

Sanity hearing ends with lawyer dispute

HOUSTON, Tex. (AP) — A sanity hearing for a youth accused of four of the 27 deaths known as the Houston mass murders abruptly ended Monday when the defendant's two lawyers quit in a dispute over legal strategy.

Lawyers for David Owen Brooks, 19, were close mouthed about the three-sided dispute but statements they did give indicated a disagreement over a decision by lawyer Ted Musick to plead insanity in the case.

Musick and Elaine Hocker were granted permission by District Court Judge William Hatten to withdraw from Brooks' case as the court appointed lawyers.

Jim Skelton, 36, a Houston lawyer, told reporters he had talked with Alton Brooks, the defendant's father, and would take over the case. He said Mrs. Hocker, who disagreed with Musick, had agreed to help represent Brooks privately.

Hatten set a hearing Tuesday morning, to recognize Skelton and Mrs. Hocker as private lawyers for Brooks.

Hatten had set aside this week to pick a jury to decide if Brooks is mentally competent to assist in his defense. Musick has maintained his client is now insane and was so in the summer of 1973 when the bodies of 27 teen-aged males were dug up in three locations in and around Houston. Brooks led police to one of those grave sites.

After resigning from the case, Musick said, "There's a basic disagreement between me, the boy and

the boy's father. We've been traveling down one for a year now, and now they want to take another."

Musick has been on the case since it started. Mrs. Hocker was appointed last month to assist him. Judge Hatten said she also disagreed with Musick's strategy.

Skelton, who has been practicing law here about seven years, told reporters he does not believe his client is insane. He said that Judge Hatten had indicated to him that a competency hearing might not be necessary if Skelton objected.

Skelton also said that Mrs. Hocker had also been hired by the Brooks family and would join him in defending Brooks.

Don Lambright, the assistant district attorney prosecuting the case, argued against the change of lawyers.

"We have a real strange situation when a defendant they are alleging to be incompetent is determining who his lawyers should be," Lambright said.

Lambright, who also helped prosecute a second defendant in the case, Elmer Wayne Henley, 18, said he expected a mental competency hearing will still be held. He said anytime the defendant's mental competency is raised, a judge must determine it before a full trial can be held.

Henley and Brooks were charged by police with helping to procure teen-aged boys for Dean A. Corll, 33. Corll was shot to death by Henley during a sex party in 1973. Hen-

ley was convicted on six counts of murder in a trial earlier this year in San Antonio and received 594 years in prison.

At Henley's trial, his statement was read telling how youths lured to the Corll home were homosexually raped, tortured and murdered.

Lambright said any new lawyer hired by Brooks would have a minimum of 10 days to get ready for the competency hearing. But the prosecutor said he felt it would probably be near Christmas before such a hearing is held.

Musick had indicated that if Brooks were found sane, he might advise his client to accept a state offer and plead guilty to one count of murder and receive a 99-year sentence.

Skelton said he plans to try the case and would like to hold it in Houston. The trial of Henley was transferred to San Antonio by Judge Hatten over defense protests.

Lambright said he thinks the judge will also transfer Brooks' case from Houston because of wide-spread publicity here.

"If we can determine competency and get the venue changed before Christmas, we could go to trial in February or March," Lambright said.

Musick said he had to resign the case because of urgings by the defendant's father to change the way it was being handled.

"I feel I'm right," Musick said. "I feel the strategy I outlined was correct."

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Roger Miller, coordinator for the year-long observance, said a camera crew will be on campus later this month to start filming student activities. The crew will arrive in time to cover the Rice football game weekend and remain through Bonfire.

Aggie vet school grads return, join faculty; 2 leave own practices

Two graduates of Texas A&M's veterinary program have returned to teach at their alma mater.

Drs. John H. Kirk and Donald McDonald joined the Department of Veterinary Medicine and Surgery over the weekend as asst. professors in the large animal clinic of the College of Veterinary Medicine.

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