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(TEX. OUT) (160)

DALLAS, SEPT. 26 (AP)-JACK RUBY'S LAWYERS WON A 30-DAY DELAY YESTERDAY ON PRESENTING A STATEMENT OF FACTS IN APPEALING HIS DEATH SENTENCE FOR KILLING LEE HARVEY OSWALD, ACCUSED PRESIDENTIAL ASSASSIN.

DIST. JUDGE JOE B. BROWN IN WHOSE COURT RUBY WAS CONVICTED MARCH 14, GRANTED THE DELAY.

DEFENSE LAWYER PHIL BURLESON TOLD THE JURIST HE COULD NOT PRESENT A FULL RECORD OF RUBY'S CASE UNTIL COURT REPORTERS FINISH TRANSCRIBING IT.

DIST. ATTY. HENRY WADE'S OFFICE OPPOSED THE DELAY.

TEXAS LAW REQUIRES STATEMENTS TO THE COURT WITHIN 90 DAYS AFTER GIVING NOTICE OF APPEAL. SUCH NOTICE WAS GIVEN APRIL 29 IN RUBY'S CASE.

LATE IN JULY, JUDGE BROWN GRANTED THE LAWYERS A 90-DAY EXTENSION. IT WOULD HAVE EXPIRED TOMORROW.

PROSECUTORS SAID THE DELAY WAS NOT ASKED ON TRANSCRIPTS OF THE TRIAL ITSELF, BUT ON PROCEEDINGS IN JURY SELECTION AND A CHANGE OF VENUE HEARING BEFORE THE ACTUAL TRIAL.

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