

Trial set in Agua Fria shootout case

By JACK HANDEY

The state Supreme Court yesterday denied a petition by the district attorney's office for extra time to try the case of the eight defendants charged in connection with the Sept. 3 shootout at a local Chicano school.

The petition was reportedly denied just minutes before Archbishop James Peter Davis met locally with community leaders of the village of Agua Fria, the site of the gun battle.

The DA's office petitioned the court to have the defendants tried on April 1, about

three weeks after the statutory six months—within which time an accused person must be brought to trial in New Mexico—would have expired.

According to Supreme Court Justice LaFel E. Oman, the petition was denied because the prosecution didn't show "good cause" why the extension should be granted.

Archbishop Davis' secretary reported the religious leader to be "unavailable" late yesterday afternoon after having reportedly met with the Agua Frians for about two hours earlier in the day.

"There were some pretty firm exchanges," one source said, "but it was seemingly a very harmonious meeting."

Davis is expected to issue a news release soon concerning the Chicano school, Escuela y Colegio Tonantzin.

The eight defendants were arrested following the three-hour gunfight between militant Chicanos and police and later indicted for assault with intent to commit a violent felony.

District Judge Santiago Campos has rescheduled the trial for Feb. 18, within the six-month limit. Hearings for some 19 defense motions, originally scheduled for Feb. 14, will now be heard beginning Jan. 23.

"We're going to have to vacate some cases that were previously set so we can accommodate the Supreme Court said," Campos said as his secretary typed notices of the new dates.

The motions seek, among other things, a change of venue; the disqualification of the district attorney and the appointment of a special prosecutor; the names of the indicting grand jurors; and information obtained as a result of electronic surveillance.

There is one motion to inspect the grand jury wheel from which the grand jury was selected that indicted the defendants.

The defendants are Eugene Romero, Paul Carrillo, Geronimo Garduno, Jose Morfin, Andrew Romero, Joe Gomez, Tom Espinoza and LeRoy Ortega. If convicted, they could be sentenced to 2-10 years in prison.

There have been no severances, according to Campos, which means the defendants will all be tried at once.

A 19-year-old girl was struck by a police bullet during the shootout and later died from her injuries. Three other persons were wounded.

Defense attorneys Joan Friedland and Jerome Ginsburg contested the petition for an extension of the trial date before the Supreme Court. Assistant District Attorney Bruce Kaufman represented the DA's office.

Davis, head of the Archdiocese of Santa Fe, approved the use of an old convent for the non-public Chicano school. The move a number of angered Agua Frians.

Early mailing credited for smooth holiday rush

Mail moved more rapidly and more efficiently this past Christmas than ever before, thanks to the cooperation of the public in mailing their cards and packages earlier than usual, Postmaster E.J. Martinez said today.

"The Postmaster General, E.T. Klassen, has noted that despite the fuel crisis, cutbacks in some airline flights, and bad weather in some parts of the country, Christmas mail flowed more smoothly than in any previous year," Postmaster Martinez said.

The Postmaster gave credit for the success of the holiday mail movement to the mailers themselves and the full cooperation of all Postal Employees of the Santa Fe Post Office.

"The assistance and cooperation of the public was splendid," Postmaster Mar-

tiniez said. "Most holiday mail was in the pipeline well before the normal suggested deadlines for seasonal mailing."

Preliminary reports indicate the Postal Service moved more than eleven billion pieces of mail during the Christmas holidays, Postmaster Martinez said — 12 per cent of the annual national mail volume.

Anaya seeking 1st name change

Antonio Anaya, county attorney and candidate for attorney general, has filed a petition in district court to have his first name changed to Toney.

"In his business, professional and social dealings in New Mexico, the petitioner is known and has been known for some period of time as Toney Anaya," the petition states.

"The petitioner wishes to have his legal name conform to the name by which he is generally known by his friends and acquaintances," it continues.

The application for the name change will be presented to District Judge Santiago Campos on Jan. 30.

Legislators analyzed on environment

(AP) — With the 1974 legislature set to open Tuesday, Santa Fe's Central Clearing House is distributing a newspaper analyzing New Mexico lawmakers' votes on what it sees as key issues during the 1974 session.

School official resigns