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Associated Press Writer

NASHVILLE, Tenn. AP - Harry S. Avery, corrections commission for the state of Tennessee since 1963, was fired Thursday by Gov. Buford Ellington. Avery blamed the dismissal solely on his dealings with James Earl Ray.

Ray, in maximum security at the Tennessee State Penitentiary, is serving a 99-year prison sentence imposed after he pleaded guilty to the assassination of Dr. Martin Luther King Jr. Avery said he is convinced that Ray killed King as part of a conspiracy.

Ellington named Lake Russell, 68, penitentiary warden as commissioner.

He acted following disclosure WEDNESDAY OF A ⁵⁰⁻ 37-PAGE REPORT WHICH WAS HIGHLY CRITICAL OF THE ENTIRE STATE PENAL SYSTEM. (CORRECTED)

The report was prepared for the Tennessee Law Enforcement Planning Commission by the International Association of Chiefs of Police.

In a statement, the governor said: "I have completed the evaluation of the investigative reports regarding recent events in the corrections department and after very careful consideration I have asked Mr. Harry Avery to resign as commissioner of corrections."

Avery told newsmen, "The governor told me he didn't care anything at all about the report. He said it was my violation of his instructions in regard to this prisoner, James Earl Ray," which resulted in the dismissal.

Avery, denying he violated any instructions about Ray's visitors, had been under fire since it was reported he conferred privately with Ray three times with a view toward writing a book about the Ray-King case.

"I never planned to write a book about James Earl Ray while I was commissioner," said Avery.

The governor ordered an investigation in Avery's activities with Ray after Avery said he had uncovered a plot to kill Ray and state investigators said he had not reported it to them.

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