and ask if you can identify it?

A This document or this record is the Petition For Waiver of Trial and Request for Acceptance of Plea of Guilty. State of Tennessee versus James Earl Ray in Case No. 16645 in the Criminal Courts of Division III of Shelby County.

Q This Waiver of Trial and Acceptance of Guilty Plea is where in the Court's records?

A In the files that hold the papers of the indictments, subpoenas, Orders, Petitions and Motions filed in the James Earl Ray case.

Q Alright, now, Mr. Blackwell, I would if you would please, if you would read that to the Court?

THE COURT: Have you gentlemen seen it?

MR. STONER OBJECTS: If it please the Court, we would like to object to the introduction of this and all of the other documents. We will just make the objection now.

THE COURT: Alright, it will be overruled, Sir.

MR. STONER: Note our exceptions.

THE COURT: Yes, Sir.

A "IN THE CRIMINAL COURT OF SHELBY COUNTY, TENNESSEE DIVISION III. State of Tennessee versus James Earl Ray, Case No. 16645. PETITION

FOR WAIVER OF TRIAL AND REQUEST FOR ACCEPTANCE OF PLEA OF GUILTY. That my true full name is JAMES EARL RAY and I assert that all proceedings against me should be had in the name which I hereby declare to be my true name. My attorney in the cause is PERCY FOREMAN, who was selected and retained by me, and HUGH STANTON, SR., PUBLIC DEFENDER, who was appointed by the Court to represent me in this cause. I have received a copy of the indictment before being called upon to plead, and I have read and discussed it with my attorney, and believe and feel that I understand the accusation made against me in this case and in each case listed herein. I hereby waive the formal reading of the indictment. I have told my attorney the facts and surrounding circumstances as known to me concerning the matters mentioned in the indictments, and believe and feel that my attorney is fully informed as to all such matters. My attorney has informed me as to the nature and cause of each accusation against me, and as to any and all possible defenses I might have in this cause. My attorney has advised me as to the punishment provided by law for the offenses charged and embraced in the indictment against me. My attorney has further advised that punishment which the law provides for the crime with which I

am charged in the indictment is as follows: death by electrocution or confinement in the State Penitentiary for life or for some period of time over twenty (20) years and if accepted by the Court and Jury my sentence on a plea of guilty will be: confinement in the State Penitentiary for ninety-nine years (99). It has been fully explained to me and I understand that I may, if I so choose, plead "Not Guilty" to any offense charged against me, and that if I choose to plead "Not Guilty" the Constitution guarantees and this Court will provide me the right to a speedy and public trial by jury; the right to see and hear all witnesses against me; the right to use the power and process of the Court to compell the production of any evidence, including the attendant of any witness, in my favor; and the right to have the assistance of counsel in my defense at all stages of the proceedings. In the exercise of my own free will and choice and without any threats or pressure of any kind or promises of gain or favor from any source whatsoever, and being fully aware of the action I am taking, I do hereby in open Court request the Court to accept my plea of guilty to the charges outlined herein. I hereby waive any

right I may or could have to a Motion for a New Trial, and/or an appeal."

Q Is that signed, Mr. Blackwell?

A That is signed.

Q Is the name reflected thereon?

A "James Earl Ray, Defendant" and the witnesses, "Percy Foreman, Hugh Stanton, Sr. and Hugh Stanton, Jr."

Q If the Court pleases I would like to have that marked exhibit two to Mr. Blackwell's testimony.

THE COURT: Alright, the exceptions are noted, gentlemen.

MR. STONER: On the same grounds.

THE COURT: Yes, Sir. Alright, it will be marked exhibit two.

(THEREUPON THE ABOVE STATED PAPER WRITING WAS RECEIVED INTO EVIDENCE AND MARKED EXHIBIT "2" TO THE TESTIMONY OF THE WITNESS.)

Q Mr. Blackwell, I would like to direct your attention back to the Minute Book of Division III of the Criminal Courts, please, to the date of March 10, 1969.

THE COURT: Are you going back to the same Minute Book, gentlemen?

A This will be found in Minute Book No. 15, Division III, the January and May Terms of 1969 of the Criminal Courts of Shelby County.

Q I'll direct your attention to the first minute

entry of that book, Mr. Blackwell, on the date March 10, 1969, in the James Earl Ray case.

A Dated Monday, March 10, 1969, State of Tennessee versus James Earl Ray, Defendant, Case No. 16645, Order Authorizing Waiver of Trial and Accepting Plea of Guilty.

Q Would you read that?

A "This cause came on for hearing before the Honorable W. PRESTON BATTLE, Judge of Division III, of the Criminal Court of Shelby County, Tennessee, on the petition of the defendant, JAMES EARL RAY, for Waiver of trial by jury and request for acceptance of a plea of guilty, said petition being attached hereto and incorporated by reference herein; upon statements made in open Court by the defendant herein; his attorneys of record; the District Attorney General, the Assistant Attorneys General representing the State of Tennessee; and from questioning by the Court of defendant and his counsel in open Court; and IT APPEARING TO THE COURT after careful consideration that the defendant herein has been fully advised and understands his right to a trial by jury on the merits of the indictment against him, and

that the defendant herein does not elect to have a jury determine his guilt or innocence under a plea of Not Guilty; and has waived the formal reading of the indictment, and IT FURTHER APPEARING TO THE COURT that the defendant intelligently and understandingly waives his right to a trial and of his own free will and choice and without any threats or pressure of any kind or promises, other than the recommendation of the State as to punishment; and does desire to enter a plea of guilty and accept the recommendation of the State as to punishment, waives his right to a Motion for a New Trial and/or an appeal. IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the petition filed herein be and the same is hereby granted. Enter this the 10th day of March, 1969.

Q Is that signed, Mr. Blackwell?

A Signed by W. Preston Battle, Judge.

Q Mr. Blackwell, I'm going to ask you, Mr. Blackwell, in the order, the statements made and questions by the Court of the defendant in open Court, now, Mr. Blackwell, I believe I asked you if your official duties as Clerk of the Criminal Court is that you are