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King Killer

Is Denied

A New Trial

Memphis, Tenn.

James Earl Ray, convicted assassin of Martin Luther King Jr., lost a bid for a new trial yesterday when a U.S. District judge ruled that Ray's initial guilty plea in the case was voluntary and "on the advice of competent counsel of his own choosing."

Ray claimed that his famed defense attorney, Percy Foreman of Houston, Tex., had compromised his rights and pressured him into admitting the 1968 murder in order to preserve the commercial value of books written about the murder of the civil rights leader.

But Judge Robert McRae Jr. rejected Ray's argument and accepted instead the state's contention that Ray made a "reasoned and reasonable decision to accept a 99-year sentence rather than risk the death penalty" by going to trial.

"Although the circumstances (surrounding the guilty plea) include conduct on the part of Ray's retained attorneys that should have been performed differently," McRae said in a 38-page decision, "the total circumstances do not reflect a violation of the constitutional rights applicable to one who voluntarily pleaded guilty on the advice of competent counsel of his own choosing."

"He ruled against us, but we have two courts upstairs (the U.S. Court of Appeals in Cincinnati and the U.S. Supreme Court) that could rule against him (McRae)," Livingston said.

United Press