

Court Blocks Shaw Trial

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Federal District Judge Frederick J. R. Heebe today issued a temporary restraining order preventing Dist. Atty. Jim Garrison from prosecuting Clay L. Shaw pending further action by the federal court.

Judge Heebe issued the order in a suit filed yesterday

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by attorneys for Shaw, who is accused of conspiring to assassinate President John F. Kennedy.

Shaw had been scheduled to go to trial on the charge June 11.

The suit claims that Shaw has been deprived of his constitutional rights by the DA's office. It asked that the DA be permanently enjoined from prosecuting Shaw and also that the findings of the Warren Commission in the assassination be made binding and admissible as evidence in any court.

Judge Heebe said in his ruling that the allegations of the suit raised "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 said that because of Shaw's allegations that various Louisiana statutes are unconstitutional a three-judge court will be required to hear the suit and "it may not be possible for the hearing to be held and concluded prior to the scheduled date of trial."

Judge Heebe cited a number of U.S. Supreme Court decisions and said that Shaw's complaint "raises real issues of alleged deprivations of liberty through the actions of the state."

At the heart of these findings, Heebe said, is that every criminal proceeding should be "brought lawfully and in good faith."