

RBY

21 JUNE 1964  
1058 ACS  
TO  
152 PES

EA178DN

URGENT

FIRST LEAD BROWN-RUBY (160)

DALLAS, JUNE 21 (AP)-DIST. JUDGE JOE B. BROWN, THE JURIST WHO PRESIDED OVER THE JACK RUBY MURDER TRIAL IN 1964, HAS BEEN REMOVED FROM FURTHER PROCEEDINGS IN THE CONTROVERSIAL CASE.

BROWN REQUESTED TODAY THAT HE BE RELIEVED. HE GAVE NO REASON, SAYING, "I DON'T THINK A JUDGE HAS TO GIVE REASONS FOR PERSONAL DECISIONS HE MAKES."

JUDGE DALLAS A. BLANKENSHIP, THE JUDICIAL OFFICER IN DALLAS WHO ASSIGNS JUDGES TO VARIOUS CASES, SAID BROWN'S REMOVAL WAS "EFFECTIVE NOW."

BLANKENSHIP SAID HE NOT YET DECIDED WHICH JUDGE WILL REPLACE BROWN IN THE RUBY CASE, NOR WHETHER HE WILL DIRECT THAT FURTHER DEVELOPMENTS AT THE TRIAL COURT LEVEL BE REMOVED OUT OF DALLAS COUNTY.

HE SAID HE WOULD MAKE THESE DECISIONS "PROBABLY WITHIN THE NEXT 24 HOURS."

A SANITY HEARING FOR RUBY IS STILL PENDING, BLANKENSHIP SAID.

A36CX (INSERT)

(110)

INSERT

DALLAS, FIRST LEAD BROWN-RUBY, A178, 167, THE FOLLOWING MAY BE INSERTED AFTER 6TH GRAF, "A SANITY X X X" X X X 24 HOURS.

A BROTHER OF JACK RUBY, HYMAN RUBENSTEIN, REACHED IN CHICAGO, SAID, "IT'S THE BEST NEWS THE FAMILY HAS HAD SINCE JACK WENT INTO THAT POLICE STATION."

HE SAID, "IT WOULD HAVE BEEN TERRIBLE TO LET BROWN CONTINUE ON THE CASE WHEN HIS INTEREST WAS WRITING A BOOK ABOUT IT TO DEFEND HIMSELF."

RUBENSTEIN SAID JUDGE BROWN WAS STUNG BY ACCUSATIONS IN A BOOK WHICH THE RUBY TRIAL LAWYER, MELVIN BELLI, WROTE ABOUT THE CASE, "BLACK DALLAS."

"IT WOULD BE HELPFUL IF FURTHER HEARINGS WERE HELD OUTSIDE OF DALLAS," RUBENSTEIN SAID. "HOW THE HELL CAN A GUY LIKE JACK GET A FAIR TRIAL THERE?" HE SAID HE HOPES HIS BROTHER IS FOUND TO BE INSANE. "HOW COULD A SANE MAN GO INTO A POLICE

TRIAL THERE?" HE SAID HE HOPES HIS BROTHER IS FOUND TO BE INSANE. "HOW COULD A SANE MAN GO INTO A POLICE STATION AND DO WHAT HE DID?" HE ASKED.

BROWN HAS BEEN, ETC., PICKING UP 7TH GRAF, A178 D,

WC223PCD NM

BROWN HAS BEEN UNDER FIRE FROM RUBY'S ATTORNEY FOR SEVERAL MONTHS TO GET OUT OF THE CASE. THE LAWYERS CHARGE THAT BROWN HAS A PERSONAL INTEREST IN THE CASE, IN THAT HE IS WRITING A BOOK ABOUT RUBY'S MURDER TRIAL.

RUBY WAS, ETC., PICKING UP 5TH GRAF A167KX (AND DELETING LAST GRAF "BROWN SAID X X X VARIOUS CASES").

J1058ACS NM

A167

A167KX

U R G E N T

DALLAS, JUNE 21 (AP)-DIST. JUDGE JOE B. BROWN, WHO PRESIDED OVER THE JACK RUBY MURDER TRIAL IN 1964, HAS ASKED TO BE RELIEVED FROM "ALL FURTHER PROCEEDINGS" IN THE CONTROVERSIAL CASE.

BROWN WOULD GIVE NO REASON FOR HIS WITHDRAWAL.

"I DON'T THINK A JUDGE HAS TO GIVE REASONS FOR PERSONAL DECISIONS HE MAKES," HE SAID.

THE STATE JUDGE HAS BEEN UNDER FIRE FROM RUBY'S ATTORNEYS FOR SEVERAL MONTHS TO GET OUT OF THE CASE. THE LAWYERS CHARGE THAT BROWN IS WRITING A BOOK ABOUT THE RUBY TRIAL, AND THAT HE THEREFORE HAS A PERSONAL INTEREST IN ITS FINAL DISPOSITION.

A167 KX  
RUBY WAS ASSESSED THE DEATH PENALTY IN MARCH 1964 FOR HIS KILLING OF LEE HARVEY OSWALD, THE ASSASSIN OF PRESIDENT KENNEDY. HIS APPEAL OF THE CONVICTION HAS BOGGED DOWN IN A LENGTHY SERIES OF HEARINGS, AND HAS YET TO PROGRESS BEYOND THE TRIAL COURT TO THE TEXAS COURT OF CRIMINAL APPEALS.

~~BROWN SAID HE HAS ASKED TO BE RELIEVED FROM THE RUBY CASE. HIS REQUEST WAS MADE TO JUDGE DALLAS A. BLANKENSHIP, THE JUDICIAL OFFICER IN DALLAS WHO ASSIGNS JUDGES TO VARIOUS CASES.~~

RH1023ACS NM

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A28DT

DALLAS--FIRST ADD RUBY JUDGE REMOVES SELF (ORIGINAL A167KX) X X X OF CRIMINAL APPEALS.

SOL DANN, A RUBY ATTORNEY, SAID IN DETROIT JUDGE BROWN REMOVED HIMSELF "WHEN HE SAW THE HANDWRITING ON THE WALL, BUT I HAD HOPED HE'D ORDER A NEW TRIAL ON HIS OWN MOTION BEFORE DISQUALIFYING HIMSELF IN ORDER TO CORRECT THIS GROSS MISCARRIAGE OF JUSTICE."

"NEXT," DANN ADDED, "WE EXPECT TO EXPOSE AND DISQUALIFY ONE OF THE DISTRICT ATTORNEYS WHO WAS PRINCIPALLY RESPONSIBLE FOR AND IS PUSHING THIS UNCONSCIONABLE AND EXCESSIVE VERDICT."

ASKED TO NAME THE DISTRICT ATTORNEY, DANN SAID: "I WOULD PREFER NOT TO SAY AT THIS TIME."

"THE MAN SITTING ON THE COOLEST CHAIR AT THIS TIME," DANN ADDED, "IS JACK RUBY."

JG152PES