

New Trial For Ray Is Denied

MEMPHIS, Tenn. (AP)

—James Earl Ray, admitted assassin of civil rights leader Dr. Martin Luther King Jr., was denied a new trial today.

Judge Arthur C. Faquin Jr. held the evidence showed Ray had voluntarily and in good faith entered a guilty plea to the slaying. Under Tennessee law, the judge held, such a plea precludes a motion for a new trial, for post-conviction remedies or an appeal.

Faquin, who succeeded the late Judge W. Preston Battle in the case, further held that Ray waived all rights to file a motion for a new trial or for an appeal.

He ordered Ray returned to the state penitentiary at Nashville to continue serving his 99-year term.

Ray fidgeted in his captain-style chair as Faquin read his lengthy opinion. He crossed and recrossed his legs and alternately rested his head on his right or left hand.

J. B. Stoner of Savannah, one of Ray's attorneys, told the court the defense took exception to the ruling. He later said, "some move" would be made, but declined to say when or what it would be.

Faquin held that a section of the Tennessee Code which automatically grants a new trial should the judge die while such a motion is pending did not apply in Ray's case. He said that Ray, by pleading guilty, irrevocably waived in advance any right of appeal or a new trial.

Ray did not take the witness stand.