

Belli Plans to File Ruby Appeal Brief

SAN FRANCISCO, Calif. (AP)— Attorney Melvin Belli said Sunday night he has agreed to file an appeal brief for Jack Ruby, his former client sentenced to death for the murder of Lee Harvey Oswald, called the killer of President Kennedy in the Warren Commission report issued Sunday.

Belli said in an interview that Ruby asked him to do so and that he agreed. Ruby's family dismissed Belli from the case last March shortly after Ruby received the death sentence.

Ruby, calling from the Dallas County jail, reached Belli at a lawyers' meeting in Santa Monica, Calif., Sunday.

Belli said he previously had asked the court's permission to file such a brief and that if permission is denied he will send the brief to Ruby's present lawyers anyway.

But he added, "I know the appeals court will want to hear from the trial lawyer."

"I'm satisfied the Ruby verdict will be reversed. Every lawyer knows it will—and the district attorney in Dallas knows it, too," Belli said.

Earlier Sunday, Belli said the Warren report confirmed his claim that Ruby didn't get a fair trial in Dallas.

The San Francisco attorney said he had read an advance condensed text of the report on President John F. Kennedy's assassination and found only one fault with the report. Belli said:

"I thought it was a real great report, fulfilling the capabilities of the great Americans who were appointed to do it.

"I noted particularly that it was reported that Oswald couldn't have gotten a fair trial because of what the Dallas police and the district attorney said. This to me is corroboration of my statements that Ruby didn't and couldn't have gotten a fair trial; and corroboration of my statement that he was railroaded in a kangaroo court, the American Bar Association notwithstanding."

Belli drew unfavorable comment from the American Bar Association after he criticized the prosecution, the judge and the Dallas court in which Ruby was convicted of the Oswald slaying.

"I think this report should set at rest forever the conspiracy theory and should do a lot to restore our image abroad . . . the only thing that remains is for a commission to examine into something that is even more vital than the death of the President; and that is the living law—~~to~~ justice in Dallas."