

Court upholds DA's conviction

United Press International

AUSTIN — A former Hopkins County district attorney sentenced to five years in prison for misusing state funds lost his bid Wednesday to have his conviction overturned by the state's highest criminal appeals court.

The Texas Court of Criminal Appeals upheld the official misconduct conviction of Jack G. Neal, who was district attorney in the northeast Texas county from 1973 to 1976.

Neal was convicted in 1978 of depositing in his own account a \$7,000 state check intended to pay his staff's salaries. He was sentenced to five years in prison and five years probation and ordered to pay a \$5,000 fine.

Evidence at Neal's trial showed he used some of the money for his secretary's salary but also drew checks on the amount for cash and to pay non-business expenses.

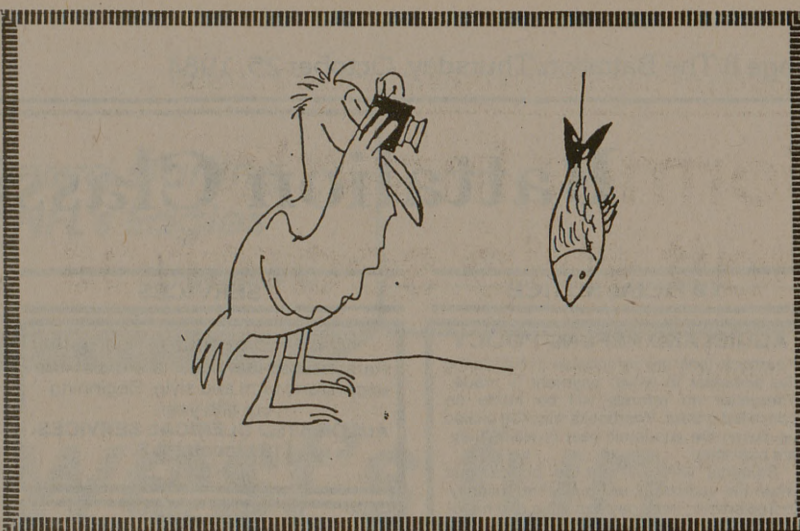
In an opinion by Judge Tom G.

Davis, the Court of Criminal Appeals rejected Neal's contention that his conviction should be overturned because he was forced to act through his own lawyer at his trial. The court also rejected Neal's arguments dealing with jury selection and the trial judge's handling of the jury verdict.

In another case, the high court upheld a Fort Bend County man's 10-year prison sentence for possession of more than 4 ounces of mari-

juana, despite one judge's dissent that an off-duty Texas Ranger had no right to search the man's van.

Robert L. Marsh was arrested after the ranger, who was fishing on private property, noticed a low-flying plane and several vehicles at a private landing strip. After the plane landed and the vehicles began driving away, the ranger stopped a van, discovered several bales of marijuana and arrested Marsh.



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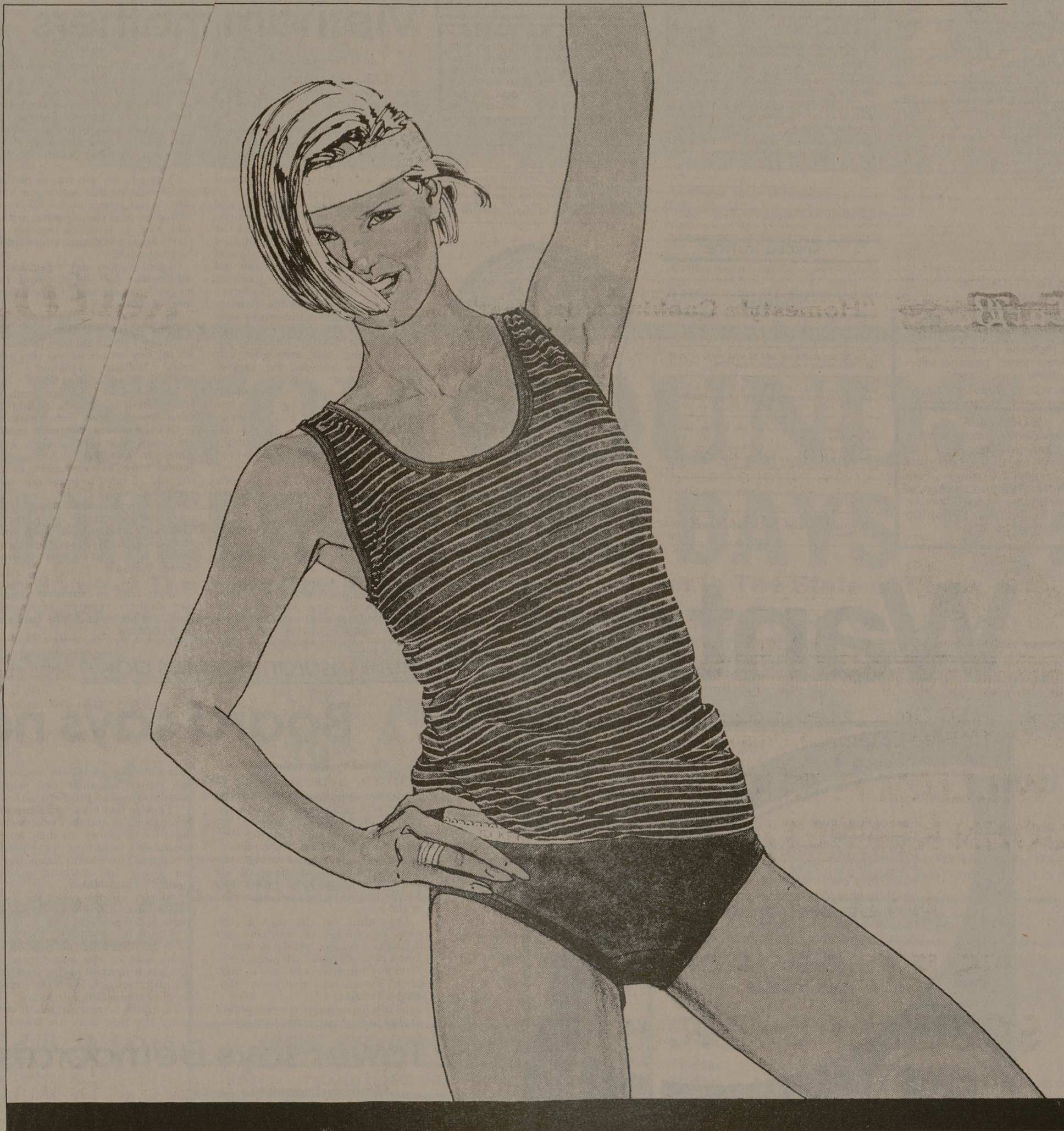
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