

LB83

SHAW NL 400

NEW ORLEANS (AP)--CLAY L. SHAW, CHARGED WITH CONSPIRING TO ASSASSINATE PRESIDENT JOHN F. KENNEDY, TUESDAY MANEUVERED FOR A SIX-MONTH TRIAL DELAY OR A CHANGE OF VENUE, CLAIMING A FAIR TRIAL HERE WOULD BE IMPOSSIBLE "NOW OR IN THE NEAR FUTURE."

SHAW'S ATTORNEYS SAID THE ACTIONS OF DIST. ATTY. JIM GARRISON HAD "DESTROYED OR SERIOUSLY PREJUDICED THE RIGHT" OF SHAW TO A FAIR TRIAL.

THE MOTION ASKED CRIMINAL DIST. JUDGE EDWARD A. HAGGERTY JR. TO PUT THE TRIAL OFF FOR SIX MONTHS. IN THE EVENT THE JUDGE RULED AGAINST THE DELAY, IT SAID, THE TRIAL, THEN SHOULD BE MOVED TO ANOTHER JURISDICTION.

JUDGE HAGGERTY DID NOT RULE ON THE REQUEST TUESDAY.

SHAW, 54-YEAR-OLD RETIRED NEW ORLEANS BUSINESS EXECUTIVE, IS THE ONLY MAN INDICTED AS AN OUTGROWTH OF GARRISON'S CONTROVERSIAL PROBE INTO KENNEDY'S DEATH HE IS FREE ON 10,000 BOND.

GARRISON, IN THE CHARGE AGAINST SHAW, ALLEGES THAT SHAW CONSPIRED WITH LEE HARVEY OSWALD, THE MAN NAMED BY THE WARREN COMMISSION AS THE LONE ASSASSIN, AND DAVID W. FERRIE, A PILOT, TO KILL KENNEDY IN 1963. SHAW IS THE ONLY ONE OF THE THREE ALIVE.

THE DEFENSE ATTORNEYS ALLEGED IN THE DELAY MOTION THAT SINCE THE DAY OF SHAW'S ARREST, MARCH 1, GARRISON HAS CARRIED ON A "DELIBERATE AND CALCULATED PUBLICITY BARRAGE" AGAINST THEIR CLIENT.

THEY SAID GARRISON'S ACTIONS HAD "IMPLANTED IN THE MINDS OF THE PUBLIC AND PROSPECTIVE JURORS" HIS THEORIES OF THE CASE.

THEIR MOTION CAME DURING THE AFTERNOON AFTER JUDGE HAGGERTY ACCUSED THEM OF DELAYING TACTICS TO STALL SHAW'S TRIAL. SALVADORE PANZECA, ONE MEMBER OF SHAW'S DEFENSE TEAM, DENIED THE ACCUSATION.

THE JUDGE SAID HE EXPECTED THE CHANGE OF VENUE REQUEST AND EXPLAINED HE WANTED TO USE THE CURRENT JURY PANEL, WHICH HAS ONLY ONE MORE DAY TO SERVE, TO CONSIDER IT. THEN HE WOULD USE THE NEW JURY PANEL, IF NECESSARY FOR THE TRIAL ITSELF IN OCTOBER.

"I CERTAINLY CAN'T USE THE OCTOBER JURY TO DETERMINE IF SHAW CAN GET A FAIR TRIAL AND USE THE SAME JURY FOR THE TRIAL," THE JUDGE SAID ANGRILY IN COURT.

JUDGE HAGGERTY SAID SHORTLY BEFORE NOON HE HAD BEEN LEFT A MESSAGE TO CALL SHAW'S CHIEF ATTORNEY, F. IRVIN DYMOND.

"I'M NOT GOING TO CALL HIM. I DISDAIN FROM HANDLING COURT BUSINESS ON THE TELEPHONE," HE TOLD ASST. DIST. ATTY. JAMES L. ALCOCK. "THIS COURT IS NOT HERE FOR THE SOLE BENEFIT OF MR. DYMOND."

"THIS MEANS THIS CASE WILL BE THROWN BACK A WHOLE MONTH DUE TO MR. DYMOND'S TARDINESS," JUDGE HAGGERTY SAID, INDICATING HE MIGHT BE UNABLE TO DISPOSE OF THE MOTIONS BEFORE THE NEXT JURY PANEL PANEL IS ON DUTY. "I DON'T KNOW IF THIS WAS ON PURPOSE, BUT I THINK IT WAS." "WE AGREED TO USE MY JURY PANEL (SEPTEMBER'S) FOR THAT VERY PURPOSE," THE JUDGE SAID. "IT LOOKS LIKE I'M LEGALLY OUT-MANEUVERED."

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