

PRESS CLIPS

TEXAS
PRESS
ASSOCIATION

718 WEST 5th ST. AUSTIN, TEXAS 78701 477-6755

Times Herald
Dallas, Texas

JUN 26 1987

Jury gets Fezell case — 8 charges dismissed

ASSOCIATED PRESS

AUSTIN — A federal judge dismissed eight mail fraud charges against McLennan County District Attorney Vic Fezell Thursday as three weeks of testimony ended in a federal racketeering and bribery trial, but Fezell still faces other charges.

Fezell, 36, was indicted on charges of racketeering and conspiracy after being accused of accepting bribes to dismiss or reduce charges filed in drunken driving and drug cases.

He also was charged with eight counts of mail fraud. But his attorney, Gary Richardson, renewed a motion Thursday that those be dismissed because of a Wednesday U.S. Supreme Court decision.

U.S. District Judge James Nowlin agreed to the request, saying he understood that the Supreme Court held that a scheme to deprive a person of certain rights

could not be considered fraud by mail.

"The indictment (on mail fraud) apparently concerns these intangible rights," Nowlin told the attorneys.

After both sides rested Thursday, Fezell, who has denied all charges, said, "I feel good. I'll save anything else I have to say until after the verdict."

Final arguments were scheduled for today, after which the case will go to the jury.

Fezell testified at the start of the trial in an unsuccessful motion for dismissal. He said that the charges originated after he called a grand jury probe into the handling of cases involving Henry Lee Lucas, who claimed to have committed hundreds of murders.

Lucas later recanted his confessions, saying he was trying to embarrass law enforcement officials.