

7 JULY 1965
844 PCS

BROWN (250)

DALLAS OUT

1965

DALLAS, TEX., JULY 7 (AP)-DIST. JUDGE JOE B. BROWN MAY BE CALLED INTO COURT IN TWO WEEKS TO ANSWER ~~CHARGES~~ ^{allegations} AGAINST HIM CONCERNING THE JACK RUBY TRIAL.

RUBY ATTORNEY PHIL BURLESON SAID TODAY HE WILL PRESS FOR A FULL DISQUALIFICATION HEARING BEFORE JUDGE LOUIS T. HOLLAND OF MONTAGUE, NAMED TO REPLACE JUDGE BROWN IN RUBY LEGAL MATTERS.

BURLESON REVEALED ONLY THAT HE PLANS TO CALL SEVERAL WITNESSES. JUDGE BROWN, THE OBJECT OF THE HEARING, WOULD THEREFORE BE EXPECTED TO TESTIFY.

ASST. DIST. ATTY. A. D. JIM BOWIE SAID THE STATE WILL ASK JUDGE HOLLAND TO DENY THE MOTION FOR A DISQUALIFICATION HEARING ON THE GROUND THAT, SINCE JUDGE BROWN IS NOW OUT OF THE CASE, IT IS A "MOOT" QUESTION.

BOWIE SAID JUDGE HOLLAND IS DUE IN JUDGE BROWN'S COURT BEGINNING JULY 19 TO HEAR A MURDER TRIAL. THE HEARING IS EXPECTED AFTER A TRIAL VERDICT IS REACHED.

THE DEFENSE ARGUMENT IS THAT JUDGE BROWN "EXCUSED" HIMSELF FROM THE RUBY MATTER, BUT DID NOT DISQUALIFY HIMSELF OR ANSWER CHARGES THAT HE MISHANDLED THE CASE AND HAD A PECUNIARY INTEREST BECAUSE OF A PROPOSED BOOK.

THE DEFENSE IS ATTEMPTING TO GET INFORMATION CONCERNING JUDGE BROWN INTO THE COURT RECORD.

JUDGE HOLLAND TOOK OVER THE CASE JUNE 22 AND ANNOUNCED HE DESIRED TO PUSH FOR IMMEDIATE COURT ACTION. HE HAD PREVIOUSLY REPLACED JUDGE BROWN FOR A HEARING IN WHICH DEFENSE ATTORNEY JOE TONAHILL WAS OUSTED FROM THE CASE.

JUDGE BROWN, WHO ANNOUNCED HIS RESIGNATION WITH A BRIEF NOTE TO PRESIDING DIST. JUDGE DALLAS BLANKENSHIP, INDICATED HE PLANNED TO EXPLAIN HIS ACTIONS AFTER A SUCCESSOR WAS ANNOUNCED.

HE HAS NOT COMMENTED PUBLICLY ON THE CASE SINCE THE WITHDRAWAL.

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