

Contempt Conviction Of Cancellor Dismissed

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J. B. Brown

The contempt of court conviction and sentence handed down against John "The Baptist" Cancellor, a figure in Dist. Atty. Jim Garrison's Kennedy assassination probe, has been set aside by Judge Bernard J. Bagert in Criminal District Court.

Judge Bagert also dismissed the contempt citation against Cancellor, a convicted burglar facing an 18-year sentence for burglary.

Judge Bagert said he took the action yesterday afternoon at the request of the DA's office, which, he said, feared the conviction would be reversed in federal court.

THE CONTEMPT CITATION from Judge Bagert was the result of Cancellor's refusal to repeat to the Orleans Parish Grand Jury statements he made in a nationally televised program critical of the Garrison investigation.

During the TV program, Cancellor, a Negro, claimed he had been asked by two of Garrison's assistants to break into the French Quarter home of accused Kennedy plot conspirator Clay L. Shaw and "put"

something in it. According to Cancellor he refused to do it.

Cancellor was then ordered to appear before the Orleans Parish Grand Jury to repeat the charge. When he refused, he was taken before Judge Bagert and was asked if the televised statement was true.

HE REFUSED TO ANSWER and Judge Bagert cited him for contempt. Cancellor was sentenced to six months in jail, a \$5000 fine, or a year in jail for nonpayment of the fine.

Judge Bagert said he was contacted by Asst. DA Richard Burns and research assistant Louise Korns, who requested that the conviction be set aside. The judge said he was told the DA's office felt the conviction would be reversed because of recent trends in federal court rulings on criminal appeals.

Cancellor was sentenced to 18 years in prison on July 20 following his conviction on a charge of simple burglary. His attorney, Milton Brener, has appealed the conviction. *END*