

THURSDAY

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Sutter to testify in Austin

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John Ben Sutter, administrative assistant to District Attorney Vic Feazell and candidate for McLennan County judge, has been served a subpoena to testify before a federal grand jury in Austin.

Sutter had been scheduled to testify Thursday, but said he received word from Assistant U.S. Attorney Jan Patterson late Wednesday afternoon that his testimony had been postponed.

Ms. Patterson could not be reached for comment Wednesday night.

Sutter, who faces Waco attorney Raymond Matkin in a June 7 runoff election for the Democratic nomination for county judge, said Wednesday he believes the timing of the subpoena is politically motivated.

"I think it's blatantly obvious what they are trying to do," Sutter said. "I've been Vic Feazell's administrative assistant for 3½ years. This federal investigation has been going on for about a year now. It seems awfully peculiar that they call me to testify now, just a few days before the election. To say the timing is suspect would be an understatement."

Sutter said Ron Boyter of the Department of Public Safety served him with the subpoena on May 22. Sutter said the subpoena did not indicate what he will be questioned about and did not include a request for him to bring any materials to the grand jury.

Ms. Patterson told the *Tribune-Herald* last July that a federal grand jury investigation of Feazell had been "ongoing" for several months.