

Pleads Innocent

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Oser Out; Braniff Will Try Haggerty

Criminal District Judge Matthew S. Braniff today ruled he personally will conduct the trial of fellow jurist Judge Edward A. Haggerty Jr. on charges growing out of a Dec. 17 vice raid.

Judge Braniff sustained a motion by Judge Haggerty's attorney and recused Judge Alvin V. Oser, who was to have presided at Judge Haggerty's trial, on grounds Judge Oser will be called as a witness in the case.

AFTER THE ruling Haggerty pleaded not guilty before Judge Braniff to separate charges of soliciting for prostitution, resisting police officers and obscenity, all misdemeanors.

Haggerty was silent as attorney Robert Zibilich entered the pleas for him.

No date has been set for Haggerty's trial.

The charges stem from a "stag show" raided by police the night of Dec. 17 at the DeVille Motel. Haggerty has described the occasion as a before-the-wedding bachelor party. The state contends admission was charged and prostitution was to take place.

AT TODAY'S hearing before Judge Braniff, Zibilich was sworn in as a witness and testified that he plans to call Judge Oser as a witness because he signed arrest warrants for several other persons at the party.

In response to questions, he said he may also call Judge Oliver P. Schulingkamp but specifically ruled out any possibility that he might call Judge Braniff.

Judge Braniff then sustained the motion for recusal and announced that he will hear the case himself.

"There is no doubt in my mind I can give a fair and

Haggerty

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impartial trial to both the state and the defendant," said Judge Braniff.

THE JUDGE then conducted the arraignment, heard the not guilty pleas and gave the defense five days to file special pleadings. He gave the state until Jan. 15 to file answers.

First Assistant District Attorney James L. Alcock asked Judge Braniff not to set a trial date until the answers are filed and the judge agreed.

After the hearing, Judge Haggerty walked down the hall to his own courtroom from which he is on leave pending disposition of the charges against him.



—States-Item photo.

JUDGE EDWARD A. HAGGERTY JR., right, is accompanied by his attorney, ROBERT ZIBILICH, as he leaves Criminal Courts following arraignment on three misdemeanor charges.