stoner of Savannah, Ga., to represent him. But his requests for a new trial have been denied.

John Larry Ray's own strange saga began in October 1970, when three armed men robbed the bank of St. Peters, Mo., of \$53,000. They escaped alone in a car. An hour after the crime, Jack Ray was arrested on a highway seven miles from St. Peters alone, unarmed, and carrying only \$500. He was charged with aiding the escape by giving the robbers a ride between the time they abandoned their getaway car and entered still another car. Up to that time, Jack Ray was operating a tavern in south St. Louis, described by police as a "nice, quiet saloon."

Charged with the actual bank robbery were Ronald S. Goldenstein, James A. Benney and Jerry L. Miller. A month after Ray's arrest, Goldenstein was arrested in Portland, Ore., as a material witness to the shooting death of Benney. Goldenstein was brought to trial with Ray in April 1971. Miller had not been found.

STONER, HIS BROTHER'S LAWYER, was retained to represent Jack Ray. At the time, Stoner charged that Jack Ray's arrest was "one more example of Federal Government harassment and persecution of the whole Ray family in an attempt to discredit James Earl Ray and make it more difficult for him to get a new trial." Another brother, Jerry Ray Jr. had been indicted for a shooting in Savannah. He was later acquitted.

At his own trial, Jack Ray testified that "I've never been to St. Peters. I don't even know if they have a bank." He said he had been threatened in 1968 and 1969 by a Federal Bureau of Investigation agent. "They threatened me with the penitentiary and told me not to visit my brother in Tennessee or attend his trial." This testimony was permitted by United States District Judge William H. Webster over objections by the government prosecutor.

Ray was found guilty of aiding the escape and sentenced to 18 years. Goldenstein was found guilty of robbing the bank and sentenced to 13 years. The story, however, was only beginning.

In March 1972, Goldenstein was granted a new trial on the ground that the Government had conducted an illegal search of his hotel room. Ray's own appeal was denied. In October 1972, Goldenstein was acquitted of the bank robbery charge after an hour's deliberation by the jury. The Post-Dispatch reported at the time: "No evidence was presented by the Government establishing Goldenstein's presence in the bank at the time of the robbery."

Two weeks ago, John Larry Ray, now incarcerated at the Marion, Ill., maximum security federal penitentiary, mailed me a copy of a letter he has written to U.S. District Judge John F. Nangle in St. Louis. In the letter he points out that Goldenstein's acquittal "left me the only prisoner in the federal prison system serving a sentence for picking up a person who was found not guilty of robbing a bank." Benney was dead and Miller still had not been found.

RAY ALLEGES that "this didn't look right to the government either." So two months after Goldenstein's acquittal, Miller was finally found in Fresno, Calif. Ray charges the government transferred his trial from St. Louis to Fresno "to keep it from me and the news media." In January 1973, Miller pleaded guilty to the St. Peters robbery and was sentenced to only three years in a minimum security institution. Two months later, his sentence was reduced to 18 months.

Ray's petition to Judge Nangle states: "I have already been incarcerated for 3½ years and have not even received the right to petition the United States Supreme Court, while both of the government's alleged principals are on the street. I was advised by my attorney that the petition of writ of certiorari was lost, or stolen from the mail." So he asked Judge Nangle to "reduce my sentence to a fair and equal sentence" while he is still on direct appeal.

Like many others these days, it's an unusual story whose ending, I suspect, we have not heard yet.

GEORGE McMILLAN

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Also remember how high the case has gone. It is now up to the Federal Bureau of Prisons to decide whether it is going to go to the Supreme Court with the case. That is all they have left. The actual situation at this moment is that the Prison Bureau must decide whether to ask the Supreme Court for a stay. The stay would be to prevent my going in to see you now. Their next actual step is to go before a single Supreme Court Justice, Justice Brennan, and ask him for a stay. My attorneys believe that Justice Brennan would turn them down. If he does, then the Bureau of Prisons has to go before the full Supreme Court and ask for a stay. I don't know what would happen there. But anyway the case has become a very important one and I most sincerely hope that you will not cut it off at this point in its development. Will you write me a letter and tell me that you will agree to talk with me after Jimmy's evidentiary hearing?

Best regards,



Mr. John Larry Ray, #86798
U. S. Penitentiary
Marion, Illinois 62959

GM:mlz