

Rby

27 Sept. 1964
1008 PPD

SB62FX (BELLI HERE)

-AMS IN-

PRECEDE NEW YORK (170)

SAN FRANCISCO, SEPT. 27 (AP)—ATTORNEY MELVIN BELLI SAID TONIGHT HE HAS AGREED TO FILE AN APPEAL BRIEF FOR JACK RUBY, HIS FORMER CLIENT SENTENCED TO DEATH FOR THE MURDER OF LEE HARVEY OSWALD, CALLED THE KILLER OF PRESIDENT KENNEDY IN THE WARREN COMMISSION REPORT ISSUED TODAY.

BELLI SAID IN AN INTERVIEW THAT RUBY ASKED HIM TO DO SO AND THAT HE AGREED. RUBY'S FAMILY DISMISSED BELLI FROM THE CASE LAST MARCH SHORTLY AFTER RUBY RECEIVED THE DEATH SENTENCE.

RUBY, CALLING FROM THE DALLAS JAIL, REACHED BELLI AT A LAWYERS' MEETING IN SANTA MONICA, CALIF., TODAY.

BELLI SAID HE PREVIOUSLY HAD ASKED THE COURT'S PERMISSION TO FILE SUCH A BRIEF AND THAT IF PERMISSION IS DENIED HE WILL SEND THE BRIEF TO RUBY'S PRESENT LAWYERS ANYWAY.

BUT HE ADDED, "I KNOW THE APPEALS COURT WILL WANT TO HEAR FROM THE TRIAL LAWYER."

"I'M SATISFIED THE RUBY VERDICT WILL BE REVERSED. EVERY LAWYER KNOWS IT WILL--AND THE DISTRICT ATTORNEY IN DALLAS KNOWS IT, TOO," BELLI SAID.

BELLI SAID HIS OFFICE HAS ALMOST COMPLETED WORK ON THE RUBY BRIEF. HE SAID IT WILL BE BASED ON WHAT HE CALLED CONCRETE EVIDENCE THAT A POLICE OFFICER COMMITTED PERJURY DURING RUBY'S TRIAL, AND THE ARGUMENT THAT RUBY SHOULD HAVE BEEN GRANTED THE RIGHT TO BE TRIED IN A CITY OTHER THAN DALLAS.

(NO PICKUP)

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