Commissioner, Harry Avery. (except for a thin line circling some writings the property seemed in order.

7. That prior to Plaintiff's transfer to the aforementioned penitentiary, Commissioner Avery, the late Governor of Tennessee, Hon. Buford Ellington, and Governor Ellington's administrative assistant, Mr. William L. Barry, had decided and committed to writing (see, Avery testimony in, Ray vs. Russell, U.S. Dis. Ct. M.D. Tn. Civ. Action no. 5590, 1970)Plaintiff's treatment upon entering said penitentiary,ie, arbitrary lodging of Plaintiff in solitary confinement immediately upon his entering prison.

8. That thereafter on (March 13, 1969) when plaintiff commenced petitioning the trial court for a new trial under said indictment, Commissioner Avery attempted to persuade Plaintiff against seeking a trial under said indictment and after failing that informed Plaintiff that he would hever be releasted from solitary confinement while he (Avery) was corrections commissioner.

9. That in the succeeding years until the present Plaintiff has been arbitrarily locked in solitary confinement/segregation for approximately five years, during which time their has been several suicides by prisoners beca ause of the harshment of the confinement including two (2) who burned themselves to-death. See, EX--B.

10. That after the aforementioned plea by Plaintiff the trial Judge, Hon. Preston Battle, departed from Memphis, Tennessee, for a vacation and while on said vacation the then Governor of Tennessee, Hon. Buford Ellington, upon learning of Plaintiff's effort to receive a jury trial under said indictment, dispatched State officials to located Judge Battle to offer him the next Appellate Judgship vacancy if the Judge would deny Plaintiff a trial under the petition refered to in paragraph-8 above.

11. That on or about March 12th 1969 in the prison segregation building Plaintiff was confronted through a ruse by special agent, Robert Jensen of the Memphis, Tennessee, federal bureau of investagation office. The thrust of "r. Jensen's conversation was seeking cooperation of Plaintiff in furthereing the FBI investigation of said cr. indictment. When Plaintiff refused the cooperation offer Mr. Jensen upon departing said Plaintiff could expect Plaintiff Brothers (John & Jerry Ray) to join him in prison, or words to that effect, thereafter:

(a) plaintiff's brother, Jerry Ray, was intimidated to the extent that he had to resign his job in the Chicago, Illinois, area; subsequently after forcing him from his job the FBI attempted to frame him for numerous crimes.

(b) plaintiff's other brother, John Ray, was arrested by police while driving his car in the St. Louis, Missouri, area and subsequently charged by the FBI for aiding and abetting a bank robbery. Tried and convicted with a defendant whom the government alleged actually robbed said bank, John was given 18 years and the alleged robber 10 years; upon appeal the alleged robber's conviction was reversed by the 8th U.S. circuit court of appeals because the fruits of an illegaly search & seizure was used against him; however, the 8th circuit ruled that the fruits of the illegal search was not ground for reversing John Ray's case becasue the alleged evidence (stolen money) was not taken from him; upon re-trial the alleged robber was acquited; subsequently another defendant in the robbery was charged and entered a plea for three (3) years which was later reduced to eighteen months by the government.

12. That in June 1969 Plaintiff filed a civil action in the United States District court for the M.D. of Tennessee seeking to void contracts between plaintiff, the aforementioned Percy Foreman, and defendant, Huie. In attempting to have said civil action (Complaint) dismissed, thus necessitating the refiling by Plaintiff in the W.D. of Tennessee, the defendants Attorney the late, John J. Hooker sr., of the Davidson county Tennessee bar, illegally procured Plaintiff's entire prison record, including domicle information, from the aforementioned corrections commissioner, Harry Avery, and was thus able to have said Complaint dismissed in the M.D. of Tennessee and refiled in the W.D. (civil action no. C-69-199) before Judge McRae, because of said domicle information.

13. That thereafter in civil action no. C-69-199 one of Judge McRae's initial rulings was that said action would be decided by deposition rather than live testimony--subsequently the Judge dismissed the suit on motion of the defendants.

