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# Ruby Case Set June 24; Ruling Will Come In Fall

AUSTIN (AP) — Jack Ruby's death sentence appeal in the killing of Lee Harvey Oswald will be argued before the Texas Court of Criminal Appeals June 24.

In a highly unusual move, the court Wednesday set the hearing date only two days after District Court in Dallas ruled that Ruby was legally sane.

The three-judge appellate

court normally hears such cases only on Wednesdays. It indicated it would not hand down its ruling in the case until the fall.

Ruby, 55, was sentenced to death in Dallas March 14, 1964 for the Nov. 24, 1963 shooting of Oswald, named by the Warren Commission as the assassin of President John F. Kennedy.

The appeal of the conviction had become ensnarled in a

series of legal complications, among them the long-postponed sanity trial that was held Monday.

The June 24 proceeding is to be the first appellate review of the conviction. The criminal appeals court is the highest in Texas for non-civil matters.

It goes into summer recess June 25 until Oct. 5, and is forbidden by the Texas Constitution to take any official actions during that time.

"We're glad the court is going to hear the appeal," said defense lawyer Phil Burleson of Dallas. "We will be ready."

Asst. Dist. Atty. Bill Alexander said the state also would be ready to argue June 24.

Each side will be given an unusually lengthy 1½ hours in opening arguments and each will have 30 minutes in which to close. In addition, the court said certain other lawyers would be permitted 30-minutes to argue under a "friend of the court" provision.

Joe Tonahill of Jasper, another defense lawyer, said he was pleased at the court's "quick action. The judges will have three months to study this thing," he said.