

Judge Steps Down From Aliens Torture Case

BISBEE (AP) — The judge assigned to handle the case involving the Aug. 18 torture of three Mexican nationals stepped down yesterday, citing his long acquaintance with one of the defendants as a possible conflict of interest.

Cochise County Superior Court Judge Anthony T. Deddens' decision resulted in the postponement of the arraignment of George Hanigan, a prominent Douglas businessman, and his sons, Patrick, 22, and Thomas, 17.

The Hanigans were released on their own recognizance after being fingerprinted and photographed. A county grand jury indict-

ment returned Aug. 28 charged the three with 14 counts of assault with a deadly weapon, kidnaping, robbery, conspiracy to commit assault and conspiracy to kidnap.

Eleazar Ruelas Zavala, 24, Agua Prieta, Mexico, Manuel Garcia Loya, 25, Chihuahua, Mexico, and Bernabe Herrera Mata, 21, Durango, Mexico, allege that they were stripped, beaten, branded with hot irons and pelted with buckshot by three Americans who confronted them at gunpoint near the Hanigan residence.

They told authorities that the incident occurred shortly after they had crossed into the United States illegally from Mexico.

Deddens asked that Wes Polley, the Hanigans' attorney, and the county attorney's office each submit a list of five acceptable judges to take over the case by next Wednesday. He then tentatively set Sept. 20 as the new arraignment date.

Meanwhile, Polley submitted a motion that he be allowed to interview the grand jurors who indicted the Hanigans to see if the jurors were prejudiced against the Hanigans due to media coverage and local sentiment.

County Atty. Richard Riley called the motion contrary to all criminal proceedings and said he would fight it.

Meanwhile, sheriff's deputies revealed that someone armed with a high-powered rifle fired three shots at the Hanigan residence west of Douglas on Sunday afternoon. One of the shots, deputies said, barely missed the elder Hanigan as he passed by a window.

Hanigan said he heard a vehicle drive off after the shots were fired, and then spotted a vehicle bearing plates from the Mexican state of Sonora making a U-turn on U.S. 80, which passes in front of the house. But detectives said they did not know if the vehicle was involved in the shooting.