14. That following the United States Sixth circuit court of appeals ruling on February 3rd 1974 ordering an evidentiary hearing into the circumstances of Plaintiff's aforementioned guilty plea under said indictment defendant, Judge McRae, again assumed jurisdiction to conduct said hearing (civil action no.C-74-166) and again ruled that the two principal witnesses, the

aforementioned Percy Foreman & defendant Huie, would not have to undergo live testimony, only depositions. The Judge accomplished this legal maneuver by ruling the Plaintiff's subpoena powers were limited to a 100 mile radius of Memphis, Tennessee.

That Judge McRae further prejudicial & arbitrary actions & inactions listed below effectively diminished the Plaintiff's right under the United States Supreme court mandate for a full and equitable evidentiary hearing:

(a) the court ruled in effect P_____ at the solicitation of the State's Attorney, defendant Haile--who had complained to the court that the press was urging the State to ask certain questions of Plaintiff--that General Haile could inquire of Plaintiff's alleged information he (plaintiff) provide said Percy Foreman concerning others persons allegedly culpable under said cr. indictment. Thereafter, althoe Plaintiff did refer to information described above as being given to Mr. Foreman by Plaintiff, and within the confines of the above court ruling, neither defendant, Haile, or, Judge McRae questioned Plaintiff in the matter.

(b) Judge McRae in concert with defendant, Pellicciotti, has consistently--despite petitions from Plaintiff's counsel, James H. Lesar--declined to forward to the U.S. 6th circuit court of appeals relevant & necessary portions of the transcript in said evidentiary hearing: specifically, the definitive portions of said transcript evidencing, Percy Foreman, after invatation, refused to offer live testimony in said evidentiary hearing; and thus through their deleterious inactions in the tr. matter contributed substantially to the 6th circuit decision against Plaintiff therein.

(c) Judge McRae has ignored a petition to take perpetuating testimony, filed after said evidentiary hearing, from defendant, Huie. Mr. Huie being a principal character therein.

15. That prior to said evidentiary hearing, Judge McRae, mislead or attempted to mislead Plaintiff's Tennessee cr. counsel as evidenced by a series of letters Plaintiff received from said Counsel (Mr. Robert I. Livingston) implying that during several encounters with Judge McRae he (Livingston) was lead to believe the court was sympathetic to Plaintiff's case and thus a vigorus presentation by Plaintiff's counsel would not be necessary or desirable.

16. That their have been publicized allegations that, Judge McRae, is more concerned with the political effects of his decisions than the law. See, EX--C.

17. That the clerk of the court defendant, Pellicciotti, wherein said evidentiary hearing was conducted acted in concert with, Judge McRae, in declining to prepare and forward tr. material, described in paragraph 14-b above, to the U.S. sixth circuit thus contributing substantially to the sixth circuit denying Plaintiff relief under said evidentiary hearing.

18. That defendant, Haile, who was the State's chief counsel in the aforementioned evidentiary hearing, but is now in private practice, has libeled Plaintiff by aiding & abetting defendant, McMillian, in McMillian's preparing & authoring the aforementioned artilce for defendant, TIME.

19. That defendant, McMillian, informed Plaintiff's brother, Jerry Ray, of his (McMillian's) relationship with defendant, Haile.

20. That in 1975 defendant, Haile, appeared with defendant, McMillian, at the Tennessee State penitentiary--Nashville Branch--wherein McMillian requested warden, James H. Rose, a personal friend of Haile, to contact Plaintiff and ask if he would consent to an interview by, McMillian. Warden Rose did forward said interview request to Plaintiff which Plaintiff declined and, thereafter, Haile & McMillian viewed the solitary confinement building wherein Plaintiff was housed.

21. That defendant, Haile, while asst. att. gen. for the State of Tennessee several times publicly criticised court decisions unfavorable to him in a manner suggesting he was attempting to intimidate Judges, acts for which he subsequently was dismissed from the A.G.'s office by the Attorney General for the State of Tennessee.

22. That in the January 26, 1976, issue of TIME magazine (EX--D) under the title of "The King Assassination Revisited", defendant, McMillian, authored a malicious article subtitled "I'm gonna kill that nigger King" and alleged said subtitle to be a statement made by Plaintiff.
Said article is littered with deliberate fabrications, and while of a hollywoodish character they are delivered with malice intent, begining

"...In 1963 and 1964 Martin Luther King was on TV almost everyday, talking defiantly about how Black people were going to get their rights...Ray watched it all avidly on the cell-block TV at Jeff City. He reacted as if King's remarks were directed at him personally. He boiled when King came on the tube. He began to call him Martin 'Lucifer' King and Martin Luther 'coon'. It got so that the very sight of King would galvanize Ray ". p. 18 said article.

