

A63DN (BJTS)

AMS BUDGET

JACK RUBY ATTORNEY (300)

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HOUSTON, MARCH 21 (AP)-PERCY FOREMAN, NEW CHIEF ATTORNEY FOR JACK RUBY, SCHEDULED HIS FIRST MEETING WITH HIS CLIENT TOMORROW IN THE DALLAS COUNTY JAIL.

RUBY WAS SENTENCED TO DEATH A WEEK AGO FOR SLAYING LEE HARVEY OSWALD, ACCUSED ASSASSIN OF PRESIDENT JOHN F. KENNEDY.

FOREMAN, 61, HIRED THURSDAY TO REPLACE CONTROVERSIAL MELVIN BELLI, 55, OF SAN FRANCISCO AS CHIEF COUNSEL, WILL MEET WITH TWO OTHER DEFENSE LAWYERS, PRESUMABLY TO PLAN STRATEGY TO SAVE RUBY FROM THE ELECTRIC CHAIR.

PHIL BURLESON OF DALLAS, ONE OF RUBY'S ATTORNEYS DURING THE TRIAL, FILED A MOTION YESTERDAY CLAIMING JUDGE JOE B. BROWN MADE 36 ERRORS IN RULINGS AND ASKED A NEW TRIAL.

THE NEW TRIAL MOTION IS A TECHNICAL PRELIMINARY TO TAKING A CASE TO THE TEXAS COURT OF CRIMINAL APPEALS AND POSSIBLY TO THE U.S. SUPREME COURT.

THE NAMES OF FOREMAN, BURLESON AND JOE TONAHILL OF JASPER, TEX., WERE ON THE DOCUMENT.

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FOREMAN SAID HE AUTHORIZED THE FILING OF THE MOTION BUT ADDED IT WOULD HAVE BEEN A LOT SHORTER IF HE HAD WRITTEN IT.

"IT WOULD NOT HAVE BEEN MORE THAN 50 WORDS IF I HAD FILED IT," FOREMAN SAID. "IN MY FIRST MOTION I NEVER REVEAL ANYTHING. IT WOULD HAVE BEEN A SKELETON MOTION IN WHICH WE WOULD HAVE ASKED FOR A NEW TRIAL.

"THESE LAWYERS HAVE A DIFFERENT POLICY. IT MIGHT BE BETTER."

FOREMAN SAID HE WOULD FILE AN AMENDED MOTION "IF INVESTIGATION INDICATES IT."

FOREMAN SAID HE WOULD SEE RUBY AND MEET WITH BURLESON AND TONAHILL BRIEFLY AND THEN RETURN TO HIS HOME IN HOUSTON.

THE DEFENSE CLAIMED DURING THE MONTH-LONG DALLAS TRIAL THAT RUBY, 52, GIRLIE CLUB OPERATOR, SHOT OSWALD DURING A MENTAL BLACKOUT CAUSED BY GRIEF OVER THE ASSASSINATION OF KENNEDY.

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OSWALD WAS KILLED 47 HOURS AFTER HE HAD BEEN CHARGED WITH THE NOV. 22 PRESIDENTIAL ASSASSINATION.

FOREMAN HAS NOT MADE ANY DEFINITE COMMITMENTS CONCERNING WHO WILL BE HIS ASSISTANTS. HOWEVER, TONAHILL SAID RUBY AND MEMBERS OF THE CONVICTED MAN'S FAMILY HAD ASKED HIM TO CONTINUE TO HELP WITH THE CASE.

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