

KING

Court Denies Appeal Of James Earl Ray In Dr. King Shooting

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CINCINNATI, May 10 (AP)—James Earl Ray's appeal from his plea of guilty in the shooting death of the Rev. Dr. Martin Luther King Jr. was denied today by the United States Court of Appeals for the Sixth Circuit.

The unanimous decision concluded that the United States District Court for the Western District of Tennessee had been correct in refusing Mr. Ray's motion for a new trial.

The District Court said that Mr. Ray had failed to prove that his defense attorneys, Arthur Hanes or Percy Foreman, had provided Mr. Ray with ineffective assistance or improper investigation or that Mr. Ray had been induced to plead guilty March 10, 1969.

The appellate court said that Mr. Ray's testimony at his

guilty plea hearing made it plain that he had undertaken his actions before receiving a 99-year sentence.

Mr. Ray had argued that the attorneys were more interested in profiting from books about the case than in defending him. The judges said they disapproved of the fee arrangement between Mr. Ray and the lawyers but said it did not prove he had not received a good defense.

Mr. King, the civil rights leader, was shot to death on a motel balcony in Memphis, Tenn., on April 4, 1968. Mr. Ray was arrested in London, England, June 8, 1968. He is now in the state prison at Nashville, Tenn.

While still in England, Mr. Ray hired Mr. Hanes, of Birmingham, Ala., to defend him. Mr. Ray said that before their first interview, Mr. Hanes had made an agreement with William Bradford Huie to write a book and articles about his case before the trial. The funds were to go for legal fees and for Mr. Ray's defense.