The facts are that their were no TV sets in the cellblocks or, cells, during Plaintiff's entire sojourn in the Missouri State penitentiary at, Jefferson City; and, that defendant McMillian is cognizant of this fact through conversations with Missouri corrections officials whom he has contacted for information numerous times. See, EX--F.

23. That several other deliberate fabrications with malicious intent in said article are:

(a) "Ray and (his fellow convict Raymond) Curtis would set around, often high on speed..." Speed being a form of narcotic. p. 18.

(b) "On April 24, 1967, just one day after Ray escaped from the prison at Jefferson City, he met his Brothers Jack and Jerry in Chicago's Atlantic Hotel..." Allegedly, say's McMillian, discussing the murder of Martin Luther King. p. 18.

(c) that McMillian alleged Plaintiff's Brothers, John & Jerry Ray, had, from conversations with Plaintiff, knowledge before the fact of the MLK Jr. murder. PP. 18 & 23.

24. That the State of Missouri's department of corrections commissioner, Mr. George M. Camp, alleges in effect that defendant McMillian is a fraud in connection with McMillian's aforementioned allegations concerning Plaintiff's conduct while in said Missouri penitentiary. See, EX--E.

25. That the Missouri prisoner defendant McMillian principally relies on to substantiate his allegations, allegations that Plaintiff not only ploted the murder of MLK Jr. but was also a narcotic addict, narcotic peddler, ect. ect., is reveled to be one, Raymond Curtis.
Said, Raymond Curtis, attempted onced to converse with Plaintiff while in said penitentiary, thereafter he (Curtis) voluntarily "checked into" segregation, after being exposed as a proffessional informer, and thus

was thereafter limited in his prison association to his own type.

26. That shortly after Plaintiff's arest in 1968 to anser for said cr. indictment defendant McMillian stated at a news conference that since he (McMillian) knew Plaintiff was guilty of the indictment charge he (McMillian) would not have to investigate the case. Thus it follows a fortiori that McMillian has relied on the work product of other novelist to substantiate sizeable portions of his allegations in said TIME artucle.

27. That defendant McMillian has posted Plaintiff numerous letters, first threatening, then cajoling, in seeking interviews for use in said article and his alleged forthcoming book re Plaintiff.

28. That defendant TIME magazine has a vested (financial) interest in publishing said artilce by McMillian--thus in promoting McMillian's forthcoming book re Plaintiff-- in that McMillian's publisher, Little Brown, is a subsidary of TIME inc.

29. That defendat TIME deceived their own agent (Richard C. Woodbury) in their Chicago, Illinois, office into thinking TIME would run an objective story re the matter. See, EX--*F*.

30. That defendant TIME was consciously endeavoring to influence the United States Sixth Circuit court of appeals in, Ray v. Rose, no. 73-1543, which just a few days subsequent to said article heard agguments in the above Ray v. Rose suit to determine whether to order Plaintiff a new trial under said cr. indictment.

31. That TIME inc. has a history of conspiring to subvert the judicial and political processes by publishing, timely, malicious articles prior to judicial decisions or election of public officials.

32. That because defendant, TIME, has made a fresh investigation)p. 17 said article) into the "case"--their initial investigation evidently being perdormed by Time inc. LIFE magazine in 1968--TIME is cognizant that a substantial portion of said article is false & malicious.

33. That substantial portions of said artilce by McMillian were supplied to Mr. McMillian by defendants, Frank & Huie--Defendant, Huie, published a novel re Plaintiff in 1970 titled "He Slew the Dreamer"; defendant, -188-,

34. That the false allegations in said article: "that Plaintiff committed a holdup in London, England, and that George C. Wallace would pardon plaintiff, pp. 17 & 23 respectively, were supplied to defendant McMillian by defendant Huie as evidenced by statements made directly to Plaintiff by the above mentioned Percy Foreman (quoating Huie to Plaintiff) along with oral & written declarations by Defendat, Huie. See, [illegible]

35. That defendant Huie in his ongoing media campaign against Plaintiff libeled Plaintiff in a CBS-TV interview hosted by, Dan Rather, on or about January 2, 1976, by falsely alleging in effect that Plaintiff had murdered MLK Jr. and, robbed a loan company in London, England.

