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NIGHT LEAD (270)

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DALLAS, OCT. 28 (AP)-JACK RUBY'S LAWYER STAFF DID A NEW FLIPFLOP TODAY, AND HERETOFORE CHIEF COUNSEL CLAYTON FOWLER SAID A "SECRET GROUP" OF LAWYERS ARE DRAWING THEIR OWN APPEAL FOR THE CONVICTED SLAYER.

FOWLER, THE FOURTH LAWYER TO DIRECT LEGAL EFFORTS AIMED AT SAVING RUBY FROM THE ELECTRIC CHAIR, JOINED EMMETT COLVIN IN A COURT MOTION ASKING THEY BE ALLOWED TO WITHDRAW.

FOWLER BLAMED WHAT IS TERMED THE RUBY FAMILY'S CONTINUAL INTERFERENCE IN THE DEFENSE WORK, AND SAID HE HAD BEEN ADVISED A GROUP OF UNNAMED DALLAS LAWYERS ARE PLANNING THEIR OWN APPEAL OF RUBY'S DEATH SENTENCE.

"I DON'T KNOW WHO THEY ARE OR WHAT THEIR PURPOSE IS, AND I'M NOT SURE WHAT EFFECT THEIR APPEAL WILL HAVE AS FAR AS WE'RE CONCERNED," HE SAID.

FOWLER AND COLVIN, AN APPEALS EXPERT, ASKED THEIR EXIT IN A MOTION TO DIST. JUDGE JOE B. BROWN, AND SUGGESTED HE APPOINT LAWYERS TO CARRY THROUGH RUBY'S APPEAL.

AT LEAST EIGHT OTHER LAWYERS HAVE BEEN ON THE DEFENSE TEAM AT ONE TIME OR ANOTHER SINCE RUBY SHOT LEE HARVEY OSWALD, ACCUSED ASSASSIN OF PRESIDENT JOHN F. KENNEDY, LAST NOV. 24.

THE JUDGE SAID HE PROBABLY WOULD LEAVE THE CASE IN THE HANDS OF PHIL BURLESON AND JOE TONAHILL, THE REMAINING LAWYERS ON THE STAFF. BOTH ATTORNEYS SAID THEY INTENDED TO CONTINUE REPRESENTING RUBY.

THE MOTION BY FOWLER AND COLVIN REFERRED TO A LETTER FROM MRS. EVA GRANT, RUBY'S SISTER, ASKING JUDGE BROWN TO REMOVE ALL LAWYERS IN THE CASE EXCEPT BURLESON.

"THE RUBY FAMILY THINKS THIS IS LIKE SHOW BUSINESS," FOWLER TOLD A NEWSMAN. "THEY SEEM TO WANT A DIFFERENT BILLING EVERY WEEK. JACK MAY SUFFER BECAUSE OF THIS."

FOWLER TOOK OVER THE CASE LAST JULY AFTER MELVIN BELLI WAS FIRED BY THE RUBY FAMILY IN THE WAKE OF THE STORMY TRIAL LAST SPRING.

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