

# Missing Ray Bullets Turn Up — at FBI

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SPECIAL CORRESPONDENT

Four long-missing test bullets fired from James Earl Ray's rifle shortly after the 1968 assassination of the Rev. Martin Luther King Jr. have been found in the FBI's possession.

An FBI spokesman said the bullets were discovered in a storage area at FBI headquarters in Washington. A Memphis judge ordered defense and prosecution lawyers July 11 to try to produce in court all bullets fired in the 1968 FBI ballistics tests — even though Congress in 1979 had ordered all the evidence produced in a congressional investigation of the assassination sealed for 50 years.

Ballistics experts called in to try to determine whether Ray's rifle fired the bullet that killed King have said that sophisticated new equipment might do so, even though previous tests proved inconclusive. They have also said that the most valid tests would be those conducted on bullets fired as close to the time of the assassination as possible.

One of Ray's lawyers, Wayne Chastain, said he would ask Memphis Criminal Court Judge Joe Brown, presiding over the Ray

case, to seek possession of the bullets. The FBI, which has not said what it will do with the four discovered bullets, earlier said it would take "appropriate action" if any were found.

Ray, serving a 99-year prison sentence as a result of his 1969 guilty plea in the King murder, is seeking to overturn that plea and get a full-scale trial.

It also appears that even if Ray were to succeed in winning a release from a Tennessee prison there is little chance that he would soon go free. At the time of the assassination, Ray was an escapee from a Missouri prison — where he was serving 20 years for armed robbery. Missouri officials have rejected recent clemency appeals by Ray's lawyers, saying they would insist on his return to their prison system if he were ever released by Tennessee authorities.

But Ray's chief defense attorney, William Pepper, shrugged off that development as inconsequential. "We're going right ahead and seeking a new trial for Mr. Ray because he's innocent," Pepper said in a telephone interview from his London office.

*News day*

*7/31/97*

NEWSDAY, THURSDAY, JULY 31, 1997