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Subpena photog, Panther apartment film

By Max Sonderby

A free-lance cameraman was ordered Wednesday to appear before a federal grand jury with his movie film of the apartment where two Black Panther leaders were fatally shot by states attorney's police.

A government lawyer, in successfully arguing for the grand jury appearance by cameraman Michael Gray, described the film as "unique" and as the first movie made at the slaying scene.

Chief U.S. District Court Judge William J. Campbell rejected vigorous objections by Gray's lawyer, Marshall Patner, in upholding the government's subpoena of the cameraman and his film.

Patner argued that Gray was called in to make the movie and sound track by Francis Andrew, a lawyer for one of the surviving Black Panther

residents of the apartment, at 2337 W. Monroe.

Thus, the film should be protected from subpoena by the lawyer-client relationship and as part of the "work product" of the attorney, Patner said.

Patner also pointed out that many pictures were made of the apartment by the news media.

It was then that Asst. U.S. Atty. Jack Schmetterer described the Gray film as unique and as the first made at the scene.

"This movie is crucial and quite unlike any other the media have," Schmetterer said. "It was made as Andrew walked about the apartment, pointing out how things were and removing certain things. It's important that the grand jury know exactly how things were and what was removed."

In ruling for the government, Judge Campbell said the grand jury's right to make "an exhaustive inquiry" into the

Panther slayings was "paramount to the work product privilege, if one existed."

Attorney Andrew did not appear at the hearing. He was attending a Cook County coroner's inquest into the Dec. 4 deaths of Panther leaders Fred Hampton and Mark Clark.

Campbell gave no indication of changing his order for Gray to produce the film for the grand jury, but he agreed to

hear Andrew's position on the matter.

Patner said he would appeal Campbell's order if Andrew objected to the showing of the film to the grand jury.

Patner also said he had learned the government already has subpoenaed a copy of the movie from a New York firm that processed Gray's film and he will seek to block its showing to the jury.