

8—Green Sheet, Wednesday, April 25, 1979

No jail yet for bookstore owner

The jailhouse doors did not clang shut behind porno bookstore owner Earl Stanley Kuhns Tuesday morning as scheduled.

Last week Kuhns was found in contempt of court for operating his bookstore in Live Oak in defiance of a 1977 injunction and was ordered to stay in jail as long as the store was open.

At the hearing last week in superior court, Santa Cruz Municipal Court Judge Rich McAdams, presiding over the hearing, told Kuhns he would give him until this Monday to "purge" himself of the contempt.

To do this, McAdams said, Kuhns must remove from the store all materials installed there in violation of an injunc-

tion issued two years ago.

Additionally, McAdams imposed a \$500 fine. Kuhns was to appear at a hearing Monday to inform the court whether he had complied with the "purge" terms.

While the fine was paid, neither he nor his lawyer, Joseph Rhine, of San Francisco appeared. Instead, the lawyer called from San Francisco to say he was appealing Judge McAdams contempt ruling with the State Court of Appeal.

In the morning session, McAdams said that unless he got an order from the higher court staying his decision, Kuhns either would appear at the jail for booking at 8:30 a.m. Tuesday, or a bench warrant for his arrest would

be issued.

However, later in the day, McAdams learned Rhine was unsuccessful in his petition to the State Court of Appeal and granted the lawyer two more days to allow him to take the petition to the State Supreme Court.

Thus if Rhine fails to get relief from the Supreme Court, Kuhns will have to turn himself in to jail authorities on Thursday morning, unless the store has been closed.

Meanwhile, however, another court hearing has been set for Monday before visiting Judge John Hauck, who a few weeks ago said he was going to grant a petition from Kuhns for a writ, ordering the county to give him a permit to run a regular bookstore on the Portola Drive site.

Such a permit was issued last year by the county Zoning Administrator, but the permit was denied when it was appealed to the board of supervisors by residents in the

area.

In this case, however, conditions attached to the permit limited the amount of sexually-oriented literature which could be sold in the store along with regular merchandise.

And it also prohibited the sale of certain sexual devices and the showing and sale of sexually-oriented films. Hauck said that all these conditions should prevail in the permit.

It has been reported, though, that the store in its present operation is not complying with those conditions.

Flea market at Cabrillo

The Associated Students of Cabrillo College have scheduled a flea market for Sunday. It will be held outdoors in the parking lot on the east side of the gym, off Soquel Drive.

Gates will open at 7 a.m. Admission and parking are free to shoppers, while those wanting to sell items will be charged \$5, which entitles them to use up to two parking stalls for their wares and an additional staff for vehicles.

DERRICK'S

ASK ABOUT OUR CREDIT PLAN
Open Monday-Friday
9 a.m. to 5:30 p.m.
Sat. 10 a.m. to 5 p.m.
Lic. No. 31968

master charge

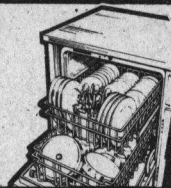


APPLIANCE SALES & SERVICE

Since 1957
550 Main St.
Watsonville
Phone 724-7984

DISHWASHERS

The Best Brands
are at Derrick's —
MAYTAG — KITCHENAID
We Sell, Install & Service!



24-hour AIRPORT SERVICE

Our 31st year
423-1234