

# Rap Brown Flown to Louisiana for

By MORRIS KAPLAN

Shortly before dawn yesterday, H. Rap Brown was removed from Federal House of Detention on West Street—despite a court order barring his removal—and flown to Louisiana to face sentencing.

The court order, which barred the black militant's removal from the Department of Correction's jurisdiction in Bronx County, and no effect because Federal agents—unbeknownst to Brown's lawyer, William M. Kunstler—had taken charge of Brown before the order was

signed. Mr. Kunstler had tried to keep the 28-year-old Brown in a hospital cell on Rikers Island in custody of the City Department of Correction. Brown had been there since last October, following a shootout with the police in a West Side bar hold-up. He suffered two wounds in the abdomen.

In Louisiana, he faces a five-year term for violation of the Federal Firearms Act.

Brown—his real name is Hubert Gerold Brown—faces trial here on robbery and attempted

murder charges in connection with the shootout on Oct. 16 in the Red Carpet Lounge on West 85th Street.

Brown, the former chairman of the defunct Student Nonviolent Coordinating Committee, has also been indicted in Maryland on charges of inciting to riot and arson in disturbances that destroyed part of a Negro section of Cambridge, Md., in 1967.

He had been a fugitive from justice since April, 1970, when he failed to appear for his trial on the Maryland charges in Ellicott City, Md., until he was

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taken into custody after the bar shootout.

Federal authorities refused to disclose details of the secret transfer, which thwarted Mr. Kunstler's maneuvers to forestall Brown's removal to New Orleans. Benjamin F. Butler, United States Marshal for the Eastern District of New York, said he acted on a writ of habeas corpus issued last week by a Federal judge in New Orleans.

Usually reliable Federal sources believe that Brown was flown to New Orleans on a flight described as "other than

commercial." <sup>30 MAY</sup>

On Tuesday, Federal Judge Edward R. Neaher dismissed Mr. Kunstler's application for an order barring Brown's removal. On Tuesday night, State Supreme Court Justice Harold Birns of the Bronx—who jurisdiction includes Rikers Island—signed an order staying the removal pending a hearing scheduled at 10 A.M., yesterday before Justice Abraham J. Gellinoff. But, unknown to Mr. Kunstler, his client had by then been removed to the Federal facility on West Street, making the order moot.