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# FBI AGENT ORDERED NOT TO TESTIFY HERE

## CIA Photo Subpenaed By Garrison

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STATES-ITEM

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SENT BUREAU.

The U.S. attorney revealed today that Federal Bureau of Investigation Agent Regis Kennedy has been ordered by Attorney General Ramsey Clark not to testify before the Orleans Parish Grand Jury.

The disclosure came in Criminal District Court this morning as U.S. Atty. Louis C. Lacour moved to quash a subpoena for Kennedy's testimony in Dist. Atty. Jim Garrison's presidential murder plot investigation.

Garrison reacted quickly. "OBVIOUSLY WHAT IS happening is that the federal agents involved are taking the Fifth Amendment," he told reporters in his office lobby, adding:

"This isn't going to stop our investigation. There's no way in the world they can stop it. All they can do is slow it down."

In still another development, the DA obtained a court order to direct a subpoena to the U.S. Intelligence Agency, demanding what Garrison contends is a suppressed photograph of Lee Harvey Oswald.

THE SUBPENA asks CIA Director Richard Helms to produce a "true photograph" of the accused presidential assassin and a burly Cuban

which Garrison says was taken by CIA agents in front of the Cuban Embassy at Mexico City in November, 1963.

Kennedy is one of two men whom Garrison called for testimony concerning their investigation of New Orleans aspects of the presidential nomination in 1963.

THE OTHER IS A former agent, Warren DeBrueys. The names of both men appear frequently on FBI reports made during the Warren Commission investigation of the late President John F. Kennedy's slaying.

A Garrison assistant.

James Alcock, told Judge Bernard J. Bagert the state will oppose the quash motion. A hearing was set for Tuesday.

Acting for Lacour, Asst. U.S. Attys. John C. Ciolino and Frederick W. Veters launched a four-point attack on the agent's subpoena.

Their motion noted that the Orleans Grand Jury is "inquiring into circumstances of the assassination of John Kennedy" and asked Judge Bagert to quash the subpoena because:

1. "Traditionally, FBI agents do not testify before state grand juries with respect to information or material gained by them in the performance of their official duties or by reason of their official status.

2. "Department of Justice Order 324-64 (which has the force of law) prohibits any officer or employe of the Department from producing or disclosing information or material contained in the files of the Department of Justice or acquired by him in the performance of his official duties or because of his official status.

3. "Special Agent Kennedy has been instructed by the Attorney General pursuant to Order 324-64 that he is not to testify with respect to information and material acquired by him in the performance of his official duties or because of his official status.

4. "Customarily, when local authorities seek information from a federal investigation agency, they inquire of the proper federal officials. No inquiry has been made here. Therefore, it is requested that the subpoena be quashed."

Cuban sources at New Orleans said they remembered both Kennedy and DeBrueys attending meetings of anti-Castro groups organized to fight the island's Communist regime in 1961.

Kennedy questioned one-time airline pilot David W. Ferrie when he was arrested by Garrison's office three days after the assassination and held for federal investigation.

Garrison charges Ferrie was a pivotal figure in what the DA says was a plot conceived here in September, 1963, to kill President John F. Kennedy at Dallas two months later.

HE CONTENTS FERRIE conspired with Lee Harvey Oswald, whom the Warren Commission concluded was the President's lone assassin, and 54-year-old Clay L. Shaw to commit the slaying.

Shaw, a retired New Orleans businessman, was indicted in the conspiracy March 22. He is free on \$10,000 bond pending trial.

In recent days, Garrison has declared that Oswald was not a Communist, as the Warren Commission said, but a federal undercover agent who aided the cause of anti-Castro Cuban organizations here.

HE HAS CHARGED that the Central Intelligence Agency and the FBI engaged in a massive coverup to dupe the Warren Commission and mask the participation of CIA-employed persons in Kennedy's murder.

Two other witnesses called by the grand jury are 30-year-old Carlos Quiruga of New Orleans, a once active anti-Castro leader, and a New Orleans truck salesman, Oscar Deslatte.

DESLATTE SAID HE was approached in 1961 — before the Bay of Pigs invasion — by two men who wanted to purchase trucks. He said one of them used the name Oswald and a purchase offer was made in that name.

DA'S OFFICE sources pointed out that Lee Harvey Oswald was still in Russia at the time. He did not return to New Orleans until early 1963.

A bid sheet from Deslatte's firm with Oswald's name on it was taken as evidence by the FBI on Nov. 25, 1963 — three days after the President's death. It was not introduced as evidence before the Warren Commission.

Quiroga is a former close associate of Sergio Arcacha Smith, 44, an erstwhile leader of the Cuban Democratic Revolutionary Front and a fugitive from Garrison's inquiry.

The photograph Garrison says he wants is one which he contends was suppressed when the Warren Commission requested a picture of Oswald and his Cuban companion.

THE DA SAID THE picture was taken by a concealed camera as the two men emerged from the Cuban Embassy at Mexico City a few days before the assassination.

He said the CIA produced a "fake photograph" because "one or both of those men was employed by an agency of the federal government."

"That fake photograph," Garrison charged, "is now immortalized in the Warren Commission report as 'Photograph of an Unidentified Man.'"

Exhibit 237 in Volume XVI of the Warren Commission report is a picture of a husky man in an open-collared shirt. The index identifies it as "Photograph of an Unidentified Man." There is no further comment and no apparent relationship with surrounding testimony and evidence.

WHEN GARRISON emerged from the Grand Jury room early this afternoon, he was surrounded by newsmen whose ranks have swollen following the DA's charges against the CIA and FBI.

The tall prosecutor engaged in a hot colloquy with State-Item reporter Jack Dempsey and television newsmen Jim

Dempsey asked Garrison if he would identify the "others" referred to in the conspiracy indictment which charges Shaw, Ferrie and Oswald planned Kennedy's death.

"It's none of your business," Garrison bristled.

**"IT IS MY BUSINESS,"** Dempsey replied. "I represent the people."

"You don't represent anybody," the DA shot back.

To Mitchie, who wanted to know why Garrison had given a States-Item reporter an exclusive interview Monday, the DA said: "That's a stupid question."

Unabashed, Mitchie queried: "How do you feel you're being treated by New Orleans news media?" To which Garrison replied:

"Who writes your questions, the switchboard operator?"



—States-Item Photo.  
**REGIS KENNEDY**  
—FBI agent.—