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# Ruby Attorneys Ask Halt to State Action

Attorneys for Jack Ruby claimed in a document received here Wednesday that the U.S. State Court of criminal Appeals in Austin, no other legal paths are open.

Fifth Circuit Court of Appeals now Ruby attorney Sam Houston Clinton of Austin failed April 29 in an attempt to file a motion for relief with the Austin court.

The attorneys again requested the federal court to grant a stay order from the March 19 decision of U.S. Dist. Judge T. Whitfield Davidson of Dallas returning the case to state court.

The federal appeals court denied a similar stay request April 23 in Jacksonville, Fla.

The new application was filed with the Fifth Circuit clerk in New Orleans and claimed that since a recent setback by the

The motions included requests for a change of venue, disqualification of Judge Brown and questions about who actually represents Ruby. In answering the allegations in the Florida hearing, state's attorneys indicated that the matter would be settled in state court and claimed that federal intervention was not necessary.

The Dallas News learned last week that Judge Brown had considered remedying the claims by withdrawing his denials of the motions and setting hearings. He apparently decided not to withdraw his rulings.

Ruby attorneys claim that since Judge Brown did not withdraw the denials and the State Court of Criminal Appeals refused to order hearings, all state action should be stopped.

Judge Brown, who again has jurisdiction, has not set a date for sanity trial proceedings. He said Wednesday that he plans to study the request before taking any action.

The application was filed Tuesday by Bruce C. Waltzer of New Orleans for himself, the firm of Kuntzler, Kuntzler and Kinty of New Orleans and Clinton. Copies were sent to Dallas officials.

Mr. Belmont	_____
Mr. Mohr	_____
Mr. Tolson	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. DeLoach	_____
Mr. Evans	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Trotter	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

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

6 "The Dallas Morning News" Dallas, Texas

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Editor: \_\_\_\_\_

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