

R + T Book St. 1 - 31 - 71

# Legal Maneuver May Permit Renewed Seizures Of Material At Book Store

U. S. District Court in San Francisco Friday took under submission an argument by Deputy District Attorney Chris Cottle which questions the temporary restraining order against city police in the controversy involving Frenchy's K and T Adult Book Store.

Cottle said he is confident the injunction which will pertain to this case will be without restraint against future arrests. He believes the injunction containing the new wording will be signed by Tuesday.

"Then we'll start hitting them

again," Cottle said. The deputy DA had argued that each sale of allegedly pornographic material constitutes a new crime, and arrests of the operators ought to be allowed.

Following Friday's hearing, the clerk of the court called Cottle and asked for him to prepare the legal papers for the judge's signature, a request which in legal circles means the case has been won, Cottle said. He stressed that nothing would be final until the new injunction is signed.

"All of this is a technicality,

really," Cottle said. "Nothing is changed concerning the personal suits or the basic restraint."

The difference is that, upon signing of the order, new arrests and seizures will be allowed, provided there is a search warrant based on a police purchase of the books.

A restraint against arrests had somehow gotten included in the temporary order — a condition which had not been part of the 28 such orders the book store owners had obtained regarding their San Jose shop, Cottle said.