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State Fights O'Hara's



STATES-ITEM

OF PROGRESS

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Closed Session Plea



Gremillion Tags Issues 'Irrelevant'

State Atty. Gen. Jack P. F. Gremillion today filed in the Louisiana Supreme Court an opposition to Criminal District Judge Malcolm V. O'Hara's plea to avoid having all testimony made public in the state's suit to remove the judge from office.

Proceedings in the suit are being conducted in the court's chambers by order of Chief Justice John B. Fournet in accordance with printed rules of the court. Michael M. Irwin has been appointed a commissioner to hear testimony and gather evidence in the trial.

THE MOVE to unseat Judge O'Hara is based on his relationship with Zachary R. Strate Jr., a Teamsters Union official. The two allegedly conspired to have Strate's and Teamsters Union President James R. Hoffa's court convictions set aside.

"The primary reason for the relief sought (by Judge O'Hara) is that the interrogatories are irrelevant and immaterial to the issues raised by the removal suit," Gremillion told the court.

"THE STATE respectfully contends that all of the ques-

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tions and answers thereto are relevant to the removal petition and particularly Articles VIII through XXVI thereof, alleging actions of the said Malcolm V. O'Hara inconsistent with his duties as judge of the Criminal District Court."

Gremillion said, "It is more evident that the questions . . . are not irrelevant nor unduly oppressive or embarrassing from the 106 questions which were answered. Additionally, defendant did not object to answering the 106 questions."

"In this case putting the questions propounded under seal," Gremillion said, "would be somewhat futile since the questions have been public since the institution of the removal proceedings."

O'HARA charged that the questions relate to close personal matters and should be secret to protect him from "undue oppression and embarrassment."

The judge also moved to strike the attorney's petition as being devoid of any allegation pertaining to licit or illicit financial gains, but there were interrogatories about his finances and these should be killed.

The appointment of Irwin means he will conduct the trial of the suit and put together a record. He will not make any suggestions or conclusions as to disposal of the case.

It will then go to the Supreme Court for argument and submission.