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Dallas, Tex., June 9 (AP)- Jack Ruby's sister filed a motion today asking Dist. Judge Louis T. Holland to withdraw her affidavit of April 27, 1964, which ~~claims~~ claims Ruby is insane.

The action by Mrs. Eva Grant of Dallas was an attempt to cancel a sanity trial set to begin Monday morning, but a spokesman for the district attorney's office predicted Judge Holland will rule Friday that the trial be held.

The surprise request for a withdrawal of the affidavit which alleged Ruby had become insane since his conviction of murder for killing Lee Harvey Oswald, was filed at 4:25 p.m.

Attorneys for both sides will meet before Judge Holland at 10 a.m. tomorrow.

Phil Burleson of Dallas, one of the Ruby lawyers, said the new motion was filed to "avoid further legal entanglements."

Burleson said granting of the request would provide "speedy review of his (Ruby's) mail trial record in the Court of Criminal Appeals" and allow private or veteran's psychiatric aid -- rather than treatment in state institutions -- if the case is reversed.

A spokesman for Dist Atty. Henry Wade disagreed with Burleson's opinion that Judge Holland will grant withdrawal.

"From our standpoint, the district attorney's office takes the attitude that the trial court will overrule the motion and follow the mandate of the Court of Criminal Appeals," the spokesman said.

The appeals court ordered a judicial determination of Ruby's mental condition. The U.S. Supreme Court denied a Ruby request Monday that the sanity trial be delayed pending further appeals.

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