Delay Now Likely
In Winsberg Trial

The corrupt influencing trial of Criminal District Judge Jerome M. Winsberg, scheduled to begin Jan. 29 will likely be delayed now that Dist. Atty. Jim Garrison has asked that he be recused from the prosecution.

Judge W. William Swift of Lake Charles, appointed by the Louisiana Supreme Court to preside over the Winsberg case, said yesterday Garrison requested the recusal because of some indirect ties to a pending federal case against Garrison.

Judge Swift set a hearing on the recusal motion for Jan. 29, indicating that the hearing would delay the trial.

Garrison's request apparently stems from a defense motion to supress evidence in the case, primarily a tape recording of a conversation allegedly between Winsberg and former government i n f o r m e r Pershing Gervais.

Winsberg's a t t o r n e y has filed a motion to suppress a tape recorded conversation between Winsberg and Gervais, to whom Winsberg is accused of offering $5,000 to influence the outcome of three drug cases Winsberg was handling in 1971 prior to his election as judge.

Gervais is a former member of Garrison's staff who later provided information which led to a federal indictment of Garrison involving an alleged kickback scheme to protect illegal pinball gambling operations in New Orleans.

In asking to be recused, Garrison said he "cannot in good conscience advocate the admissibility" of the tape because he believes that the tape recording was obtained illegally and it can be misleading in that it does not express the full content of conversations.

Gervais, after living in exile for about a year, returned to New Orleans saying federal agents coerced him into providing the information against Garrison.

The tape of the Winsberg-Gervais conversation was made while Gervais was cooperating with federal agents in their efforts to compile evidence against Garrison.

The tape was turned over to local authorities by federal officials.