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UPI-232

(RUBY)

DALLAS--DIST. JUDGE JOE B. BROWN SAID TODAY HE WILL HOLD A SANITY HEARING FOR CONDEMNED SLAYER JACK RUBY BASED ON AN INSANITY AFFIDAVIT FILED BY RUBY'S LAWYERS.

BROWN SAID HE HAD NOT MADE UP HIS MIND ON A DATE FOR THE TRIAL BUT WILL MEET WITH PROSECUTION AND DEFENSE LAWYERS AT 10 A.M. CST MONDAY TO DECIDE WHEN THE HEARING WILL BE HELD.

THE APPEALS COURT HAD ORIGINALLY PLANNED TO HEAR AN APPEAL FROM RUBY'S LAWYERS ON MARCH 10.

IF RUBY IS FOUND INSANE NOW HE WILL BE SENT TO A STATE MENTAL HOSPITAL. BUT IF HE IS FOUND SANE, THE APPEALS COURT WOULD REVIEW THE CONVICTION AS SCHEDULED.

"THE AFFIDAVIT HAS BEEN PENDING ALL THIS TIME," JUDGE BROWN SAID. "IT WAS NEVER WITHDRAWN AND IT IS A SUFFICIENT BASIS FOR THE COURT TO ACT."

JUDGE BROWN SAID HE WOULD CONFER WITH DEFENSE ATTORNEY PHIL BURLESON BEFORE SETTING A HEARING.

THE INSANITY AFFIDAVIT WAS FILED APRIL 27, 1964 AND A MOTION FOR CONTINUANCE WAS FILED JUNE 16, 1964.

2/25--N808 PES

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