

Angela Defense To Start Today

By Carolyn Anspacher

The Angela Davis defense is scheduled to open in San Jose this morning, but speculation runs high that attorneys for the 28-year-old black militant may put on a very limited case.

Attorney Leo Branton Jr., arguing Monday for a directed verdict, insisted the state failed to prove that Miss Davis was in any way involved in the Aug. 7, 1970, Marin Civic Center escape attempt and subsequent gun battle in which four persons were killed. She has been charged with murder, kidnap and conspiracy.

Branton claimed that Assistant Attorney General Albert Harris Jr., although calling 95 witnesses and producing more than 200 exhibits during the prosecution case, presented insufficient evidence to sustain a jury's conviction on appeal to a higher court.

COUNTER

Harris countered by declaring he felt the state's case not only is sufficient to sustain a conviction on appeal, but in fact "compels" a conviction.

Branton, after court was adjourned Monday, was extremely wary when asked about the defense plans.

"If you are asking me do I think we have to put on a case," he said, "my answer is 'no.' If you are asking if we will put on a case, my answer is that I do not know."

However, other sources very close to the defense said the defense will put on a case that may last about three weeks.

It is not yet known if Miss Davis, the former UCLA philosophy instructor and avowed Communist, will

take the stand in her own behalf. She has been acting as a co-counsel during the trial, now in its 11th week.

CHANGE

The state contends that Miss Davis, for love of George Jackson, a San Quentin inmate awaiting trial for the murder of a Soledad prison guard, plotted and armed the aborted escape attempt.

The goal of the plan, according to prosecutor Harris, was the seizure of hostages who were to have been exchanged for Jackson. Instead, a gun battle ensued and four persons were killed, among them Jackson's 17-year-old brother, Jonathan, and Marin Superior Court Judge Harold Haley. Four of the guns used had been purchased by and were registered to Miss Davis. They had been smuggled into Judge Haley's courtroom by young Jackson.

The elder Jackson was killed a year later during a violent episode at San Quentin prison.

Superior Court Judge Richard E. Arnason, who is conducting the Davis trial before a seven-woman, five-man jury, has reserved a ruling on Branton's motion for a directed verdict.