

A961WX

(150) RUBY

WASHINGTON, AUG. 13 (AP)--ATTORNEYS FOR JACK RUBY, SAYING THE SLAYER OF LEE HARVEY OSWALD "HAS NOT HAD THE REMOTEST SEMBLANCE OF A FAIR TRIAL, HAVE APPEALED HIS CONVICTION TO THE SUPREME COURT.

A STATE COURT IN DALLAS SENTENCED RUBY MARCH 14, 1964, TO BE EXECUTED FOR THE FATAL SHOOTING OF OSWALD, THE ACCUSED ASSASSIN OF PRESIDENT JOHN F. KENNEDY.

THE APPEAL, FILED YESTERDAY BY THE TEXAS CIVIL LIBERTIES UNION AND A GROUP OF PRIVATE ATTORNEYS, WAS BASED ON A COMPLAINT THAT THE TRIAL JUDGE, JOE B. BROWN, PLANNED TO WRITE A BOOK ABOUT THE CASE.

TEXAS COURTS HAVE REFUSED A WRIT OF HABEAS CORPUS REQUESTED BY COUNSEL ON THE SAME GROUNDS. ANOTHER APPEAL FROM RUBY'S CONVICTION IS PENDING BEFORE THE TEXAS COURT OF CRIMINAL APPEAL.

THE APPEAL TO THE SUPREME COURT CONTENDED THAT RUBY SHOULD HAVE A NEW TRIAL BECAUSE HE WAS DENIED THE CONSTITUTIONAL RIGHT TO DUE PROCESS OF LAW. THE COURT PROBABLY WILL ANNOUNCE IN OCTOBER WHETHER IT WILL ACT ON THE APPEAL. IT NOW IS IN SUMMER RECESS.

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