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## Federal Judge Stays Clay Shaw Prosecution

NEW ORLEANS, May 28 (UPI)—A U.S. district judge today granted a temporary restraining order against district attorney Jim Garrison, prohibiting "any further prosecution" of Clay L. Shaw.

Shaw is charged with conspiring to assassinate President John F. Kennedy, and the action taken by Judge Frederick Heebe probably will at least delay Shaw's trial, scheduled to start June 11.

Heebe indicated he would schedule a "speedy hearing" on the merits of Shaw's petition.

In a six-page decision explaining his ruling, Heebe said, "There is a very real likelihood that the plaintiff may prevail on the merits."

Attorneys for Shaw contended Monday that the Louisiana conspiracy statutes are unconstitutional, and that Garrison had conducted a "reign of terror by the misuse and abuse of the powers of the public office . . ."

They called Garrison's assas-

sination investigation "illegal, unwarranted, fraudulent and useless."

"The complaint read as a whole presents much more than a recitation of isolated wrongs, but impugns the entire prosecution against the petitioner," Heebe said.

"The thrust of these allegations raises serious questions concerning the relationship between this Federal district Court and the Louisiana Criminal District Court and indeed between Federal and State courts across the Nation," the judge added.

"Whenever a Federal court stays the hand of a State official, the delicate balance of comity so necessary and wholesome for our Federal system is likely to be disturbed," he said.

But Heebe said the seriousness of the charges required Federal intervention.

He indicated that because of the allegations of the unconstitutionality of the conspiracy statutes a "three-judge court is required on this matter."