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# Ruby Sanity Hearing Delay Plea Opposed

WASHINGTON AP — A New York attorney said Saturday he will recommend that the United States Supreme Court be asked to delay a sanity hearing for Jack Ruby in Texas courts.

He had indicated a decision would be forthcoming Saturday on whether to appeal a decision by the U.S. Fifth Circuit Court of Appeals by Jacksonville, Fla., Friday refusing to delay the sanity hearing.

Ruby is under a death sentence for conviction of murdering Lee Harvey Oswald, accused assassin of President John F. Kennedy.

Kunstler, one of several attorneys involved in the case, said his recommendation on the sanity hearing issue would be made to Ruby's family.

He said he will also recommend that an appeal be filed in the Texas Court of Criminal Appeals to grant Ruby his own choice of attorneys, and asking that Judge Joe B. Brown of the Dallas County Criminal Courts be disqualified from handling the case.

Ruby's pending sanity hearing is presently before Brown. So is the issue of whether it should be removed to federal court jurisdiction.

(Indicate page, name of newspaper, city and state.)

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