

6-12-68

STATES-ITEM

Panel to Hear Shaw Suit Technical Data on Monday

Only technical motions will be heard Monday in Clay L. Shaw's suit to block his trial on a charge of conspiring to murder President John F. Kennedy.

Federal District Judge Frederick J. R. Heebe had previously set Monday as the date for a trial on the merits of Shaw's move but revised the schedule yesterday afternoon.

JUDGE HEEBE is one of three federal judges who will hear Shaw's suit, which seeks a permanent injunction preventing District Attorney Jim Garrison from prosecuting him and which also asks for a declaratory judgment holding that the Warren Commission's report on the assassination is valid and admissible as evidence in any court.

Joining him in hearing the suit will be Federal District Judge James A. Comiskey and U. S. Fifth Circuit Court of Appeals Judge Robert A. Ainsworth Jr.

Judge Heebe said it will be the first week in July before the court will be able to get

into the merits of the case.

On another front, Assistant District Attorney James L. Alcock said that Washington officials have declined to serve a subpoena for autopsy photographs of President Kennedy.

ALCOCK SAID U.S. Marshal Luke C. Moore wrote to him declining to serve the subpoena on U. S. archivist Dr. James B. Rhoads, who has the photographs in his custody.

The original subpoena went to another archivist who is retiring and was later amended to apply to Dr. Rhoads. Moore said a new court order would be required to comply with the District of Columbia code.

Alcock said he will apply for the new order.