

E

EB18DN

(TEX.OUT) (140)

DALLAS, TEX., MARCH 23 (AP)—POSTPONEMENT OF A SANITY TRIAL FOR JACK RUBY IS EXPECTED TO RESULT FROM A FEDERAL COURT APPEAL FILED YESTERDAY, DIST. JUDGE JOE B. BROWN SAID.

AUSTIN LAWYER SAM HOUSTON CLINTON JR. OF THE TEXAS CIVIL LIBERTIES UNION GAVE NOTICE HE WAS ASKING THE U.S. 5TH CIRCUIT COURT OF APPEALS TO REVERSE AN ORDER LEAVING JURISDICTION IN THE RUBY CASE TO STATE COURTS.

U.S. DIST. JUDGE T. WHITFIELD DAVIDSON ISSUED THE ORDER LAST FRIDAY.

THE APPEAL MOTION DID NOT REQUEST ANY DELAY IN STATE COURT BUT BROWN SAID HE INTENDED TO POSTPONE THE SANITY TRIAL "AND SEE WHAT DEVELOPS."

BROWN SAID HE WOULD LIKE TO CONFER WITH LAWYERS FOR RUBY AND STATE BEFORE FURTHER LEGAL STEPS ARE TAKEN.

SPOKESMEN FOR THE DISTRICT ATTORNEY'S OFFICE SAID THEY WERE UNSURE WHETHER THE STATE WILL RETAIN JURISDICTION OF THE CASE DURING APPEAL TO THE NEW ORLEANS CIRCUIT COURT.

DP345ACS