

(Mount Clipping in Space Below)

DA Withdraws Move to Delay Shaw Trial

Case Set To Begin Tomorrow

The office of District Attorney Jim Garrison, in a surprise move today, withdrew its motion to delay the trial of Clay L. Shaw. Shaw thus will go on trial as scheduled tomorrow on charges of conspiring to kill President John F. Kennedy.

Assistant DA James L. Alcock had asked for the postponement Friday, on grounds that the federal government had sabotaged his case by refusing to release the autopsy records on Kennedy.

But today, Alcock went before Criminal District Judge Edward A. Haggerty Jr. and said:

"THE STATE will trust the good judgment, common sense and spirit of justice which the state feels prevails among the people of New Orleans and will withdraw its motion and announce at this time the state is ready to go to trial tomorrow."

Attorneys for Shaw had already filed motions opposing a delay and pleading for a speedy trial. Alcock's action made them moot, and chief Shaw counsel F. Irvin Dymond announced the defense is ready for trial tomorrow.

With both sides on record as being ready, the long-delayed trial thus seems certain to proceed at last. Shaw was arrested March 1, 1967.

GARRISON CHARGES Shaw conspired with Lee Harvey Oswald and others here in 1963 to kill the President, who was shot to death Nov. 22, 1963, in Dallas. The Warren Commission investigating the slaying said Oswald acted alone in killing Kennedy and found no evidence of a conspiracy.

Alcock's last-minute bid for a delay Friday stemmed

from the action of U.S. Attorney General Ramsey Clark in releasing a report by a panel of four medical experts who had examined the Kennedy autopsy report, pictures and clothing worn by the President the day of the assassination.

The experts, who met secretly last year, said the material supports the Warren Commission's view that Kennedy was shot from the back. Garrison contends the records will prove the President was shot from more than one direction.

THE AUTOPSY records have been sealed in the National Archives until 1971 at the request of the Kennedy family. A federal judge Friday gave Garrison's office two weeks in which to prove the records are material to the Shaw case before he will consider ordering their release.

Alcock refused to comment today on whether Garrison's office will press its efforts to get the documents released.

Judge Haggerty, who will preside at the trial, scheduled a hearing this morning on Alcock's motion. As court opened today, the judge asked Alcock:

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

NEW ORLEANS STATE
ITEM

NEW ORLEANS, LA.

Page 1

Date: 1-20-69

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Editor: George W. Healy

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PRESIDENT JOHN F.

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ENCLOSURE

"DOES THE state wish to be heard orally on the motion?"

Dymond got to his feet, but the judge silenced him.

Alcock said he wished to make an oral statement.

Dymond then said the defense wished to file a written answer to the motion and a prayer for a speedy trial. The judge allowed him to place the documents into the record.

ALCOCK BEGAN by asserting the state is entitled to a fair trial just as the defense, and said he would like to submit an outline of "the offense that prompted the filing of this motion at the eleventh hour."

He then launched into a verbal attack on Ramsey Clark and his panel of experts, noting that the panel members were viewing the autopsy documents at the same time Garrison's office was trying to obtain them.

Alcock branded Clark's action in releasing the report just as the case was about to go to trial and just as Clark was about to leave office as "unconscionable" and "not in keeping with his high office."

HE SAID IT "could not help but influence jurors."

Then after a dramatic pause, Alcock made his statement that the state will trust the judgment of the potential jurors and is ready to go to trial.

Judge Haggerty appeared stunned, and as a murmur arose in the court, called for order. Reporters ran for telephones.

The judge looked over the defense's motion and complained that the proper documents were not affixed to it. Dymond said the matter is now moot.

"I KNOW IT'S moot, Mr. Dymond. You don't have to tell me," the judge said.

The defense motion argued that Garrison had been saying for two years he was ready to go to trial, and said the delay asked for by Alcock could last until the year 2038 under his assertion that the case could not be tried until the government released all its data.

(Certain Federal Bureau of Investigation and Central Intelligence Agency reports on the Kennedy case have been

declared "classified" for 75 years after 1963.)

ALCOCK REFUSED any further comment on any aspect of the case.

Selection of a 12-man jury to try Shaw will be the first order of business as the trial get under way at 10 a. m. tomorrow.