IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

JAMES EARL RAY,

Petitioner,

vs.

NO. C-74-166

J. H. ROSE, Warden,

Respondent.

FILED
AUG 23 1974

DISCOVERY ORDER PERTAINING TO THE
CLERK OF THE CRIMINAL COURT OF
SHELBY COUNTY

This matter having come on for hearing on the 21st day of August 1974, upon petitioner's motion for production of documents, and the Court having heard argument of counsel and it appearing that certain matters sought from theClerk of the Criminal Court of Shelby County are within the scope of the apparent relevant issues in this cause and that discovery should be had with regard thereto;

IT IS ORDERED that the Clerk of the Criminal Court of Shelby County produce and permit counsel for petitioner to inspect or copy the following documents and items of physical evidence:

The bathroom window sill of the rooming house at 424 South Main Street, and any housekeeping records relating to its entry into evidence, receipt by the Clerk of the Court, and transfer or removal from the custody of the Clerk.

It further appearing to the Court that those certain items referred to in numbered paragraphs 1 through 3 of the Motion for Production of Documents pertaining to the Clerk of the Criminal Court should be produced subject to a prior en camera inspection by this Court to determine the relative admissibility of the contents in

the light of the privacy of the state judge's official conduct in this case.

IT IS, THEREFORE, ORDERED that the Clerk of the Criminal Court of Shelby County, Tennessee shall produce for an en camera inspection by this Court the following documents:

1. Any diary or desk calendar kept by Judge Preston W. Battle;

2. Any notes or memoranda kept by Judge Battle on his meetings with Percy Foreman, William Bradford Huie, Hugh Stanton, Sr., or Attorney General Phil Canale or any member of his staff;

3. Any correspondence exchanged between Judge Battle and James Earl Ray, Percy Foreman, Arthur Hanes, William Bradford Huie, High Stanton, Sr., and Attorney General Phil Canale, or any member of his staff.

This 22 day of August 1974.

United States District Judge

CERTIFIED TRUE COPY
[illegible], CLERK
BY [illegible]
DEPUTY CLERK