36. That the false allegations in reference to Adolph Hitler (p. 23 said article) was supplied to defendant McMillian by Defendant, Frank, as evidenced by statements made directly to plaintiff by Plaintiff's former Attorney (who was interviewed extensively by defendant, Frank) Robert Hill, of the Chattanooga Tennessee bar.

37. That defendant Huie has a history, for commercial reasons, of contentiousness with said, Gov. Wallace.

38. That defendant Frank has a history of defending Zionism even when it includes murder, eg, see Frank's novel, publisher in 1963, titled "THE DEED", and if allegations in count 2-f above are substantiated in court proceeding Mr. Frank's intrusion into said cr. indictment as a Government advocate is readily explicable.

39. That an article in the BILALIAN NEWS published March 12, 1976, page 15, penultimate paragraph, reported MLK Jr. was shifting his political alliances.."Dr. King was shifting his political allinaces and civil rights approach. To support this view observers point to Dr. King's views on the Viet Nam war and his growing support of the labor movement. Dr. King was also coming under the influence of the Teaching of the Honorable Master Elijah Muhammad..."

40. That Plaintiff filed a libel suit in the United States Dis. Ct. for the W.D. of Tennessee titled, Ray v. Frank, Civil Action no. C-73-126, against herein defendant, Frank, in 1973, and had process served upon him through his publisher, Doubleday company. Mr. Frank was subsequently

releived by the Court as a defendant in said suit by falsely alleging (See, EX--G. p. 1) a process deficiency; Mr Frank's in effect falsely alleged that he & Doubleday Company's affiliation was formal & transitory.

41. That the record will confirm that not one of the Plaintiff's accusers in the communication industry have ever offered live testimony in a court of law but on the contrary, they have utilized numerous ruses to avoid process and the subpoena while the record will evidence Plaintiff has not only given live testimony (in the aforementioned evidentiary hearing) but prior to the plea in said cr. indictment was in contention with his cr. counsel in their insistence--in collusion with defendant, Huie--that plaintiff not be a defense witness therein.

Moreover, nothing of substance indicates that the legal system-influencial publishing companies combine are not acting in concert to assure that their shall never be a (jury) trial for Plaintiff, criminal or civil, that's related to said indictment...apparently because it would not be a "show trial",i.e., the Government could not sustain it's heretofore media case.

And it would appear that a cr. defendant without the economic or political influence to effectively contest the above situation is not only subject to the denial of due process but can also expect his family members to be jailed and framed for criminal offences while the same publishing industries, eg, defendant, TIME, complain self-righteously about some distant country's corections or legal system.

Further, it seem's that, by chance, the same media-political combine that coalesced in the Watergate investigation-prosecution and demanded full disclosure are out of the same sack as thoes who prosecuted plaintiff under said cr. indictment and who are now opposed to disclosures.

IN SUMMARY: the above mentioned Percy Foreman has heretofore, since he & the Government maneuvered Plaintiff into said indictment plea, been giving a running commentary in the media on how he (Foreman) accomplished the feat. Now he has published analogously the epilogue to the feat in the STAR magazine wherein he pronounces:

"...with the publicity, appellate courts are reluctant to reverse because it would bring down a heap of criticism from the public who are not familiar with the rule and regulation of law...to find a Judge or a group of Judges with ebought courage would on experience, be unexpected". See, EX--M.

42. That the defendants, TIME inc., George McMillian, W. Henry Haile, William Bratford Huie, and Gerold Frank are guilty of the violation as follows:

(a) of libeling plaintiff in said TIME article with malicios intent.

43. That the defendants, TIME inc., George McMillian, W. Henry Haile, are guilty of the violation as follows:

(a) of acting in collusion, by the nature of said article and it's publishing date, to influence the U.S. 6th circuit court of appeals in, Ray v. Rose, No. 73-1543, adversely to herein Plaintiff, thus obstructing justice and violating plaintiff's civil rights.

