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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATION SECTION

NOV 11 1968

TELETYPE

FBI HOUSTON

535PM URGENT 11-11-68 EVB

TO DIRECTOR (44-38861)

FROM HOUSTON (44-1509)

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. Trotter	✓
Tele. Room	✓
Miss Holmes	✓
Miss Gandy	✓

COPIES MADE, DATE 5/12/88 BY
RBC/SS. RE M.L. King, Jr.
FOR REVIEW AT FBIHQ AND/OR DELIVERY
TO HSCA RE REQUEST DATED 5/13/88
(SEE BUFILE 62-117290)

MURKIN

RE BU PHONE CALL NOV. ELEVEN SIXTYEIGHT.

IN VIEW OF FACT PERCY FOREMAN WILL BE ATTORNEY FOR
JAMES EARL RAY IN INSTANT MATTER, FOLLOWING IS BEING FUR-
NISHED FOR BUREAU'S INFORMATION:

PERCY FOREMAN, BORN NINETEEN ZERO TWO, ABOUT SIX FEET
THREE INCHES, TWO FOUR ZERO LBS., GRADUATED FROM UNIVERSITY
OF TEXAS LAW SCHOOL NINETEEN TWENTY-SEVEN, A NATIVE OF EAST
TEXAS, HAS BEEN A DEFENSE ATTORNEY IN HOUSTON, TEXAS, FOR
MANY YEARS.

FOREMAN CONSIDERED TO BE ONE OF COUNTRY'S FOREMOST
ATTORNEYS IN FIELD OF CRIMINAL LAW, PARTICULARLY HOMICIDES.
HE PRACTICES ALONE. HIS STRONG POINTS ARE: SELECTION OF
A JURY; PERSUASIVE ARGUMENTS, PARTICULARLY REASONABLE DOUBT.
HE HAS BEEN EXTREMELY SUCCESSFUL AT IMPRESSING JURIES,
PARTICULARLY WHEN JUDGE HAS ALLOWED GREAT LATITUDE IN
QUESTIONING OF PROSPECTIVE JURORS. IN SUCH CASES, HE HAS

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MR. DELOACH FOR THE DIRECTOR

Texas
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PAGE TWO

HIRED LOCAL ATTORNEYS TO FAMILIARIZE HIM WITH AREA AND LOCAL SITUATIONS. HE HAS EXCELLENT MEMORY FOR NAMES AND USES THIS TALENT AND INFORMATION WHEN QUESTIONING THE PANEL IN ORDER TO ESTABLISH A PERSONAL FEELING WITH THOSE PICKED FOR JURY.

FOREMAN'S WEAKNESS, IF ANY, IS HIS LACK OF LEGAL KNOWLEDGE. HE OVERCOMES THIS WEAKNESS BY HIRING LOCAL ATTORNEYS KNOWN FOR THEIR LEGAL ABILITY. IN THE PAST HE EMPLOYED LUTHER JONES, A LEGAL AUTHORITY IN CORPUS CHRISTI, TEXAS; GILBERT SHARPE, NOW A MEMBER OF THE TEXAS COURT OF CIVIL APPEALS AND MOST RECENTLY C. ANTHONY FRILLOUX A FORMER ^{Assistant United States Attorney} AUSA OF HOUSTON, TEXAS. FOREMAN GENERALLY PAYS THESE ATTORNEYS VERY WELL FOR THEIR SERVICES, USUALLY UP TO ONE THOUSAND DOLLARS PER DAY IN THE COURTROOM DEPENDING ON SIZE OF HIS FEE. IN THIS REGARD, IT SHOULD BE NOTED THAT FOREMAN AS A RULE IN PAST HAS NOT ACCEPTED CASES UNLESS PAID IN ADVANCE. IN ONE BUREAU CASE, [REDACTED] ^{Fraud Against Government} ET AL, ^{Special Agent} FBI, BUREAU FILE [REDACTED] ADVISED SA [REDACTED] AFTER HE WAS CONVICTED AND LOST HIS APPEAL THAT FOREMAN REQUIRED [REDACTED] TO SELL

END PAGE TWO

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PAGE THREE

HIS HOME AND [REDACTED] SON [REDACTED]

[REDACTED] BORROW THE REMAINDER OF FOREMAN'S FEE BEFORE FOREMAN ENTERED CASE.

