

SHAW GRANTED STAY OF TRIAL

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Prosecution Halted Until
Appeal Is Heard

A federal court Tuesday halted further prosecution of Clay L. Shaw on a state court charge of conspiring to murder President John F. Kennedy until the U.S. Supreme Court can act upon Shaw's appeal from the federal court action dismissing his suit aimed at permanently enjoining the prosecution.

The injunction pending appeal was granted by the same special three-judge court which on July 23 dismissed the suit for injunction brought by Shaw against Garrison and his aides.

Following that decision by Judge Robert A. Ainsworth Jr. of the United States Fifth Circuit Court of Appeals and District Judges Frederick J. R. Heebe and James A. Corniskey, Shaw's attorneys filed a notice of appeal to the Supreme Court and asked for a stay until the high court can act.

Shortly after the special federal court ruling, Garrison's office set the state court trial for Sept. 10.

In granting the stay of the prosecution, the federal court said, "... it appearing to this court that the relief herein granted is necessary to preserve the plaintiff's rights pending appeal to the Supreme Court of the United States . . . It is ordered therefore, that until such time as the appeal has been decided . . . the defendants are restrained from further prosecuting the case entitled 'State of Louisiana vs. Clay L. Shaw.'"

The court said that it is obvious that Shaw's appeal to the Supreme Court cannot be considered and disposed of prior to the Sept. 10 trial date, and that unless the prosecution is stayed, Shaw's appeal will become moot without having a chance for its consideration by the Supreme Court.

In effect, the court said, Shaw will be deprived of an appeal from the court's decision.

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