44.-That defendant, McMillian,is in addition guilty of the violation as follows:

(a) of receving & publishing malicious marerial from defendants, Huie & Frank, with a reckless disregard for the truth or falsity of said material thus compounding McMillian's libel.

45. That defendant, Huie, is in addition guilty of the violation as follows:

(a) of libeling with malicious intent by falsely charging on a CBS-TV special dated January 2, 1976, and hosted by Dan Rather, that Plaintiff had in effect murdered, Rev. Martin Luther King Jr., and, robbed a loan company in, London, England.

46. That defendant, Haile, is guilty of the additional violations as follows:

(a) of violating Plaintiff's civil rights with malicious intent by aiding & abetting defendant, McMillian, in his (MCmillian's) publisging said article, through furnishing McMillian information from the files of the Tennessee Attorney General's office while he (Haile) was asst. Att. Gen.

(b) of having direct knowledge resulting from his tenure in the Tennessee A.G. office and his association with the aforementioned, Percy Foreman & William L. Barry, of the truthfulness of allegation made in count-3 herein above, thus violating Plaintiff's civil rights.

47. That defendants, Judge McRae & Brenda Pellicciotti, are guilty of the civil rights violation as follows:

(a) of deliberately withholding relevant portions of Plaintiff's transcript from an appellate court, refered to in count-14 b above, and thus contributed substantially to that court--U.S. 6th circuit court of appeals--sustaining Judge McRae's earlier ruling therein against Plaintiff.

48. That defendant, Judge McRae, is in addition guilty of the civil right's violation as follows:

(a) of refusing to act on a motion to take perpetuating testimony from defendant, Huie, in the aforementioned evidentiary hearing, refered to in count-14 c above.

49. That the Plaintiff is entitled to exemplary damages because defendants, excluding Judge McRae & Pellicciotti, should be taught that the culpability of defendants in cr. indictments were intended under the United States constitution to be decided in courts of law rather than through fraudulent misrepresentations in the commercial communications industry; and the other two defendants that legal requirements precede political considerations or biasness against a particular litigant.

50. That as a result of the defendants actions cited herein the Plaintiff has not only been ligeled in a maligant fashion but thoes who have the responsibility of upholding litigants constitutional rights have by their collusive acts indirectly contributed to and encouraged the libel.

WHEREFORE, Plaintiff demands judgment from defendants, excluding Judge McRae, punitive damages of Five hundred thousand dollars respectively.

James E. Ray
Station--A
Nashville, Tennessee.
Plaintiff James E. Ray

Re: Record Purchase

DATE: Dec 22 1967

710 ANN AVE. MEMPHIS TENNESSEE

Received of Sheriff William N. Morris, Jr. the sum of $10.00. Said monies being sent by mail to James Earl Ray, with aliases, from CARROL PAPER who resides at 1035 BELLEVUE MARLEWOOD, MO. 63143

SISTER - The above sum was received in the form of

cash, (check) money order. (Circle appropriate)

VERA C. STAPLES
0811 N.W. RIVER DR.
MIA, FL.

ROSEN LEE,
Hanes & Hanes, Attorneys

BY:

James Earl Ray, County Jail

RRY RAY - 710 ANN AVE,
LOUIS, MISSOURI, 63104

hM RAY 1982

EXHIBIT 16

State of Tennessee }
SHELBY COUNTY } ss.

I, J. A. BLACKWELL, Clerk of the Criminal Courts of said County, do hereby certify that the foregoing (5) FIVE Pages contain a full, true and perfect copy of the PETITION FOR WAIVER OF TRIAL AND REQUEST FOR ACCEPTANCE OF PLEA OF GUILTY AND ORDER AUTHORIZING WAIVER OF TRIAL AND ACCEPTING PLEA OF GUILTY AND VOIR DIRE OF DEFENDANT ON WAIVER AND ORDER - OF JAMES EARL RAY - DOCKET NUMVER B-16645 as the same appears of record now on file in my office.

In Testimony Whereof I have hereunto set my hand and affixed the seal of said Court, at office, in the City of Memphis. this 16 day of AUG. 1976

/s/ J.A.BLACKWELL Clerk

By Dora Gaulden D. C.

