

# Celaya defense loses bid for CIA files

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A motion in a capital murder trial that sought documents from the Central Intelligence Agency and other federal authorities was denied yesterday by Superior Court Judge Thomas Meehan.

Shortly after Meehan's decision, the defense filed a special action with the state Supreme Court seeking to have the ruling overturned.

The case involves Genaro Celaya, convicted of killing Department of Public Service narcotics officer John Walker at Tucson International Airport in November 1979 during an aborted \$38,000 cocaine transaction in which no drugs were found.

Last year, the Supreme Court overturned the conviction and ordered a new trial, now scheduled for early August.

At a hearing Monday, Celaya's attorney sought records on a number of former and current government agents and civilians from the CIA, the State Department, the Drug Enforcement Administration and the FBI.

During the hearing, Meehan refused a prosecution request to limit defense attorney Walter Nash from seeking the documents, saying instead that he would rule on the requests themselves.

Yesterday, in a three-paragraph minute entry, Meehan ruled that the records the defense sought are not relevant to the murder case.

The defense contends that Celaya worked for ex-CIA agent Hugh Murray, who at the time was ostensibly a DEA intelligence officer. The defense says Celaya was lured to Tucson and entrapped into the confrontation with Walker.

At the hearing Monday, Nash said the documents could buttress defense contentions that Celaya was set up.

Prosecutors called the defense motion "a giant fishing expedition" and said Murray's CIA activity — which they say ended in 1974 when he allegedly left the agency to join the DEA — was unrelated to the Walker shooting.

Among the requested documents denied by Meehan were:

- Murray's operational and personnel records, as well as records on "Greensleeves and Associates," an East Broadway undercover office set up by Murray.

- Work files of several former and current DEA employees that Celaya worked with.

- Documents relating to two U.S. businessmen who directed Celaya in an attempt to secure an oil deal with Mexico.

- Records on Miguel Nassar-Haro, former chief of the Mexican secret service and an acknowledged CIA informant.

- Documents relating to two Mexican nationals whom the defense contends worked for Murray in Mexico.

Prosecutor William Randolph Stevens Jr. said of Meehan's ruling, "I'm pleased and I look forward to getting this to trial."

By using the special action, Nash forces the review of the judge's decision by the Supreme Court now, rather than waiting for the trial's outcome.

"My argument is that the judge is wrong. It does not make sense to try the case now without the documents I need . . . and then have a (possible) reversal," Nash said.

The special action suspends all Superior Court proceedings until the Supreme Court acts on the petition.

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