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L.A., FRIDAY MORNING, DECE

SHAW DEFENSE TO FILE WRITS

No Indication of Time for Ruling Review

An attorney for Clay L. Shaw Thursday gave no indication of when an attempt will be made to obtain a higher court's review of Judge Malcolm V. O'Hara's denial of Shaw's legal request to have a perjury charge against him dismissed.

Jan. 18 was set as the trial date for Shaw, whom the district attorney's office charged with perjury shortly after a 12-man jury March 1, 1969, acquitted him of a charge that he conspired to murder President John F. Kennedy.

Shaw was accused of lying when he testified in his own defense during the trial that he did not know Lee Harvey Oswald, identified by the Warren Commission as Kennedy's assassin, or David W. Ferrie, an ex-airline pilot.

When Judge O'Hara, of Criminal District Court, denied Shaw's motion to quash Wednesday, the defense gave notice of its intention to apply to the state Supreme Court for writs of certiorari and review and such other writs as may be applicable.

Edward F. Wegmann, one of Shaw's attorneys, said it was still relatively early to apply for these writs. Some time is required to prepare the applications.

Wegmann said that then First Assistant District Attorney James L. Alcock, since named to a judgeship in Criminal District Court, set the trial date.

One argument used by attorneys in their attack on the perjury charge was that the jury, which acquitted Shaw of the conspiracy charge, at the same time passed judgement on his truthfulness.

It took many months to hear the motion to quash, partly because of an inability of District Attorney Jim Garrison, who was ill, to supply needed testimony for a time.