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Dallas, June 11 (AP)- Jack Ruby's new chief counsel says he plans to withdraw a request for a sanity hearing in order to concentrate on appeals for a new trial.

Clayton Fowler, who took over as Ruby's fifth head lawyer this week, said yesterday he decided on the change in strategy because a sanity hearing now would be premature.

Judge Joe B. Brown has scheduled a June 19 hearing with defense and state attorneys to receive testimony and arguments about Ruby's mental condition. He said he then would rule on the defense's requested sanity hearing.

The defense, until this week, contended that Ruby has been deteriorating mentally since his March 14 conviction and death sentence for slaying Leww ^UHarvey Oswald, accused assassin of President Kennedy.

Fowler said if doctor/s say Ruby's condition will not worsen by being ~~xxx~~ treated in county jail rather than in a hospital, he will "withdraw the ~~request~~ request for a sanity hearing and ask Judge Brown to cancel the June 19 hearing."

Another defense lawyer, Joe Tonahill, said yesterday he still believes Ruby should have a sanity hearing but that he and Fowler can reconcile their disagreement.

Fowler said the defense should channel efforts into asking the court of criminal appeals to order a new trial for the former striptease club manager.

The new chief attorney said he will meet Ruby for the first time today.

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