Row inmate James Auis lost another appeal for trial on his capital murconviction in the 1980 ting death of a mini-

ery store clerk. I.S. District Judge Robert er said Friday that Aupetition seeking a reverhis case or a new trial was out merit" and he lifted a of execution for the in-

n a 23-page ruling, Parpheld Autry's conviction ne Oct. 9 killing of Shirley uet, 43, a mother of five, Port Neches mini-

In dissolving Autry's stay execution, which had been duled for Dec. 17, Parker red the way for State Dis-Judge Leonard Giblin to nedule the execution. Giblin said he would meet defense and state attormate's new execution date.

"Of course we intend to appeal Judge Parker's decision," said Charles Carver, Autry's attorney.

"I was not totally surprised, but I was somewhat surprised he vacated the stay of execution," Carver said.

Carver said he could not file an appeal in the case until Giblin schedules a new execution date for Autry, an unmarried Colorado native who grew up in Amarillo.

Carver alleged in a petititon for a writ of habeus corpus that Autry was beaten into signing a written confession to the shooting after a police officer overheard Autry discuss the incident with his mother over the telephone.

The defense attorney said the telephone call provided police with evidence that rob-bery might have been the mo-

Texas law requires tht a killing be committed in connection with another crime, such as robbery, to qualify for capital murder charges and the death penalty.

Carver claimed Parker erred by admitting a policeman's hearsay account of the phone call into evidence in the

Parker rejected the argu-

"Assuming all of petition's allegations to be true, that he was beaten into signing the written confessions in violation of Miranda, that he felt the "cat was out of the bag" at that point, and that a police officer stood nearby as he made the telephone call, the court finds that the oral declarations were voluntary and sufficiently an act of free will,'

Parker wrote.
Parker also dismissed Car-

ver's claim that immunity was refused for one defense witness, while it was granted to two prosecution witnesses.

In a hearing held on the petition last week, prison in-mate John Sandifer, who originally was Autry's codefen-dant but against whom charges were dropped, said he refused to testify for Autry because he feared selfincrimination.

Parker said prosecutors have the sole responsibility of offering or granting immunity to witnesses and that a judge may do so only in cases where governmental or prosecutorial abuse can be shown.

Autry also was charged with killing a 32-year-old former priest and crippling a Greek seaman in the same incident which resulted in his conviction of capital murder. He has not been tried on those



NOTICE

Brazos County



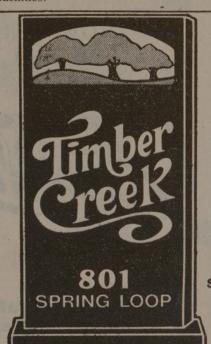
CSISD to meet tonight

The College Station school board will make election recommendations at their regular meeting at 7 tonight in the Oakwood Middle School library at 106 Holik St.

The board will announce the date of trustee elections and will recommend approval of the joint school district and city election agreement. The board also will recommend approval of a resolution regarding runoff election dates.

In addition, trustees will discuss long-term use of district

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udge retains authority; raniff case continues

by David FORT WORTH — Bankjudge John Flowers, authority to decide the e of now defunct Braniff her puternational Airlines has been irmed by a federal judge, nued Saturday to hear the

ments of some 100 attorinvolved in the case. Before the judge are motions milight unions and creditors delay the hearings for four and to appoint a trusp to oversee the defunct

More and the state of the state nture between Braniff and uttle sen cific Southwest Airlines in ot to the cich PSA plans to lease 30 Brauilding htt aircraft to serve a new iled to maxas-based operation. The ises will man also might put 1,500 of the Oformer Braniff employees

to work Friday, Flowers turned down st 10 days quests from Braniff competiparkingants Delta and Northwest airsed until ies for a postponement in the

While attorneys for competairlines, unions and credisaid they needed the time to w the Braniff-PSA propos-

in greater detail, Braniff the past eight months, that Braattorneys called the motions stall tactics directed at jeopardizing

PSA officials have said they must be in the air with the new division by May 1, or the plan debts of \$1.2 billion. will be scrapped.

PSA vice president of finance George Shortley said the May to September travel period was the company's most profitable and a loss of just one month of that period would make the venture

A delay of four weeks would make a May 1 start-up time un-

likely, he said. U.S. District Judge Eldon Mahon reaffirmed Flowers' authority to hear reorganization plans in the case Friday.

In his ruling, Mahon considered a motion filed by the parent company of American Airines, the chief rival of Braniff in Dallas, which claimed the Bra-niff-PSA arrangement did not fall within the jurisdiction of Flowers' court.

Mahon said his ruling was affected by "exceptional cir-cumstances" including the fact that Flowers had been hearing the bankruptcy proceedings for

niff was the only major airline to go into Chapter 11 of the bank-

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ruptcy laws and that Braniff had

\$460 million in assets and a large

After resuming his duties, Flowers overruled other chal-

lenges to his jurisdiction.

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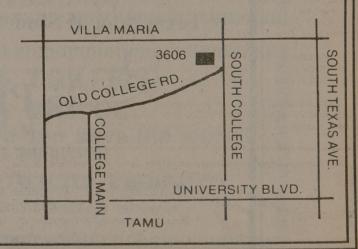
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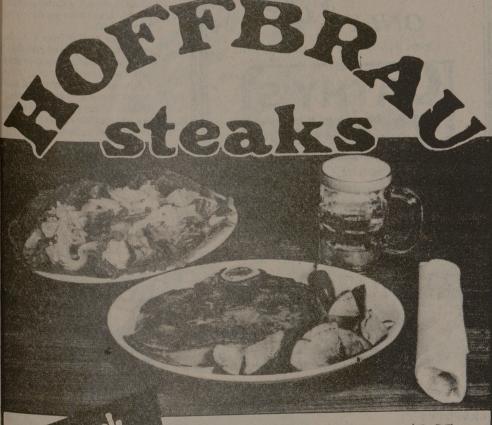
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