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

JAMES E. RAY,	§	
Plaintiff,	§	
VS.	§	Civil Action Number 83-2793-HA
WILLIAM H. WILLIAMS and J. A. BLACKWELL,	§	
Defendants.	§	

ANSWER OF DEFENDANT, J. A. BLACKWELL,
TO PLAINTIFF'S INTERROGATORIES

COMES NOW the Defendant, J. A. Blackwell, and in answer to Plaintiff's Interrogatories heretofore propounded to him, says:

1. Were you on or about July 22, 1968, the Clerk of the Criminal Court for Shelby County, Tennessee.

ANSWER: Yes.

2. If the answer to the preceding question is affirmative, in respect to criminal indictment in Shelby County, Tennessee, titled State of Tennessee v. Ray, no. 16645 (May, 1968), do your records therein reflect that on or about July 22, 1968, a material witness in said indictment, Charles Quitman Stephens, appeared in the criminal court before the trial judge, W. Preston Battle, and was ordered jailed by the Judge as a material witness?

ANSWER: Yes.

3. If the answer to the preceding question is affirmative, was the proceedings recorded by a stenographer, tape or both?

ANSWER: Edison Voice Writer disc.

4. If said proceeding were recorded, please list the price of the transcript thereof.

ANSWER: $75.00.

5. If there are no records in your office's possession in the above mentioned "material witness" hearing, state the location of said records.

ANSWER: The records are in the possession of the court reporter, Betty Jones, 201 Poplar Avenue, 4th Floor, Memphis, Tennessee.

J. A. BLACKWELL

J. Minor Tait, Jr.
Assistant Shelby County Attorney
81 Monroe Avenue
P. O. Box 3160
Memphis, Tennessee 38173-0160
901-526-0606

Attorney for Defendants

STATE OF TENNESSEE
COUNTY OF SHELBY

J. A. Blackwell, being first duly sworn, under oath, states that the answers to the foregoing Interrogatories are true to the best of his knowledge, information and belief.

J. A. BLACKWELL

SWORN TO AND SUBSCRIBED before me this 15th day of May, 1985.

NOTARY PUBLIC

My Commission Expires: Oct. 19, 1986

CERTIFICATE OF SERVICE

I, J. Minor Tait, Jr., do hereby certify that a copy of the foregoing Answer to Interrogatories has been served on Plaintiff by forwarding a copy thereof to him at Station A, Nashville, Tennessee 37219; and served on Co-Defendant, William H. Williams, by forwarding a copy thereof to his attorney, Jerry L. Smith, Assistant Attorney General, 450 James Robertson Parkway, Nashville, Tennessee 37219, via U. S. mail, postage, pre-paid, this _____ day of _____, 1985.

J. Minor Tait, Jr.

7 September 1985

Mr. J. Minor Tait, jr.
Attorney at Law
P.O. Box-3160
Memphis, Tenn. 38173-0160.

James E. Ray # 65477
Station-A
Nashville, Tenn. 37219.

re: Ray v. Williams & J.A. Blackwell, no. 83-2793-HA
US Dist. ct., W.D. Tenn.

Dear Mr. Tait:

Thank you for Defendant J.A. Blackwell's (Mr. Blackwell), Answer in the above suit; the Answer pursuant to a remand by the US Sixth circuit court of. Ray v. Williams, et al, no. 83-5794. (the suit resulted when Mr. Blackwell's office denied having a transcript of testimony by one Charles Quitman Stephens in a material witness hearing in May 1968, in the Shelby county criminal court.

In respect to Mr. Blackwekk's Answers in Paragraph 5: A.B. and F, wherein he denies having a record of letters dated, 25 October 1982; 29 November 1982, and, 2 June 1983, I have enclosed herein a copy of them. The first, a letter from the plaintiff to Mr. Blackwell's office; the other two letters are responces from Mr. C.E. Koster, Mr. Blackwell's administrative assistant. In the 29th November letter Mr. Koster say's "there never was a hearing held in criminal court in reference to, Charles Quitman Stephens..." However, in answer to Interrogatories (interr. # 2), Mr. Blackwell appears to concede there was such a hearing.

While the plaintiff does not have the statute at hand governing the responsibilities of criminal clerks offices, apparently he should be conversant with court records under his jurisdiction. In any case, in as much as the plaintiff has had to wait in excess of two years for a tr. that the 6th circuit found the general public was entitled to, and has spent considerable time, ect., on the suit, he believes he is entitled in an out of court settlement a copy of the Stephens tr., if it in fact exists, and $300.00.

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In conclusion, enclosed is a clipping from the Memphis Commercial-Appeal quoating remarks by Judge Odeal Horton which plaintiff believes is sufficient grounds to ask the Judge to recuse himself from the instant case. However there apparently would be no need to file a 'Motion to Recuse until your office responses to this letter.

Sincerely:

James E. Ray

Enclosures:

3-letters

1-clipping

cc:

Mr. Jerry L. Smith
Asst. Atty. Gen.
450 James Robertson Parkway
Nashville, TN. 37219. (enclosures not enclosed.