IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE
DIVISION III

STATE OF TENNESSEE	I	
VS.	I	NO. 16645
JAMES EARL RAY, alias Eric Starvo Galt, John Willard, Harvey Lowmeyer, and Harvey Lowmyer.	I	FILED 9-25-68 J. A. BLACKWELL, CLERK BY J. W. Cain D. C.

ANSWER TO DEFENDANT'S MOTION FOR AN ORDER DIRECTING SHERIFF TO CEASE AND DESIST FROM THE USE OF TELEVISION LIGHTS, CAMERAS AND MICROPHONES

I

The Attorney General emphatically and unequivocally denies that the defendant Ray has been, as alleged, constantly and continuously illuminated by highly powered lights or television lights since his incarceration in the Shelby County Jail; rather he contends this is an unfounded and baseless conclusion of the Petitioner.

II

The Attorney General states the defendant Ray has been under surveillance by television cameras since his incarceration as a security measure to protect the defendant Ray as well as to keep the defendant Ray from effecting an escape. It is not an unreasonable safeguard but rather a reasonable one.

III

The Attorney General agrees with Petitioner that no other prisoner in Shelby County is under such surveillance as Ray, neither is there any other prisoner in Shelby County accused of killing from ambush as is Ray. The Attorney General

knows not what type of surveillance is placed on prisoners in other localities. He surmises there may be others in the "free world" who are electronically under surveillance as is the prisoner Ray.

IV

The Petitioner's allegations that the illumination and surveillance has deprived Ray of the oppprtunity to rest or sleep is also unfounded in fact as are the other allegations made by Petitioner. The Attorney General will show that quite the antithesis of the allegations is true in that Ray is averaging nine (9) hours sleep out of twenty-four (24) and is no more disturbed or nervous than any other defendant called upon to answer an indictment by which he could be sentenced to die.

V

The conclusions of Petitioner as to the television cameras being used for "lineup" and identification methods is so ridiculous as to amount to being ludicrous. Petitioner should know as a matter of law that in the trial of the case, if such were true, it would not be competent evidence under recent decisions of the United States Supreme Court.

The Attorney General therefore moves the Court to dismiss the Motion heretofore filed.

Phil M. Canale

PHIL M. CANALE, JR.
DISTRICT ATTORNEY GENERAL
FIFTEENTH JUDICIAL CIRCUIT
STATE OF TENNESSEE

IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE

STATE OF TENNESSEE

VS.

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

O R D E R

Attendance in the Courtroom will be limited to the seating accomodations of the Courtroom except insofar as the Court shall order.

The north portion of the Courtroom behind the rails consisting of seats numbered 1 through 42 will be reserved for accredited representatives of the news media who will be admitted to the Courtroom only upon presentation of credentials issued by this Court. The south portion of the back of the Courtroom behind the rails consisting of seats numbered 43 through 77 will be available to members of the public for each session of the Court in order of their appearance except for _____ seats for family and/or friends of the defendant, and _____ seats for family and/or friends of the deceased.

Seat assignments for representatives of news media shall be as follows:

Seat No. 1. Associated Press Representative
2. U. P. I. Representative
3. Associated Negro Press Representative
4. National N. B. C. T.V. and Radio Representative
5. National C. B. S. T.V. and Radio Representative
6. National A. B. C. T.V. and Radio Representative
7. Commercial Appeal Representative
8. Press-Scimitar Representative
9. Tri-State Defender Representative
10. Memphis World Representative

11. Memphis W M C T.V. Representative

12. Memphis W R E C T.V. Representative

13. Memphis W H B Q T.V. Representative

14. Memphis W.M.P.S. Representative

15. Memphis W.D.I.A. Representative

16. The New York Times and News Service Representative

17. Los Angeles Times and News Service Representative

18. Chicago Daily News Wire Service Representative

19. St. Louis Post Dispatch Representative

20. The Nashville Banner Representative

21. The Nashville Tennesseean Representative

22. Washington Daily News-Scripps Howard News Representative

23. Wall Street Journal (National Observer) Representative

24. The Birmingham News Representative

25. Atlanta Constitution Representative

26. This seat to be shared by following named four (4) London newspapers on a revolving basis to be worked out among themselves, and plan to be approved by the Court:
    (a) The London Daily Mirror Representative
    (b) The Daily Telegraph and Morning Post Representative
    (c) The Daily Mail Representative
    (d) The London Daily Express Representative

27. Reuters Representative

28. Deutsche Press-Agentur Representative

29. Toronto Telegram Representative

30. French News Agency Representative

31. This seat to be shared by Life-Time-Fortune magazines on a revolving basis to be worked out among themselves, and plan to be approved by the Court.

32. Newsweek Representative

33. Harpers Representative

34. Saturday Evening Post Representative

35. Gerold Frank, Doubleday and Company

36. George McMillan, Little Brown and Company

37. W.S.G.N., Birmingham

38. Clay D. Blair, Bantam Books

39. Revolving Seats

40. " "