

EB37
PROBE 290

NEW ORLEANS (AP)--A FEDERAL JUDGE IS PONDERING WHETHER STATE PROSECUTION MAY PROCEED IN THE CASE AGAINST TWO TELEVISION NEWSMEN ACCUSED TO TRYING TO WRECK DIST. ATTORNEY JIM GARRISON'S KENNEDY ASSASSINATION PROBE.

TWO LEGAL POINTS WERE INVOLVED. ONE WAS A REQUEST THAT THE ORLEANS PARISH GRAND JURY BE BARRED FROM QUESTIONING WALTER SHERIDAN, WASHINGTON, AN INVESTIGATIVE REPORTER FOR NBC. THE OTHER ASKED THE COURT TO BLOCK PROSECUTION OF SHERIDAN AND RICHARD TOWNLEY, OF NEW ORLEANS WDSU-TV.

GARRISON CHARGED BOTH MEN WITH ATTEMPTED BRIBERY OF A WITNESS AIMED AT GETTING HIM TO CHANGE HIS STORY.

GARRISON'S CHARGE CAME AFTER A NATIONAL BROADCASTING CO. TELEVISION SHOW WHICH EXAMINED IN CRITICAL DETAIL HIS CLAIM THAT A CONSPIRACY TO ASSASSINATE PRESIDENT JOHN F. KENNEDY ORIGINATED IN NEW ORLEANS.

SHERIDAN AND TOWNLEY DID MUCH OF THE INVESTIGATIVE REPORTING ON WHICH THE SHOW WAS BASED.

AT THE END OF TECHNICAL LEGAL ARGUMENTS MONDAY, U.S. DIST. JUDGE ALVIN B. RUBIN SAID THAT--AFTER HE RULES--HE WILL SET A PRETRIAL CONFERENCE WITH THE OPPOSING LAWYERS AND POSSIBLY SET A DATE FOR A HEARING.

SHERIDAN'S LAWYERS CLAIMED THAT, IF HE WENT BEFORE THE GRAND JURY FOR QUESTIONING, HE WOULD BE WITHOUT ADEQUATE LEGAL COUNSEL AND THAT GARRISON WOULD TRY TO INCRIMINATE HIM ON SOME OTHER POINT.

"WE FEEL STRONGLY THAT GARRISON DOES NOT INTEND TO STOP WITH ONE CHARGE," SAID DEFENSE ATTORNEY MILTON E. BRENER.

ASST. DIST. ATTORNEY JAMES L. ALCOCK SAID IT WAS "POSITIVELY" THE POSITION OF THE DISTRICT ATTORNEY THAT SHERIDAN WOULD NOT BE ASKED ABOUT ANYTHING CONNECTED WITH THE ATTEMPTED BRIBERY CHARGE.

ON THE ISSUE OF ENJOINING PROSECUTION OF SHERIDAN AND TOWNLEY, JUDGE RUBIN SAID THE QUESTION WAS WHETHER THEY HAD EXHAUSTED THEIR REMEDIES IN STATE COURTS.

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