

# U.S. Court Refuses Rap Brown Request

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The Fifth U.S. Circuit Court of Appeals in New Orleans denied yesterday a request for a court hearing on allegations that arson charges against H. Rap Brown in Cambridge, Md., were fabricated.

Without comment, a three-judge panel rejected the request, filed last month by William L. Kunstler, the attorney for the missing black militant.

The motion in New Orleans, where Kunstler is appealing Brown's conviction on gun charges stemming from the Maryland arson charge, is currently the only court challenge to the disputed arson indictment.

Yesterday, Kunstler said he is preparing further legal action on Brown's behalf in the federal district court for Maryland.

Kunstler had filed his New Orleans motion after a Maryland state's attorney and a newspaper reporter each declared publicly that Dorchester County State's Attorney William B. Yates had admitted to them that he held the arson against Brown in an effort to ensure FBI involvement if Brown fled before his trial.

Kunstler said yesterday that

the court ruling in Louisiana was "amazing. It's another indication of what we may expect in the courts . . ."

Maryland Attorney Gen. Francis B. Bunch, who had been asked by Gov. Marvin Mandel to report on the arson charge controversy, said yesterday that his report will not be made public pending other possible legal action.

The arson charges against Brown relate to a speech he gave in Cambridge in July, 1967. Following the speech, rioting broke out in the city.

Brown was indicted by a Dorchester County grand jury on charges of riot, incitement to riot and arson. Only the arson charge is a felony. A federal fugitive warrant, insuring FBI pursuit of a fugitive, may be obtained only in felony cases.

Brown was scheduled to appear for trial last March, but on the night before his trial was to start, a bomb explosion in a car near Bel Air, Md., killed two persons, one a close friend of Brown's. Brown has not been seen publicly since.