Rap Brown Resentenced in New Orleans

Special to The New NEW ORLEANS, June 2 H. Rap Brown was resentenced here today to five years in pris-

on and a fine of \$2,000 for violation of the Federal Gun

Control Act.

Federal District Judge Lansing L. Mitchell refused to dethe resentencing of the black militant on his 1968 con-viction despite the contention by his defense attorneys that Brown had been forced to come to New Orleans from New York at risk to his health.

The attorneys, William M. Kunstler and Carl Broage also asked Judge Mitchell to excuse himself from passing sen-tence on the ground of "ill feeling toward the defendant," but the judge refused.

Judge Mitchell ordered that Brown not start serving his Federal sentence until criminal charges he faced in New York were disposed of.

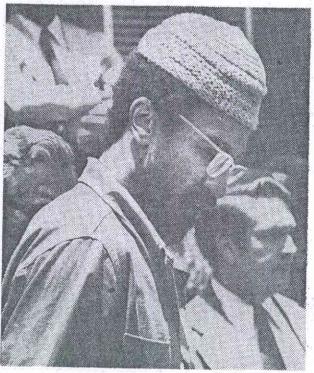
New York Case Cited

In asking for a continuance of the resentencing, Mr. Kunstler told the court that Brown's constitutional rights under the Fifth, Sixth, 13th, 14th and 15th Amendments were being violated by making him take
'a useless and avoidable trip
they would appeal the resencompanied Brown from a secret
to New Orleans' while facing to the United States hiding place, where he had

Brown, 28 years old, has been in custody since his cap-returned immediately to the Brown, accompanied by his

The judge denied the defense A battery of attorneys, head- He was originally scheduled to be resentenced yesterday, ing the Government to make to the Court of Appeals for an but Mr. Kunstler could not apfurther disclosure of electronic emergency stay of Brown's resurveillance that might have moval from New Orleans, but

Judge Mitchell first sentenced



Associated Press

SENTENCED: H. Rap Brown leaving court in New Orleans after receiving five years and fine for gun violation.

Judge Mitchell ordered Brown on Wednesday. tination.

been used in gathering evidence in the case.

Brown's attorneys said that been used in gathering evidence in the case.

Brown's attorneys said that bold and Paul H. Roney, who five years in jail for carrying ordered an appeal of the sentence docketed for regular his home town, while under in barring. The defence contend distingnt of charges of arson properly denied.

Brown was already airborne.

Kept at Hiding Place

The marshals had taken Brown into the Federal Court spokesman for the Justice De-Building at 5:40 A.M. amid partment said tonight that heavy security. Three automo-Brown had been flown to New

serious criminal proceedings in Court of Appeals for the Fifth been held since being brought from New York to Louisiana

ture in New York in October jurisdiction of the state of New wife, wore blue jeans, a purple in a shooting incident with the York, and Brown was escorted shirt, tennis shoes and a purple police. Mr. Kunstler sought to out of the courtroom by Fed-block Brown's removal to Louisiana because of his gunshot would not comment on his deswear the hat in court.

hearing. The defense contend-dictment of charges of arson and inciting to riot in Cam-to Judge Mitchell had been im-bridge, Md. But the Court of Appeals ruled the sentence was But by the time the appel-invalid and ordered the resenate judges acted, however, tencing.

Flown to New York

WASHINGTON, June 2 biles filled with marshals ac- York under tight security.