

FBI

Date: 1/19/60

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TO: DIRECTOR, FBI (26-250440)
FROM: SAC, HOUSTON (26-8350)
RE: [REDACTED] aka., ET AL
ITSMV, CONSPIRACY, IMPERSONATION
(OO-Houston)

RE: Houston airtel to Bureau dated 1/13/60.

On 1/18/60, trial of Subjects KURTZ and TURNER resumed before USDJ JOE INGRAHAM, Houston. Following direct examination of Government witness RAUL NUNEZ, defense requested results of all interviews in possession of Government and six FD-302's on NUNEZ delivered by Court to defense. Government also completed direct examination of MAX OLSHON and defense requested all statements of OLSHON and, following previous instructions of Judge INGRAHAM directing that all statements of COVELLI in possession of Government be tendered, AUSA CHARLES D. COTTINGHAM, JR., tendered all statements and interview reports of OLSHON in this case and also copies of three signed statements of OLSHON in case entitled "GERALD COVELLI, ET AL. TPIS, OOJ, BRIBERY", OO-Chicago; Bufile 15-38700, Chicago file 15-12848. These latter statements are found on pages 2 through 5 and on pages 4 through 15 of Houston reports dated 7/2/59 and 11/19/59. Also tendered to Court were interview report of OLSHON in case entitled "HARRY SCOTT KNEEVERS, aka., ET AL. ITSPM, ITSP", Houston report dated 6/26/59, OO-Chicago,

15-38700-
26-242764-
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- 4 - Bureau (2 - 26-250440) (AM)
- (1 - 15-38700) (1 - 26-242764)
- 3 - Chicago (1 - 26-29843) (AM)
- (1 - 15-12848) (1 - 26-28810)
- 3 - Houston (1 - 26-8350)
- (1 - 15-1492) (1 - 26-8636)

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Approved: _____
Special Agent in Charge

Sent _____ M Per _____

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Bufile 26-242764, Chicago file 26-28810. The Government objected to delivery of the three signed statements in Bufile 15-38700 and the interview report in Bufile 26-242764 on grounds they pertained to entirely different cases and did not involve KURTZ and TURNER and had not been matters of direct examination. Judge INGRAHAM overruled Government and delivered all statements of OLSHON to the defense. He stated that parts thereof related to car theft operations, mentioned COVELLI and SLEPCEVICH, and, in parts, mentioned money obtained in this ring operation in which KURTZ and TURNER are charged with Conspiracy, and that grounds for error and appeal would result if statements not delivered to defense. He stated that "if the Government is going to complain about Section 3500" (Title 18) it will have to change its methods "because of the difficulty in separating" pertinent references. Judge's statement regarding Government complaining is a reference to AUSA's objections.

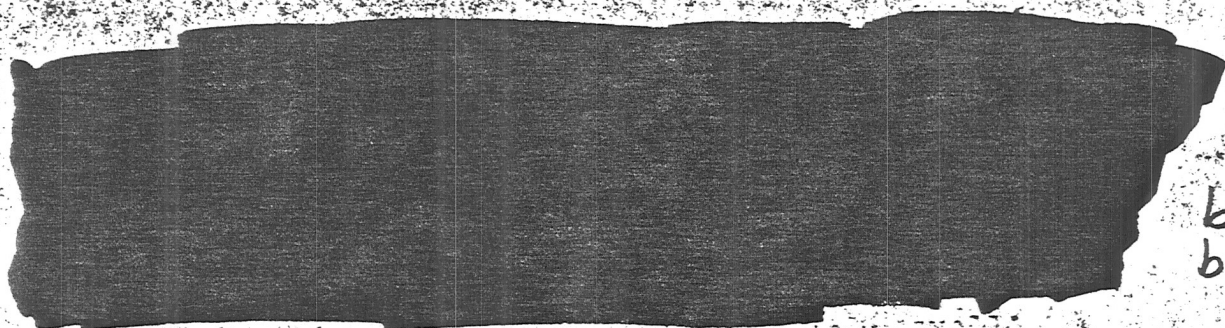
Also on 1/18/60, Government requested the return of signed statements and interview reports of COVELLI which the Court delivered to the defense on 1/11/60 and which the defense has had in its possession in and out of court since that time. Judge INGRAHAM ruled the defense may keep all Government tenders on COVELLI, on defense argument they require them to compare with statements of OLSHON for cross examination purposes.

Also on 1/18/60, defense requested, and Judge INGRAHAM so ordered, that the Government tender all "statements" of SA JAMES J. O'CONNOR who testified on 1/14/60, "Statements" have been clarified to mean all investigation, and AUSA COTTINGHAM on 1/19/60 will furnish all SF 64's and FD 302's by SA O'CONNOR although Agent testified only to examination of Cars 6 and 14 and to arrest of COVELLI and SLEPCEVICH. With respect to Agent's testimony on examination of Cars 6 and 14 the defense objected and Court sustained that such testimony was inadmissible from SF 64's because they were not original notes, and so two of stolen cars not proven. NAB Agent KENNIE JOHNSON testified from his notes on other six cars in indictment.

On 1/14/60, in cross examination of SA O'CONNOR by Defense Attorney PERCY FOREMAN, latter referred to Bureau as "constabulary" and "Federal police". Agent, while on stand, requested Court's permission to make statement concerning FOREMAN's remarks and was refused. FOREMAN, however, volunteered that he intended no disrespect.

TEXAS

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Defense Attorney PERCY FOREMAN makes strong presentation, largely based on probing with statements and interview reports tendered by Government. It is obvious that he has been given wide latitude by Judge in effort to prevent reversible error. Bureau will be kept currently advised of developments.