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Citizen
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Judge James Nowlin To Hear Feazell Trial

By CAMELIA FOSTER

In a prepared press release, U.S. District Judge Walter S. Smith, Jr. announced Monday afternoon he was transferring the U.S. vs. Victor Fred Feazell case to the docket of Austin District Judge James R. Nowlin.

"Every judge has an obligation to avoid even the appearance of any impropriety, while there is no legal reason which would prevent me from presiding over this case there are several reasons why some of the public might feel it would be difficult for me to be completely fair and impartial. Several of the attorneys who will likely be witnesses have been friends of mine for years," Federal Judge Smith said.

"The trial setting previously entered may well have to be changed to accommodate Judge Nowlin's office," judge Smith added.

Judge Smith had announced a date of February 2 last week for District Attorney Vic Feazell's trial. The trial will be held in Austin.

On Friday, the Fifth Circuit Court of Appeals ruled for the second time it would not release any of the information received through tapes, records or case files on a motion filed by Jeff Kearney and Gary Richardson, attorneys for Feazell.

Feazell, through his attorneys was attempting to have some of the items seized during a September 17 search of his home, automobile, storage building, office and CETA office returned to him. He termed some of the material taken by federal agents and members of the Texas Department of Public Safety as "work products" and some as material he was working on to defend himself if he was indicted by the federal government.

Feazell was arrested on September 17 under a sealed indictment charging him with racketeering and mail fraud.

Smith served as judge in 54th State District Court before being appointed a federal court judge by President Ronald Reagan.

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LETTER

Innocent Until Proven Guilty

To The Editor: *TCS*

As I read your editorial in today's (Friday, September 26, 1986), I was astonished that any American could request that our District Attorney, Vic Feazell, should step aside from his job while "he and his staff are defending their cases."

What happened to the American principle of "innocent until proven guilty beyond any reasonable doubt?"

For the governor or the McLennan County Commissioners Court to appoint someone to prosecute cases in the DA's office or for anyone to demand that Mr. Feazell and his staff step aside would surely reverse the American principle of innocence.

Are we looking to re-define our basic philosophies concerning guilt and innocence? Shall we now believe all people are guilty until proven innocent beyond any reasonable doubt? Shall we demand that all persons arrested step aside from their jobs, duties and responsibilities until such time as somebody proves them innocent?

Let's face it! Mr. Feazell has endured over 18 months of harassment during the investigation. He has been gossiped about. He has been the brunt of what appears a political witch-hunt. Yet, Mr. Feazell and his staff have continued to do their jobs in the same admirable manner that has been evident throughout the last three years. Why question their ability to continue?

Let's uphold the principles and ideals upon which this country was founded and upon which it has grown.

Sincerely,
TINA C. SMITH