

# Patrick Hanigan is ordered to prison

By Edmund Lawler  
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Nearly seven years after robbing and torturing three Mexicans on his family's ranch near Douglas, Patrick W. Hanigan is going to prison.

U.S. District Judge Richard M. Bilby yesterday ordered Hanigan, 29, to report Friday to the Swift Train Federal Prison Camp near Safford, a minimum-security prison.

Hanigan was sentenced in April 1981 to three concurrent three-year prison terms after being found guilty by a federal jury in Phoenix of three counts of robbery affecting interstate commerce.

Hanigan, his younger brother, Thomas, and their father, George, were accused of kidnapping, torturing and robbing three Mexican nationals of \$36 on Aug. 18, 1976, as the aliens tried to cross the Hanigan ranch on the way to jobs at an Elfrida farm.

George Hanigan died before the case came to trial, and the brothers were acquitted of all charges in a 1977 Superior Court trial in Bisbee.

Their first trial on federal charges, in U.S. District Court in Tucson in 1980, ended in a mistrial when the jury could not reach a verdict.

Thomas Hanigan was acquitted in a second federal trial in Phoenix. Patrick was convicted by a second jury under the Hobbs Act, which forbids interference with interstate commerce.

On Feb. 22, the U.S. Supreme Court, without comment, refused to review a ruling that upheld Patrick Hanigan's sentence.

Tucson lawyer Alex Gaynes sought review of the case by the high court, arguing that the Hobbs Act did not apply to the beating and robbery.

Hanigan's appeal asked rhetorically, "How can Patrick Hanigan have knowingly and willfully obstructed . . . commerce by virtue of an alleged robbery of \$40, a keyring and a dollar bill respectively, from these three illegal Mexican aliens?"

Gaynes could not be reached yesterday for comment. According to court documents, Gaynes said he planned to file a motion for a reduction of his client's sentence.

Hanigan, who manages the family's Dairy Queen outlet in Bisbee, has remained free on a personal bond during the string of trials and appeals.

The U.S. Attorney's Office in Tucson filed a motion with the court last month seeking Hanigan's surrender.