

# Drop Obscenity Charge, Haggerty Attorney Asks

Quash Motion Filed, 17  
Persons Subpoenaed

Attorney Robert J. Zibilich Wednesday asked that the obscenity charge against Judge Edward A. Haggerty Jr. be thrown out of court.

Zibilich filed a motion to quash the charge after having 17 persons subpoenaed to testify as defense witnesses during Haggerty's trial scheduled for 10 a.m. Monday before Criminal District Court Judge Matthew S. Braniff.

Judge Haggerty, who presides in another section of Criminal Court, is on vacation while facing charges of obscenity by exhibiting obscene movie film, soliciting for prostitutes, and resisting police officers.

The charges grew out of a Dec. 17 vice-squad raid on an alleged stag show in which the judge and 13 other persons were arrested.

In his motion to quash the obscenity charge Zibilich cited a U.S. Supreme Court decision in a federal case, *Stanley vs. Georgia*, which held that it is a man's right to view anything he wants to in his own home.

He contended that the gathering at the DeVillie Motel, 3800 Tulane Ave., where the raid occurred, was private.

Zibilich has also contended in statements that the gathering was a before-the-wedding bachelor party for one of the guests.

Subpoenaed at Zibilich's request were:

Henry J. Smith, 2341 N. Galvez; Michael J. Stuebben, 4231 Palmyra; Michael A. Carso, 4422 Senator Tobey, Metairie; Samuel L. Blanchard, Waveland, Miss.

Malcolm G. Mundy Jr., 2735 Tulane; Albert N. Miller, 7915 Cohn; Alcest R. Ory, 1125 Phosphor Ave., Metairie; George W. Costello, 2916 Haring Road, Metairie; Kenneth A. Reeves, 3009 20th, Apt. B, Metairie.

Victor M. Soto, 926 E. William David Pkwy., Metairie;

Max A. Williams, 1931 Farmington Pl., Gretna; Steve Mariano, care of Rowntowner Motel, 3900 Tulane; Peter Schuster, care of Orleans Parish Coroner's Office; Judge Alvin V. Oser, Section I, Criminal Court; Judge Oliver P. Schulingkamp, Section F, Criminal Court; Henry Montagnet, 3535 Gentilly Blvd., and Joseph G. Zarza Jr., Apt. 105, 3800 Tulane Ave.

The following were also arrested in connection with the raid: Smith, Zarza, Soto, Stuebben, Mundy, Miller, Ory, Carso, Williams, Blanchard, Reeves, and Costello.

Judge Oser and Judge Schulingkamp were called because they issued search and arrest warrants in the case.