

Brown Wants Officials *F Post* Found For Contempt *7-22-72*

NEW YORK (AP) — Black militant H. Rap Brown asked a federal court judge Friday to find three correctional officials in contempt of court for allowing his removal from jail here to Louisiana last May.

U.S. District Court Judge Edward R. Neaheer in Brooklyn ordered city correctional Commissioner Benjamin Malcolm, Asst. U.S. Atty. Edward Boyd IV and U.S. Marshal Benjamin F. Butler to show cause Wednesday why they should not be held in contempt for allegedly violating a courtroom agreement.

Neaheer, had upon the request of Brown's attorney, William Kunstler, received a verbal agreement on May 30 from Boyd not to remove Brown from the city correctional facility on Riker's Island until 10 p.m.

The judge ruled that he had no jurisdiction to prevent Brown's removal to New Orleans—where Brown was subsequently sentenced to an eight-year term on federal weapons charges—but granted the extra time to allow Kunstler to seek

a delay in State Supreme Court.

Kunstler said in court papers that Brown's wife, Lynne, had served a copy of a state court order on the Riker's Island officials to have the defendant in state court the next morning.

But Brown, charged here with attempted murder in connection with a saloon shootout last October, had not been returned to Riker's Island after his federal court appearance that day, his affidavit said.

Instead he spent the night at the federal House of Detention in Manhattan, said Brown, who also faces riot and arson charges stemming from a night of burning the summer of 1967 in Cambridge, Md.

He was then taken to Westchester County airport, north of the city, and was flown to New Orleans before noon, the affidavit said.

Brown charged that the officials had acted in "flagrant and atrocious violation of both the letter and spirit of the assurance contained in the colloquy between this court and Mr. Boyd."