

Memorandum from Donald Berens to Paul McCarthy Re: Attica Rifle

M E M O R A N D U M	
TO:	PAUL F. MCCARTHY
FROM:	DONALD P. BERENS JR.
RE:	ATTICA RIFLE
DATE:	January 31, 1996
<p>I enclose copies of the responses to my January 4, 1996 letter, by all four Defendants' counsel expressing an objection to return of the rifle to Mr. Clor, and by Plaintiffs' counsel objecting. The return of the retaking rifle is scheduled to begin before Judge Elvin on April 22, 1996. As I recall, no weapons were offered into evidence at the first retaking trial in 1991. Nonetheless, Plaintiffs' counsel apparently wants to preserve the possibility of offering the rifle.</p> <p>In the circumstances, I think it is inappropriate for us to release the rifle without a court order and permission for us to seek such an order. I suggest you advise Mr. Clor that we cannot release the rifle to her now and that we will review the matter after the conclusion of the retaking retrial.</p> <p>Thanks,</p> <p style="text-align: right;">D.P.B.Jr.</p> <p>cc: M. A. Battle w/encs</p>	

Memorandum dated January 31, 1996 from Deputy Attorney General Donald Berens to Paul McCarthy enclosing responses by Defendants' and Plaintiffs' counsel concerning release of a Remington rifle.

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