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Rights Lawyer Wins Against Plaquemines

Federal District Judge Fred J. Cassibry has issued an injunction prohibiting Plaquemines Parish from prosecuting Richard B. Sobol, a Washington, D. C., attorney, who has been active in civil rights cases in the parish.

Judge Cassibry said in his ruling that the prosecution was designed mainly to show that civil rights lawyers are not welcome in Plaquemines Parish. He said that Sobol's arrest was unlawful.

SOBOL WAS arrested Feb. 1, 1967, and charged with practicing law without a license.

Sobol's plea for injunction had been heard by a special three-judg court comprised of Judge Cassibry, Circuit Judge Robert A. Ainsworth and District Judge Frederick J. R. Heebe. The three-judge panel found that it need not rule on Sobol's attack on the constitutionality of the Louisiana law regulating the practice of out-of-state attorneys.

SINCE THE constitutionality issues were not treated, the panel decided Cassibry could rule singly. Judge Cassibry adopted the opinion of the special court that the arrest of Sobol after he conferred with Judge Eugene E. Leon in Pointe a la Hache about a bond for Gary Duncan, a Negro he had defended, was "an unlawful prosecution which was undertaken for purposes of harassment."

Defendants in Sobol's injunction suit included Leander H. Perez Sr., former head of the Plaquemines Commission Council; District Atty. Leander H. Perez Jr. and Judge Leon.

THE THREE JUDGES ruled that the elder Perez and Judge Leon should be dismissed from the case, because the senior Perez no longer holds public office in the parish and is without legal authority to prosecute, and Judge Leon is not a prosecuting officer.

The prosecution, said the court, was meant to show attorneys that their defense of Negroes "involved in cases growing out of civil rights efforts would not be tolerated."

"It was meant also as a warning to other civil rights lawyers and to Negroes in that parish who might consider retaining civil rights lawyers to advance their rights to equal opportunity and equal treatment under the Equal Protection Clause of the Fourteenth Amendment," the court said.