IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE

V.

JAMES EARL RAY
ALIAS ERIC STARVO GALT,
ALIAS JOHN WILLARD,
ALIAS HARVEY LOWMEYER,
ALIAS HARVEY LOWMYER,

NO. 16645 MURDER FIRST DEGREE

NO. 16819 CARRYING DANGEROUS WEAPON

Filed – Sept. 17, 1968
J. A. Blackwell
Criminal Court Clerk

PETITION FOR CONTEMPT

TO THE HONORABLE W. PRESTON BATTLE, JUDGE OF THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE, DIVISION III

Your petitioners, amici curiae show to the Court as follows:

That petitioners are the duly appointed and acting amici curiae having been so appointed by this Court by order of July 29, 1968.

That heretofore, the Court on July 18, 1968 entered an order on Courthouse and Courtroom procedures and publicity and on July 23, 1968, entered an amendment to said order. Further, under date of July 30, 1968 supplemented said orders prohibiting and enjoining the perpetration of certain specific acts in connection with publication given instant case including, but not limited to, making extra judicial statements about this case which involve (5) "--- or the treatment, acts and attitude of the defendant---" and all other statements which may be prejudicial to a fair trial by an impartial jury in this case, whether specified herein or not.

That there appeared in the Commercial Appeal, a newspaper of Memphis, Shelby County, Tennessee under date of Thursday morning, September 12, 1963 an article headed "Ray security called danger to his 'sanity'" under the byline of Charles Edmundson in which Renfro T. Hays, an investigator, and Arthur B. Hanes, Esq., the attorney for the defendant, are quoted, a copy of said item is attached hereto and made Exhibit A to this petition.

Under date of Thursday, September 12, 1968 there appeared in the Memphis Press Scimitar an item headed "Hanes has 'no plans' for delay" under the byline of Roy Hamilton in which Arthur B. Hanes, Sr., attorney of

record for the defendant is quoted, a copy of said newspaper item is attached hereto as Exhibit B.

The respondents, Charles Edmundson, Roy Hamilton, Renfro T. Hays and Arthur B. Hanes, Sr., had actual knowledge of the aforesaid orders and injunctions issued by the Court.

Petitioners believe and, therefore, aver that respondents are in contempt of the orders and injunction of this Court and that they should be cited in contempt thereof or be required to show cause why they should not be held in contempt of this Court.

WHEREFORE, PREMISES CONSIDERED, PETITIONERS PRAY:

1. That proper process issue demanding Charles Edmundson, Roy Hamilton, Renfro T. Hays and Arthur B. Hanes, Sr., to appear before this Court and show cause, if any they have, why they should not be adjudged in contempt of this Court and its orders and upon hearing of said cause that the Court enter such other orders as may be proper in the premises.

AUGUSTUS E. BURCH, JR., ATTORNEY AT LAW

J. ALAN HANOVER, ATTORNEY AT LAW

COOPER TURNER, JR., ATTORNEY AT LAW

JAMES D. CAUSEY, ATTORNEY AT LAW

LEO BEARMAN, JR., ATTORNEY AT LAW

LEE A. HARDISON, ATTORNEY AT LAW

DON OWENS, ATTORNEY AT LAW

STATE OF TENNESSEE

COUNTY OF SHELBY

Personally appeared before me, the undersigned notary public, the aforementioned petitioners, who state that they have read the foregoing petition and that the facts contained therein are true to the best of their knowledge, information and belief.

M. K. Marchildon
NOTARY PUBLIC

MY COMMISSION EXPIRES:
May 15-1972

F I A T

TO THE CLERK OF THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE:

File this petition and issue scire facias upon the petition ordering the respondents, Charles Edmundson, Roy Hamilton, Renfro T. Hays and Arthur B. Hanes, Sr., to appear before this Court on the 27th day of September, 1968 at 9:30 A.M. o'clock to show cause why they should not be adjudged in contempt of this Court for violation and disobedience of the Court's orders.

W. Preston Battle
JUDGE