

Magee Files Libel Suit on IQ Story

Ruchell Magee, a San Quentin convict awaiting trial on murder charges stemming from a Marin County Civic Center gunfight, has filed a \$100,000 libel suit on grounds he was denied the rights of free speech.

Named in the suit file here yesterday were the Chronicle Publishing Co., Chronicle Marin County correspondent James Brewer, records officer Jean LeVann of San Quentin and Assistant Attorney General Albert W. Harris Jr.

Magee charged the defendants conspired to "libel and defame" him, deny him free speech and fair trial and hold him up to "public ridicule" by introducing

into court "false and fraudulent" documents relating to his IQ.

He also charged a gag rule prohibiting anyone involved in the gun battle in which Superior Judge Harold Haley and three others were killed from discussing it publicly was unconstitutional.

He complained he was held incommunicado and unable to answer "said false and libelous" statements.

In December, 1970, news stories reported Magee had been judged incompetent to defend himself after the prosecution introduced evidence his IQ was 75 and that he had dropped out of the fifth grade at the San Quentin prison school in 1964.