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Odds Against Dr. Sam Press 10-17-56 Winning Court Test

By **ROBERT CRATER**, *Press Washington Writer*

WASHINGTON—The odds are 10-to-1 against the appeal of Dr. Sam H. Sheppard being heard by the U. S. Supreme Court.

Past performances reveal only one of 10 petitions is granted hearings by the nation's highest tribunal during a weekly Friday conference.

Attorneys for the convicted wife slayer and the state have filed necessary papers on the appeal. Now it's up to the justices to decide whether to hear it.

This decision will be reached during one of the court's weekly conferences on Fridays. Only four of the justices have to agree to hear the case to make it official.

If Dr. Sam wins a hearing, more weeks of activity will follow.

Attorneys for both sides will tell the court what trial material they believe should be considered. This will be printed in pamphlets and charged to Sheppard's attorneys. Some cases have brought in 30 volumes of trial record, stipulations and related material.

The pamphlets are given to all parties, and to each of the nine justices. The justices will read the material and arguments, hear attorneys and reach a decision, again

A majority vote of justices will prevail. If the vote isn't unanimous, dissenting justices probably will file briefs explaining their views.

A Cleveland jury decided Dr. Sam had bludgeoned his wife, Marilyn, to death.

Sheppard's attorneys argue Sheppard's constitutional rights to a fair trial were violated by prejudiced newspaper reporting, legal mistakes and an agreement by police and others to convict him.

State attorneys deny all these claims, and contend there is no federal case for the high court to consider.