

Judge Reverses Himself In Mayday Case Ruling

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U.S. District Court Judge Barrington D. Parker, who quashed a subpoena in the government's investigation of the Mayday antiwar demonstration earlier this week, reversed himself yesterday and let the subpoena stand.

Saying that the case had been switched to him improperly, Parker referred it to Chief Judge John W. Ruffin of District Court, who has jurisdiction over all grand jury matters.

In a decision that surprised many observers, the Justice Department's announcement of a criminal case against Parker had raised the possibility that Miss Fishlowitz had not been before a grand jury until it is determined whether she was subject to electronic surveillance.

Courthouse sources said that Sirick, who ruled differently on attempts to quash other subpoenas, had been in contact with Parker to inform him of a rule requiring all grand jury matters to be referred to the chief judge.

Parker, who was named to the bench by President Nixon

last year and is 14th out of 15 judges in seniority, had obtained the case in his capacity as motions judge for the month of June. The motions judge ordinarily handles many emergency matters brought before the court.

It was not immediately known when Sirick would take up the attempt by Miss Fishlowitz to quash her subpoena.

But attorney Michael Fayad,

who is representing the American Civil Liberties Union, said that he was not sure whether the subpoena had already been served.

In another development yesterday, U.S. District Court Judge Howard J. Corcoran refused to extend or expand an existing order requiring the D.C. corporation counsel to screen Mayday arrest cases before bringing them to court.

The American Civil Liberties Union had sought to require the local prosecutors to erase all forfeitures of collateral in Mayday arrest cases.