FOREMAN HAS NOT BEEN SUCCESSFUL IN WINNING ACQUITTALS IN FEDERAL COURT. IT IS GENERALLY BELIEVED THAT HIS LACK OF SUCCESS IN FEDERAL COURT IS DUE TO STRICTER RULES OF CONDUCT ENFORCED DURING TRIAL BY FEDERAL JUDGES. FOREMAN IS ADEPT AT "SIDE-BAR" REMARKS AND RIDICULING PROSECUTOR, AND PROSECUTION WITNESSES. WHEN A JUDGE LIMITS FOREMAN'S ATTEMPTS TO RIDICULE PROSECUTION OR HIS COURTROOM ANTICS, FOREMAN ATTEMPTS TO GET A HUNG JURY APPEALING TO ONE OR TWO JURORS WHO APPEAR TO BE SYMPATHETIC TO FOREMAN. b7c

IN THE [REDACTED] CASE MENTIONED ABOVE, FOREMAN OBTAINED A MISTRIAL UNDER TITLE EIGHTEEN SECTION THREE FIVE ZERO ZERO, JENCK'S ACT, WHEN A GOVERNMENT WITNESS ADMITTED UNDER CROSS EXAMINATION THAT HE HAD BEEN INTERVIEWED BY ANOTHER GOVERNMENT AGENCY, WHICH INTERVIEW WAS UNKNOWN TO THE FBI OR U. S. ATTORNEY. IN CASE ENTITLED [REDACTED] AKA.; ET AL, *Entrastate Transpiration of CBS crew matter* ITOM, BUREAU FILE [REDACTED]

FOREMAN APPEALED TO A FEW JURORS WHO HELD OUT FOR ACQUITTAL, THUS CAUSING HUNG JURY AND MISTRIAL. IF PERMITTED BY JUDGE
END PAGE THREE

PAGE FOUR

IN CAPITAL CASE, FOREMAN ATTEMPTS TO CONVINCCE JURY THAT VICTIM WAS CULPRIT OR SCOUNDREL AND GOT WHAT HE DESERVED. THIS IS HIS MAIN DEFENSE IN CAPITAL CASES. GENERALLY, FOREMAN APPEARS BORED WHEN THE PROSECUTION HAS ITS WITNESSES ON DIRECT EXAMINATION. HE TRIES TO CONVEY THIS FEELING TO JURY.

ONE ATTORNEY, WHO WAS CLOSELY ASSOCIATED WITH FOREMAN DESCRIBED HIM AS HARD-NOSED, COLD, CRUEL AND RUTHLESS.

[REDACTED]

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b7D

FOREMAN SUCCESSFULLY DEFENDED CANDACE MOSSLER IN MIAMI, FLORIDA, WHEN SHE AND HER NEPHEW, MELVIN LANE POWERS, WERE CHARGED WITH MURDER OF JACQUES MOSSLER, HER HUSBAND, WHICH CASE RECEIVED WIDE-SPREAD PUBLICITY.

IN ALL PROBABILITY, FOREMAN WILL HIRE A LOCAL ATTORNEY IN MEMPHIS, TENNESSEE, AND USE THE TACTICS DESCRIBED ABOVE, WHICH TACTICS HAVE BEEN SUCCESSFUL IN OVER SEVEN HUNDRED CAPITAL CASES HANDLED BY HIM.

CORR:PAGE 1 LINE THREE FIRST WRD SHD BE JAMES.

END

MXS

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CC-MR. ROSEN