

CONTEMPT CASE HERE DISMISSED

T.P. — 8/31/67
Cancler Is Freed from
6-Month Sentence

A criminal district court judge has set aside a six-month sentence of John "The Baptist" Cancler, a convicted burglar who was cited for contempt of court for refusing to repeat a charge against the district attorney's office before the Orleans Parish grand jury.

Judge Bernard J. Bagert, who cited Cancler for contempt earlier this year, said Wednesday he dismissed the contempt conviction and the sentence Tuesday afternoon at the request of the district attorney's office.

Cancler was called before the jury as a result of his appearance on a National Broadcasting Co. program critical of District Attorney Jim Garrison's Kennedy assassination investigation.

Cancler charged on the program he was asked by two of Garrison's men to break into the residence of conspiracy defendant Clay L. Shaw and put something there.

After he refused to repeat the charge before the jury, he was taken before Judge Bagert and was asked if the statement was true. After he refused to answer again, Judge Bagert cited him for contempt and sentenced him to six months in jail and an alternative of a \$500 fine or one year in jail.

Cancler already faced an 18-year term for a burglary conviction.

Judge Bagert said Assistant District Attorney Richard V. Burnes and research assistant Louis Kornis contacted him and asked that the conviction be set aside.

The reason given for the request, Judge Bagert said, was that the district attorney's office feared the conviction would be reversed because of recent trends in federal court rulings on criminal appeals.