

State High Court Given O'Hara Ouster Petition

Gremillion Aides Hand Document to Body

A petition calling for removal from office of Criminal District Court Judge Malcolm V. O'Hara was filed Wednesday with the Louisiana Supreme Court, the first such case in 25 or 30 years.

Attorney General Jack P. F. Gremillion and his assistants, William P. Schuler and John E. Jackson Jr., delivered the document to the court where clerks recalled it as the first since the case of J. Claude Meraux, a judge.

Meraux was prosecuted by then District Attorney Leander H. Perez, and later became president of the St. Bernard Bank and Trust Company.

The suit against Judge O'Hara, who is on a leave of absence indefinitely from his office, said requests for the suit were made by the New Orleans Bar Association, the Chamber of Commerce of the New Orleans Area, Gov. John J. McKeithen, and in a letter by 45 citizens.

The suit charged the judge conspired with Zachary A. Strate Jr., a New Orleans builder, to have set aside the federal court convictions of Strate and Teamster Union president James R. Hoffa. Strate was found guilty of six counts of mail fraud and one of conspiracy.

It said Judge O'Hara in early 1967 arranged a Baton Rouge meeting between himself, James H. Gill and Edward Brady Partin to afford Partin, an official of the Teamsters Union there, the opportunity to change his testimony given as a government witness against Hoffa in the Chattanooga, Tenn., trial.

The suit said the affidavit presented to Partin to sign

was dictated just before the day of the meeting in Baton Rouge to Julian Levy, the judge's court reporter, in the Fontainebleau Motor Hotel.

In connection with this, the suit said, Judge O'Hara's only explanation was that he was simply a "messenger boy" for Strate.

SUIT CHARGES

The suit also alleged that the judge arranged in June, 1967, a meeting in the Bourbon Orleans Hotel of Strate and Walter Sheridan, a newsman for National Broadcasting Corporation, "for the purpose of establishing United States Government wire-tapping activities in connection with the prosecution of government cases against members of the International Teamsters' Union."

Referring to testimony given by Strate and Judge O'Hara in a federal court in Chicago, the suit said they were witnesses on behalf of Hoffa, a defendant.

It said the judge accepted duties and obligations which interfere or reasonably appear to interfere with the proper performance of his duties as judge and as well has been "guilty of consistent impropriety which cast reproach upon the performance of his judicial duties."

JUDGE WARNED

The judge was warned at least twice by his associates and members of the bar about the "impropriety of his association with Strate, but to no avail," the suit said.

Added to the suit as an exhibit was testimony from the Chicago court hearing on Aug. 18, 1967, in which Strate told of the meeting with Sheridan.

In the testimony, Strate told of Sheridan offering him evidence of wire tapping and room bugging for the hearing in

Chicago if Strate would help to discredit District Attorney Jim Garrison and his investigation of the Kennedy assassination.

15 DAYS GIVEN

After Judge O'Hara is served with the proceeding, he will have 15 days to plead. As in any suit, the court will consider any exceptions filed by the judge such as no right or cause of action or vagueness.

After disposing of these and issue is joined, the court will decide whether to hear the case itself or appoint a commissioner, a lawyer who has

practiced at least five years.

If a commissioner is appointed, he will gather evidence in a regular trial and will put together a record, but will not make any suggestions or conclusions as to disposal of the case.

The case then goes to the court for argument and submission.