Nashville, Tennessee.

Received
1-19-70
B. Ruffalo
Clerk

Dear Sirs,

This letter, which I respectfully request be made part of the court record, is in relation to the honorable court's 1-8-70 decision titled Raj Vs. Tenn. a Cause originating in Memphis Tennessee, Where in the court was requested to render a decision on a legal question - not a finding of fact.

Under normal circumstances petitioner would not correspond with the honorable court directly, that being counsel's prerogative. However petitioner Chief Counsel Mr. J. B. Stone is not at present in the United States and these are not normal circumstances as the court pointed out.
Also, petitioner believes it necessary, for legal reasons, for him To get the following information before the court, in the record, at this time, for timeliness.

Specifically, it seems that since the -

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prosecution lost the services of Mr. Ramsey Clark's proxy it has been trying directly, and it would seem by the demeanor of some courts, with their acquiescence, to decide what the defense will present when it files petitions.

The only question petitioner's consul put before the honorable Arthur Joquin, despite prosecution attempts to broaden the hearing, was whether or not petitioner was entitled to a trial under the law whereby if trial judge dies while motion for new trial is pending the trial is granted as a matter of law.
This was the only question before the court of Criminal appeals and, before the Tennessee Supreme court.

petitioners consul did not raise "any" questions on finding of fact or offer proof on any issues, such as, petitioner so called bogus with the prosecution, or whether he knew what he was doing at the pleas.

and petitioner's consul went to considerable lenght before Judge Joquin to emphasize this point.
Neither did petitioner raise the issue of Perry Foreman competence - from the defense point of view.
It seems Mr. Foreman is very competent - serving his own financial interest - as many of his former - now threadbare - female clients will testify.

The point petitioner wishes to make - for the record - is that only a legal question was before the honorable court - at this time. petitioner can understand the prosecution wish to get the aforementioned issues before the court prematurely since under the state's post conviction law the courts are constitutionally required to entertain a allegation "only once".

In relation to the last paragraph, the former chief justice of the Tennessee Sup. Ct. rendered an opinion for the press in the instant case even before -

he had read petitioners petition. With all due respect to the honorable Court, if this is to be the rule, of the court is going to pre-judge all litigatin petitioner files regardless of merit, and raise issues not before the Court in order to issue pious proclomations which would seem more appropriate coming from a T.V. editorialist, than a court of law, then a letter to petitioner to this effect would greatly expedite the state end of any further litigation by petitioner.

The only thing petitioner expects is due process and a denial of such would seem to be a constitutional remedy for the constitutional flouters, the Court mentioned. RESPECTFULLY - JAMES E. RAY

James E. Ray

SWORN TO AND SUBSCRIBED BEFORE ME,
This The 12th DAY OF JANUARY - 1970.
Byron J Dean
NOTARY - PUBLIC
NY COMMISSION EXPIRES - 4-26-72