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 prison and a fine of \$2,000 for violation of the Federal Gun Control Act.

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Federal District Judge Lansing L. Mitchell refused to dethe resentencing of the lav 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.

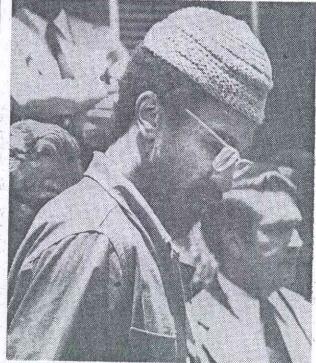
The attorneys, William M. Kunstler and Carl Broage also asked Judge Mitchell to excuse himself from passing sen-tence on the ground of "ill feeling toward the defendant," but the judge refused.

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 the would appeal the resen-to New Orleans" while facing tencing 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



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

serious criminal proceedings in Court of Appeals for the Fifth been held since being brought Circuit.

Judge Mitchell ordered Brown on Wednesday. tination.

The judge denied the defense A battery of attorneys, head-a hearing on a motion requir-ed by Mr. Kunstler, appealed to be resentenced yesterday, ing the Government to make further disclosure of electronic surveillance that might have to the Court of Appeals for an but Mr. Kunstler could not ap-moval from New Orleans, but Judge Mitchell first sentenced

been used in gathering evidence in the case. Brown's attorneys said that moval from New Orleans, but Judge Mitchell first sentenced it was denied by Judges John Minor Wisdom, John C. God-bold and Paul H. Roney, who five years in jail for carrying ordered an appeal of the sen-tence docketed for regular his home town, while under in-barring. The defense contend distment of charges of arson hearing. The defense contend-dictment of charges of arson ed that the motions presented to Judge Mitchell had been im-bridge, Md. But the Court of properly denied. Appeals ruled the sentence was

But by the time the appel-invalid and ordered the resen-ate judges acted, however, tencing. Brown was already airborne.

Kept at Hiding Place

Flown to New York

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

from New York to Louisiana

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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 block Brown's removal to Loui-siana because of his gunshot would not comment on his des-religion. Brown was allowed to wear the hat in court.

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