

# Judge Richey Resigns From Scientology Case

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U.S. District Court Judge Charles R. Richey yesterday voluntarily removed himself for the second time from a case involving the Church of Scientology, citing "gross and vicious, irrelevant and unwarranted assaults" against him in the press, which he said were directed by members of the church.

Richey's statement, included in a written memorandum released yesterday, was the first time that the judge has publicly responded to a series of allegations by the church and their lawyers about Richey's conduct during an earlier Scientology case. In one report, columnist Jack Anderson wrote that Scientologists had information that a prostitute alleged that Richey invited her to his hotel room in Los Angeles.

Last July, Richey removed himself from the earlier criminal case, which involved two high-ranking church members, saying he had been subjected to "groundless and relentless attacks" by church members. In that decision, Richey denied charges that he was biased against the church, but said he was obliged to leave the case, which he contended had turned into "a trial of the judge."

Yesterday, Richey, in a memo to the U.S. Court of Appeals, voluntarily quit the second case, which involves his decision last fall to make public hundreds of thousands of documents that the government had seized from the church during its criminal investigation. The appeals court, in a 2-to-1 decision, sent the case back to Richey and told him to reexamine his decision to release the documents.

In his decision yesterday, Richey

made it clear that he feels that the attacks on him by the church have persisted since he quit the first case last July.

Richey wrote yesterday that he has received three letters from Roger E. Zuckerman, an attorney for the Scientologists, asking him to respond to their request that he leave the documents case. In one of those letters, Richey said Zuckerman stated that the defense intended to file further papers with the court unless Richey voluntarily withdrew from the case. Zuckerman said that he needed to know the judge's response immediately for "tactical reasons."

But Richey said he concluded "that this is another blatant attempt to intimidate and threaten this court with perhaps further scurrilous and outrageous allegations."

In a footnote to his memo yesterday, Richey said he had been told by his staff and others at the federal court that attorneys for the church had contacted them "in a patent effort to invade certain sacred privileges" between the judge and the people that he has worked with on a confidential basis. Richey said the contacts were made both at the staff members' homes and at the places where they work.

Richey also noted in the opinion that he became seriously ill, was hospitalized and was ill for several months following his decision last July to leave the first case.