

# Last Angela Pre-Trial Motions Due Tuesday

By Stephen Cook

Examiner News Staff

SAN JOSE — The last of Angela Davis' 29 pre-trial motions is expected to be submitted to the judge Tuesday, ending 13 months of hearings in the controversial murder, kidnap and conspiracy case.

Start of the trial will probably be delayed at least until Feb. 14, Prosecutor Albert W. Harris said, since Judge Richard E. Arnason will probably take a week to rule on the final flurry of defense and prosecution motions.

And even then, start of the trial is doubtful. The defense is known to have requested a delay until mid-March to give Miss Davis' new chief counsel, Leo Branton Jr. of Los Angeles, time to familiarize himself with the case.

## Motions Pending

When arguments are completed Tuesday, Judge Arnason will be facing decisions on defense motions for a change of venue, for a broadening of the trial jury pool and for the disclosure of evidence the prosecution may have gathered through wire taps.

Also pending is a prosecution motion for disclosure of any witnesses Miss Davis plans to produce during the six to nine month trial.

## No Amnesty

Meanwhile, Santa Clara Undersheriff Tom Rosa, responding to a list of demands from the National United Committee to Free Angela Davis, said today there will

be no amnesty for the 24 supporters of the incarcerated Communist arrested outside her courtroom this week.

Franklin Alexander, co-chairman of that committee, promised demonstrations by "hundreds, if not thousands" if Santa Clara County officials fail to meet the following demands by Feb. 14:

- Lawful protests and assemblies must be allowed outside the courthouse where Miss Davis is to be tried on charges of murder, kidnap and conspiracy.

- Charges against those arrested this week for allegedly demonstrating within sight of the courthouse with

intention to influence the court must be dismissed.

- Courtroom seating for the general public must be expanded to match the 130 seats allocated the press in the main courtroom and a closed circuit TV room.

- Other security measures — the 10 foot chain link fences around the courthouse, the practice of photographing each spectator — must cease.

"We are studying their demands and will probably have an official reply. But in no case will criminal charges be dropped. That is not even being considered," Undersheriff Rosa said.

## Moratorium

Miss Davis's supporters, meanwhile, promised a moratorium on demonstrations outside the courthouse until 10 a.m. Feb. 14. Pre-trial hearings in the case were in recess today, scheduled to resume Monday.

Inside the courtroom yesterday, Miss Davis' lawyers pressed their motion to widen the pool of prospective jurors, claiming a panel drawn only from voter registration lists would systematically exclude blacks, Mexican Americans and the poor.

They produced a poll of 89 Santa Clara County residents, taken by a Stanford University graduate student, which claimed to show a relationship between education, income and ethnic background and voter registration.