State of Tennessee }
SHELBY COUNTY }

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENN.
Memphis, Tenn. AUG. 16,1976 19

I, WILLIAM H. WILLIAMS, sole and presiding Judge of the Criminal Court of said County Division 3, certify that J. A. BLACKWELL, who gave the foregoing certificate, is now, and was at the time of signing the same, Clerk of said Court, and that said Court is a Court of Record, and that his attestation is in due form, and his official acts, as such, are entitled to full faith and credit.

Witness my hand, this 16 day of AUG. 1976

William H. Williams Judge.

State of Tennessee }
SHELBY COUNTY }

I, J. A. BLACKWELL, Clerk of the Criminal Courts of said County, certify that HON. WILLIAM H. WILLIAMS, whose genuine official signature appears to the above and hereto annexed Certificate, is and was at the time of signing the same, sole and presiding Judge of the Criminal Court Division 3, in and for the County and State aforesaid, duly commissioned and qualified, and that all his official acts, as such, are entiled to full faith and credit.

In Testimony Whereof I have hereunto set my hand and affixed the seal of said Court, at office, in the City of Memphis, this 16 day of AUG. 1976

/s/ J.A.BLACKWELL Clerk.

By Dora Gaulden D. C.

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE
DIVISION III

STATE OF TENNESSEE

VS. NO. 16645

JAMES EARL RAY
DEFENDANT

PETITION FOR WAIVER OF TRIAL AND REQUEST FOR ACCEPTANCE OF PLEA OF GUILTY

That my true full name is JAMES EARL RAY and I assert that all proceedings against me should be had in the name which I hereby declare to be my true name.

My attorney in the cause is PERCY FOREMAN, who was selected and retained by me,/who was appointed by the Court ~~xxxxxxxxxx~~, to represent me in this cause. and Hugh Stanton, Sr., Public Defender,

I have received a copy of the indictment before being called upon to plead, and I have read and discussed it with my attorney, and believe and feel that I understand the accusation made against me in this case and in each case listed herein. I hereby waive the formal reading of the indictment.

I have told my attorney the facts and surrounding circumstances as known to me concerning the matters mentioned in the indictments, and believe and feel that my attorney is fully informed as to all such matters. My attorney has informed me at to the nature and cause of each accusation against me, and as to any and all possible defenses I might have in this cause.

My attorney has advised me as to the punishment provided by law for the offenses charged and embraced in the indictment against me. My attorney has further advised that punishment which the law provides for the crime with which I am charged in the indictment is as follows:

death by electrocution or confinement in the State Penitentiary for life or for some period of time over twenty (20) years

and if accepted by the Court and Jury my sentence on a plea of guilty will be:

confinement in the State Penitentiary for ninety-nine years (99).

It has been fully explained to me and I understand that I may, if I so choose, plead "Not Guilty" to any offense charged against me, and that if I choose to plead "Not Guilty" the Constitution guarantees and this Court will provide me the right to a speedy and public trial by jury; the right to see and hear all witnesses against me; the right to use the power and process of the Court to compell the production of any evidence, including the attendance of any witness, in my favor; and the right to have the assistance of counsel in my defense at all stages of the proceedings.

In the exercise of my own free will and choice and without any threats or pressure of any kind or promises of gain or favor from any source whatsoever, and being fully aware of the action I am taking, I do hereby in open Court request the Court to accept my plea of guilty to the charges outlined herein. I hereby waive any right I may or could have to a Motion for a New Trial, and/or an appeal.

James Earl Ray
Defendant

Witness:
Percy Foreman
Hugh Stanton Sr
Hugh Stanton Jr

-195-

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE
DIVISION III

STATE OF TENNESSEE

VS NO. 16645

JAMES EARL RAY

DEFENDANT

ORDER AUTHORIZING WAIVER OF TRIAL AND ACCEPTING PLEA OF GUILTY

This cause came on for hearing before the Honorable W. PRESTON BATTLE, Judge of Division III, of the Criminal Court of Shelby County, Tennessee, on the petition of the defendant, JAMES EARL RAY, for Waiver of trial by jury and request for acceptance of a plea of guilty, said petition being attached hereto and incorporated by reference herein; upon statements made in open Court by the defendant herein; his attorneysof record; the District Attorney General, /the Assistant AttorneysGeneral representing the State of Tennessee; and from questioning by the Court of defendant and his counsel in open Court; and

