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NEW YORK, SEPT. 27 (AP)-ATTORNEY MELVIN BELLI SAID TODAY HE HAS AGREED TO FILE AN APPEAL BRIEF FOR HIS FORMER CLIENT, JACK RUBY, WHO WAS SENTENCED TO DEATH FOR THE MURDER OF LEE HARVEY OSWALD.

BELLI, IN AN INTERVIEW ON THE COLUMBIA BROADCASTING SYSTEM, SAID RUBY HAD ASKED HIM BY TELEPHONE TO FILE THE BRIEF AS A FRIEND OF THE COURT. THE ATTORNEY SAID HE PREVIOUSLY HAD ASKED THE COURT'S PERMISSION TO FILE SUCH A BRIEF AND IF PERMISSION HAD BEEN DENIED WOULD HAVE SENT ONE TO RUBY'S PRESENT LAWYERS ANYWAY.

RUBY'S FAMILY DISMISSED BELLI FROM THE CASE LAST MARCH, A FEW DAYS AFTER RUBY RECEIVED THE DEATH SENTENCE.

BELLI SAID RUBY, CALLING FROM THE DALLAS JAIL, REACHED HIM AT SANTA MONICA, CALIF., WHERE HE WAS ATTENDING A LAWYERS' MEETING.

THE ATTORNEY SAID THEY HAD TALKED FOR 10 MINUTES AND THAT IT WAS THEIR SECOND CONVERSATION IN THE PAST MONTH.

BELLI SAID HE WILL BASE HIS BRIEF ON WHAT HE CALLED CONCRETE EVIDENCE THAT A POLICE OFFICER COMMITTED PERJURY DURING RUBY'S TRIAL.

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