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# SHERIDAN CASE IS UNDER STUDY

## Court to Decide Issues in JFK Probe

Federal District Judge Alvin B. Rubin took under consideration Monday two legal questions growing out of newsman Walter Sheridan's connection with District Attorney Jim Garrison's probe of the assassination of President John F. Kennedy.

Under consideration by the court are the issues of whether Sheridan should be required to appear before the Orleans Parish Grand Jury and whether the district attorney should be enjoined from prosecuting Sheridan, a National Broadcasting Company newsman, and Richard Townley, a WDSU-TV reporter, on bribery charges.

Representatives of Garrison's office asked that the suit filed by Sheridan and Townley be dismissed.

At the conclusion of technical arguments Judge Rubin said that, after he decides issues argued Monday, he will set a pre-trial conference with attorneys involved and possibly set a date for an evidentiary hearing.

Sheridan was subpoenaed to appear before the state grand jury shortly after he and Townley were charged by Garrison with attempted bribery of Perry Russo, a principal witness in the district attorney's assassination investigation.

At Monday's hearing Milton E. Brener and Edward M. Baldwin, attorneys for Sheridan and Townley, claimed that Sheridan would be without adequate legal counsel if he is called by the grand jury and that he may give testimony which will be incriminating.

During arguments Judge Rubin asked Brener if he thinks that Sheridan may be threatened with other charges if he testifies to the grand jury.

Brener said, "He's been subpoenaed before the grand jury, and we feel there will be other charges. We feel strongly that Mr. Garrison does not intend to stop with one charge."

However, Assistant District Attorney James Alcock asserted that it is positively the position of the district attorney that Sheridan will not be asked any questions connected with the bribery allegations.

Brener alleged that there has been discrimination and "selective enforcement of the law" by the district attorney against Sheridan.

On the issue of whether or not the district attorney should be enjoined from proceeding with the prosecution of Sheridan and Townley, Judge Rubin said that the question is whether the plaintiffs have exhausted their remedies in the state courts.

Alcock claimed that Brener and Baldwin were unable to present any cases to bolster their position and that the federal court is without jurisdiction to enjoin the prosecution.

"They are trying to short circuit the state processes," Alcock claimed.

Sheridan's attorneys claimed that recent rulings of the United States Supreme Court dealing with the right to counsel extend to a person appearing before a grand jury, but Alcock contended that Sheridan will have the right to leave the jury room and seek his attorney's advice if he is asked a question which he thinks may violate his rights.

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SECTION 1

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