

Supreme Court Acts

Shaw Trial Change Denial Is Upheld

The Louisiana Supreme Court today refused to review Judge Edward A. Haggerty's decision to try Clay L. Shaw in New Orleans for conspiracy in the assassination of President John F. Kennedy.

Haggerty, judge of Criminal District Court, on April 4 turned down a motion by Shaw's attorneys to move the trial at least 100 miles from New Orleans.

District Attorney Jim Garrison charges that Shaw, a 54-year-old retired businessman, conspired with Lee Harvey Oswald, David William Ferrie and others to kill the president.

SHAW'S ATTORNEYS HAD ARGUED that the trial should be moved because of great publicity the case has received here. When Haggerty rejected the move, they filed writs of review with the high court.

In turning down the review, the Supreme Court noted that Shaw still has the right to appeal if he is convicted.

The court said:

"Writs denied. This court will not interfere with orderly proceedings in the trial

court in the absence of a showing of irreparable injury.

"Relator (Shaw) has a remedy of appeal in the event of conviction."

SHAW'S ATTORNEYS HAD asked a review both of Judge Haggerty's denial of the change of venue motion and his refusal on April 3 to reopen a hearing on that same motion. Both were denied today.

In several days of hearings on the change of venue motion, Shaw's attorneys argued that all the publicity about the Kennedy assassination and subsequent investigations should be considered.

Garrison and his staff argued that only public references to Shaw himself were pertinent to the point at issue. Judge Haggerty agreed with Garrison, and shut off all testimony not relating to Shaw himself.

It was mainly on the basis of this that Shaw's attorneys sought the writs of review.

Denial of the writs gives Garrison's office the right to set a trial date. Garrison was not immediately available for comment on when the trial will be held.