

U.S. Judge Refuses to Dismiss Case Against FBI Ex-Director

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Washington Post Staff Writer

The chief judge of the U.S. District Court here yesterday refused to dismiss a conspiracy indictment against former FBI director L. Patrick Gray III, whose lawyer had argued that the government's evidence no longer supported the charge against Gray.

In a brief opinion, Chief Judge William B. Bryant said that there was "no doubt that the exhaustive and admirable investigation" by Gray's lawyer, Alan I. Baron, "revealed certain weaknesses in the case the government presented to the grand jury" 2½ years ago.

Gray and two former top FBI officials were indicted for allegedly authorizing warrantless searches in connection with the bureau's pursuit of fugitive members of the Weather Underground organization in the early 1970s.

But Bryant said he was convinced that the factual gaps attributed to the prosecutors "reflect an honest, albeit imperfect, attempt to recreate past events," and do not warrant dismissal of the indictment.

"Mr Gray will have an opportunity at trial to set the record straight," Bryant said.