

NBC Reporter To Appeal N.O. Plea Dismissal

An attorney for Walter Sheridan today filed a notice of intention to appeal to the U.S. Fifth Circuit Court of Appeal a decision by U.S. District Judge Alvin B. Rubin dismissing his client's suit against Orleans Parish Dist. Atty. Jim Garrison.

Sheridan, an NBC television newsman who has been highly critical of Garrison, was charged by the DA with public bribery of Perry R. Russo, Garrison's star witness in his Kennedy assassination probe. Sheridan had asked that the charge against him be dropped, that Garrison be recused as prosecutor because of personal animosity against the newsman and that an injunction be issued to prevent Garrison from forcing Sheridan to appear before the Orleans Parish Grand Jury.

In a similar case, U.S. District Judge James A. Comisky tomorrow will hear a request for a preliminary injunction to halt Garrison's attempt to get Life Magazine reporter David Chandler be-

fore the grand jury.

Named as defendants in the suit filed yesterday were Dist. Atty. Jim Garrison, first Assistant DA Charles Ward and James O. Sanders, foreman of the grand jury.

Chandler charges in his suit that he would be in a "position of peril" if he appeared before the grand jury and that without counsel he may be required to illegally and unconstitutionally testify against himself.

IN THE EVENT the preliminary injunction he seeks is denied, Chandler requested in his suit that his attorney, Cicero C. Sessions, be allowed to be present when he appears before the grand jury.

Similar motions have been turned down by the Orleans Parish Criminal District Court and the Louisiana Supreme Court.

Chandler was subpoenaed to appear before the grand jury on Oct. 5, the same time Carlos Marcello testified before the body. Marcello was named by Life as being the kingpin of organized crime in the state.

The newsman says in his suit that he was originally subpoenaed to appear before the grand jury Jan. 26, but instead was sent to the district attorney's office where Ward placed him under oath and grilled him.

Following the alleged incident, which Chandler called "illegal misuse of a grand jury subpoena," Chandler said Ward threatened him with criminal prosecution for perjury.