

CW AX

~~RAY ONLY~~ -- ATTN GEN DESK

HANES-RAY 110

BIRMINGHAM, ALA. (AP)-A MOTION SEEKING DISMISSAL OF MURDER CHARGES AGAINST JAMES EARL RAY, THE MAN ACCUSED OF THE SLAYING OF DR. MARTIN LUTHER KING JR., WILL BE ARGUED IN MEMPHIS FRIDAY, BUT THE ACCUSED WILL NOT BE PRESENT.

RAY'S DEFENSE ATTORNEY, ARTHUR HANES SR. OF BIRMINGHAM, SAID TUESDAY HIS CLIENT'S PRESENCE AT THE HEARING FOR PRELIMINARY MOTIONS IS NOT REQUIRED.

SEVERAL MOTIONS ARE EXPECTED TO BE FILED IN THE CASE, INCLUDING ONE SEEKING TO HAVE THE MURDER INDICTMENT QUASHED ON GROUNDS THAT WIDESPREAD PUBLICITY WOULD PRECLUDE RAY'S RECEIVING A FAIR TRIAL IN THE UNITED STATES.

HANES HAS INDICATED THAT HE WILL ALSO ARGUE FOR A MOTION ALLOWING HIM ACCESS TO ALL PROSECUTION WITNESSES AND ALL ITEMS OF PHYSICAL EVIDENCE.

THE SHELBY COUNTY ATTORNEY GENERAL, PHIL M. CANALE, HAS SAID HE WILL PROVIDE THE NAMES AND ADDRESSES OF WITNESSES, SOME OF WHOM ARE IN PROTECTIVE CUSTODY, BUT HE HAS STATED THAT HANES WOULD NOT BE ALLOWED TO VIEW ALL ITEMS OF EVIDENCE.

HANES AND HIS SON AND CO-COUNSEL, ARTHUR HANES JR., WILL FLY TO MEMPHIS THURSDAY NIGHT FROM BIRMINGHAM.

TM135AED SEPT 4 NM