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MORNING!**

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Waco, Texas

Judges deny resubmitted Feazell motion

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District Attorney Vic Feazell's attempt to regain items seized from his home and offices was unsuccessful again Friday, when the U.S. 5th Circuit Court of Appeals rejected a motion resubmitted by his attorneys.

A clerk for the 5th Court in New Orleans said Feazell's resubmitted motion was rejected by a panel of three federal

judges.

The 5th Court on Wednesday denied Feazell's motion seeking a restraining order prohibiting the U.S. attorney's office from reviewing the seized materials while the appellate court considered a request to reverse a ruling made by U.S. District Judge Walter S. Smith Jr. of Waco. Smith ruled that federal investigators could review the material.

Fort Worth attorney Jeff Kearney,

who with Tulsa attorney Gary Richardson is representing Feazell, said the resubmitted motion provided additional information detailing what is contained in tapes and other material Feazell is seeking to have returned.

Feazell's lawyers decided to appeal to the 5th Court after Smith rejected most of a motion filed by Kearney and Richardson requesting that the seized material be returned for use in preparing

Feazell's defense.

Assistant U.S. Attorney Jan Patterson said tapes seized from Feazell contain evidence of criminal activity.

Feazell has maintained that the tapes include information to prove his innocence.

Feazell was arrested Sept. 17 and charged in a 12-count indictment with accepting bribes offered by defense attorneys.