

(Mount Clipping in Space Below)

MATERIAL DENIED

SHAW CAN'T GET DA DOCUMENTS

But Six Other Defense Subpenas Approved

Criminal District Court Judge Edward A. Haggerty Jr. Friday denied a move by attorneys for

Clay L. Shaw to subpoena material from District Attorney Jim Garrison, but approved six other defense subpenas.

The defense wanted the documents from Garrison to help prove that Shaw cannot get a fair trial in New Orleans. Shaw is charged with criminal conspiracy in the death of President John F. Kennedy.

A hearing to decide whether or not the trial should be moved from New Orleans will begin Tuesday before Judge Haggerty. The approved subpenas, which will apply to the hearing, affect local news media and state witness Perry Raymond Russo.

NEW WITNESSES

Judge Haggerty also approved subpenas for three new defense witnesses. They are Lindsey Riddle, WDSU-TV; Francis Jacob, WWL-TV, and Allan Genderson, WVUE-TV.

Twenty defense witnesses previously were subpoenaed to appear at the hearing.

Material sought from the news media consists of The Times-Picayune and New Orleans States-Item news stories, and tapes of broadcasts from three television stations and one radio station.

Also wanted are copies of speeches and interviews made by Russo, who testified he overheard Shaw plotting Kennedy's death.

Among material denied to the defense were copies of all press releases and speeches made by Garrison or his staff members concerning Shaw or the Kennedy death probe.

Assistant District Attorney James L. Alcock argued that these already are public.

Also wanted was the original or a copy of a letter in which Garrison, allegedly, commented on the film "Rush to Judgment."

Alcock said the letter was printed in the New York Times and that the defense submitted a clipping with its request.

COPIES OF SUBPENAS

Copies of all Grand Jury subpenas issued in the Kennedy probe at the behest of Garrison were also wanted from Garrison. Alcock said the clerk's office is the proper source for such records, not the District office.

Also included in the defense request was a copy of an investigative report dealing with an alleged attempted battery on Jim Hicks, an out-of-state witness who claimed he was beaten while staying at a motel.

Alcock said this was part of the state's file and would not be made public.

The defense also wanted copies of all correspondence between Garrison and Jerry Footlick, author of a National Observer story quoting Garrison as saying, "There is no way that Clay Shaw can get an acquittal."

Alcock said the defense has a copy of the article, and that the correspondence is irrelevant because Footlick is not eligible to be a juror.

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

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SECTION 1

TIMES PICAYUNE

NEW ORLEANS, LA.

Date: 3-2-68

Edition:

Author: GEORGE W. TEALW

Editor:

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Character: AFO

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