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CELAYA
TUCSON, AZ

STAT

Pima County Superior Court Judge G. Thomas Meehan denied a defense motion for a mistrial in the murder case against Genaro Celaya.

Defense lawyer Walter Nash was upset that the federal government released a report on a narcotics intelligence operation along the border that was set up by former CIA agent Hugh Murray.

Celaya was an informant for Murray after he went to work for the U.S. Drug Enforcement Administration. The report was requested long ago and it was unfair of the government to release it after the trial got underway, Nash said.

Because of the government's action, Nash requested a mistrial be declared. Deputy County Attorney Randy Stevens said the document was irrelevant to the case. Celaya is accused in the 1979 shooting death of undercover narcotics agent John Walker at the Tucson International Airport parking lot. Walker was employed by the Arizona Department of Public Safety.

The prosecution said Walker was shot in an $88,000 drug ripoff. The defense claimed it was a case of entrapment because Celaya planned to blow the whistle on Murray's intelligence work. There have been claims Murray never left the CIA.

In testimony Wednesday, DPS communications specialist Joe Dunn said Walker's last words after he was shot were: ''It's a rip, I'm hit.''

The prosecution is expected to rest its case by the end of the week. Celaya's first conviction was overturned by the state Supreme Court which ordered a new trial.

Nash accused the federal and state governments of ''acting in concert'' to hurt the defense case. He said the document requested five years ago only was released after a secretary from the U.S. Attorney's Office showed up in Superior Court last week to hear lawyers' opening statements in the trial.

Stevens denied there was any collusion.

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