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Jury selection to begin in Feazell libel suit

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The trial of a multimillion-dollar libel suit filed by former McLennan County District Attorney Vic Feazell against a Dallas television station is scheduled to start today in Waco.

Jury selection in the trial, which could take from three to five weeks, is set to begin at 10 a.m. in Waco's 19th State District Court.

Visiting Judge James Meyers of Austin will preside over the trial because Judge Bill Logue of McLennan County recused himself shortly after the suit was filed in 1986.

Feazell alleges in the suit that former Channel 8 television reporter Charles Duncan libeled him in a 10-part series



Feazell

Ex-DA claims TV report defamed him

that aired on WFAA-TV from June to August 1985. Feazell also has named the television station and its parent company, the A.H. Belo Corp., as defendants.

In addition, Feazell claims he was libeled by an editorial commentary by Channel 8 anchorman Tracey Rowlett that was critical of Feazell's performance in office. Rowlett is not a defendant in the suit but is scheduled to be a witness in the case.

Each side has provided Meyers a list of more than 100 potential witnesses, but they are broken down into categories of "definitely, probably or maybe," depending on their likelihood of being a witness.

Meyers paved the way for the trial to begin when he rejected a second motion last week from Belo attorneys Tom Leatherbury and John McElhaney to dismiss the suit. The judge overruled the

first motion for summary judgment in July, but the Belo attorneys amended their efforts and asked the judge to consider ruling on each individual episode prepared by Duncan, who is now a private detective in Dallas.

Feazell, who resigned as district attorney in September 1988 after six years in office, and his attorney, Gary Richardson of Tulsa, Okla., contend that Duncan's series spurred state and federal investigators to launch a bribery investigation of Feazell.

Belo attorneys contend that the federal investigation, which led to a bribery, racketeering and mail fraud indictment against Feazell, was started before Duncan began researching his series.

A federal jury in Austin cleared Feazell of all charges in June 1987. Feazell is now in private practice in Waco.

"Our allegations are that Duncan came to Waco to create an outcry in order to more or less tantalize the FBI to go on a witch hunt. And I call it that by virtue of the verdict in the criminal case," said Richardson, who represented Feazell in Austin.

Meyers granted a motion from attorneys for the city of Waco and former Police Chief Larry Scott to dismiss Scott as a defendant in the libel suit. Feazell had alleged that Scott supplied Duncan with false and malicious information for his series.

Scott, whom City Manager John Harrison relieved of command in March and placed in charge of the city personnel department, filed a countersuit against Feazell. Scott charged that Feazell interfered with his ability to perform his duties by frequently calling for his ouster.

Scott since has dropped that suit in a settlement with Feazell that called for each side to shoulder its own legal expenses.