

U.S. COURT IS ASKED TO TAKE RUBY CASE

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DALLAS, March 18 (AP)—

An Austin lawyer requested today that a Federal Court in Dallas remove a pending sanity hearing for Jack Ruby from the State Court, alleging civil rights violations.

The petition, filed in United States District Judge T. Whitfield Davidson's Court, further asks that Ruby, who faces a death sentence for the slaying of Lee Harvey Oswald, assassin of President Kennedy, be placed in the custody of a United States marshal pending the ruling.

It also seeks an injunction against District Attorney Henry Wade and District Judge Joe S. Brown to halt further proceedings in State Court.

An attorney, heretofore not mentioned among Ruby's numerous lawyers, signed the petition. He is Sam Houston Clinton Jr., who listed an Austin address with the Texas Civil Liberties Union.

Other attorneys signing the petition were Sol A. Dann of Detroit, who represents Ruby's family, and Elmer Gertz of Chicago, also sought by the family to represent Ruby.

The petition urges the Court to remove all proceedings relating to Ruby's March 29 sanity hearing from Judge Brown's court to Federal Court.

Attorneys allege, in an 18-point pleading, that Ruby's civil rights are being violated because he is being forced into a sanity trial with Joe Tonahill, whom he does not want, for counsel.