

(Mount Clipping in Space Below)

Federal Court Plea Expected In Shaw Case

Attorneys for Clay L. Shaw are expected to ask the federal courts to halt prosecution of perjury charges in the wake of a decision by the Louisiana Supreme Court that failed to delay his scheduled trial Monday.

The state Supreme Court yesterday not only did not issue a stay order but also rejected motions for a review of Criminal District Court Judge Malcolm V. O'Hara's Dec. 16 decision refusing to quash the charges.

District Attorney Jim Garrison brought perjury charges against Shaw shortly after the former managing director of the International Trade Mart was acquitted for conspiring to murder President John F. Kennedy.

Garrison charges that Shaw lied during his trial when he said he never knew either Lee Harvey Oswald or David W. Ferrie, both alleged to be co-conspirators.

Shaw's two attorneys, F. Irving Dymond and Edward F. Wegmann, refused to comment on Shaw's next court moves this morning.

In applying to the Supreme Court for writs, Shaw's attorneys contended that the trial judge erred in limiting witnesses for Shaw, making it impossible to establish that Shaw's veracity had been adjudicated in the previous trial.

They also contended that Judge O'Hara was in error when he refused to allow questioning of Garrison and his former assistant James Alcock as to the theory of the prosecution of Shaw in the conspiracy trial as related to the perjury charges.

Shaw's lawyers argue that when the jury acquitted Shaw of conspiracy they found his testimony valid, thus preventing prosecution for perjury.

The high court, on a six to one vote declared the application did not warrant its jurisdiction and in the event of a conviction, Shaw had adequate remedy of appeal.

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THE STATES ITEM

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