

New Appeal By Calley Over My Lai

Washington

Army Lieutenant William L. Calley Jr. yesterday appealed his conviction in the My Lai massacre to the military's highest court.

In requesting the hearing before the U.S. Court of Military Appeals, Calley's lawyers relied in part on a recent federal court decision striking down a portion of the Uniform Code of Military Justice.

Ultimately, Calley's fate will rest with President Nixon, who has said he will make a final review of the case as commander-in-chief of the armed forces. Calley is currently restricted to his quarters at Ft. Benning, Ga.

In a court-martial at Ft. Benning, Calley was sentenced in 1971 to life imprisonment for the premeditated murder of "not less than 22 vietnamese" and assault with intent to murder a Vietnamese child.

On Aug. 20, 1971, the commander of the Third Army reduced the sentence to 20 years hard labor, a penalty upheld by the Army Court of Military Review February 16.

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