IT APPEARING TO THE COURT after careful consideration that the defendant herein has been fully advised and understands his right to a trial by jury on the merits of the indictment against him, and that the defendant herein does not elect to have a jury determine his guilt or innocence under a plea of Not Guilty; and has waived the formal reading of the indictment, AND:

IT FURTHER APPEARING TO THE COURT that the defendant intelligently and understandingly waives his right to a trial and of his own free will and choice and without any threats or pressure of any kind or promises, other that the recommendation of the State as to punishment; and does desire to enter a plea of guilty and accept the recommendation of the State as to punishment, waives his right to a Motion for a New Trial and/or an appeal.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the petition filed herein be and the same is hereby granted.

Enter this the 10th day of March, 1969.

W. Preston Battle
JUDGE

JUDGE "James Earl Ray, stand."

JUDGE "Have your lawyers explained all your rights to you and do you understand them?"

DEFENDANT "Yes"

JUDGE "Do you know that you have a right to a trial by jury on the charge of Murder in the First Degree against you, the punishment for Murder in the First Degree ranging from Death by Electrocution to any time over twenty years? The burden of proof is on the State of Tennessee to prove you guilty beyond a reasonable doubt and to a moral certainty and the decision of the Jury must be unanimous both as to guilt and punishment?

In the event of a jury verdict against you, you would have the right to file a Motion for a New Trial addressed to the trial judge? In the event of an adverse ruling against you on your Motion for a New Trial, you would have the right to successive appeals to the Tennessee Court of Criminal Appeals and the Supreme Court of Tennessee and to file a petition for review by the Supreme Court of the United States? Do you understand that you have all these rights?"

DEFENDANT "Yes"

JUDGE "You are entering a plea of Guilty to Murder in the First Degree as charged in the Indictment and are compromising and settling your case on agreed punishment of ninety-nine years in the State Penitentiary. Is this what you want to do?"

DEFENDANT "Yes"

JUDGE "Do you understand that you are waiving, which means "giving up", a formal trial by your Plea of Guilty although the laws of this State require the prosecution to present certain evidence to a jury in all cases of Pleas of Guilty to Murder in the First Degree?

By your plea of guilty you are also waiving your rights to (1) Motion for a New Trial; (2) Successive Appeals to the Tennessee Court of Criminal Appeals and the Supreme Court of Tennessee; (3) Petition for Review by the Supreme Court of the United States.

By your plea of guilty you are also abandoning and waiving your objections and exceptions to all the Motions and Petitions in which the Court has heretofore ruled against you in whole or in part, among them being:

1. Motion to withdraw plea and quash indictment
2. Motion to inspect evidence
3. Motion to remove lights and cameras from jail
4. Motion for private consultation with attorney
5. Petition to authorize defendant to take depositions
6. Motion to permit conference with Huie
7. Motion to permit photographs
8. Motion to designate court reporters
9. Motion to stipulate testimony
10. Suggestion of proper name"

DEFENDANT "Yes"

JUDGE "Has anything besides this sentence of ninety-nine years in the penitentiary been promised to you to get you to plead guilty? Has anything else been promised you by anyone?"

DEFENDANT "No"

JUDGE "Has any pressure of any kind, by anyone in any way been used on you to get you to plead guilty?"

DEFENDANT "No"

JUDGE "Are you pleading guilty to Murder in the First Degree in this case because you killed Dr. Martin Luther King under such circumstances that would make you legally guilty of Murder in the First Degree under the law as explained to you by your lawyers?"

DEFENDANT "Yes"

P. 7

Voir Dire of Defendant on Waiver and Order

JUDGE "Is this Plea of Guilty to Murder in the First Degree with agreed punishment of ninety-nine years in the State Penitentiary, freely, voluntarily and understandingly made and entered by you?"

DEFENDANT "Yes"

JUDGE "Is this Plea of Guilty on your part the free act of your free will, made with your full knowledge and understanding of its meaning and consequences?"

DEFENDANT "Yes"

JUDGE "You may be seated."

Leonard Ft Percy Foreman

EXHIBIT 17
(Classified)

Date of last piece
Of mail

May 2, 1979

Retain