

Magee to Be Tried Oct. 11

By Harold Streeter

With an intransigent defendant and a reluctant defense attorney, the murder-kidnap -conspiracy trial of San Quentin convict Ruchell Magee was set today to start Oct. 11.

The date was set by Judge Morton Colvin after he denied a series of motions by attorney Robert Carrow of Novato, who wants out of the case.

The rulings came also after Magee, as is his custom, disrupted the courtroom and was removed to a holding cell.

Magee lasted today for only three minutes before he moved to impeach Colvin and was told, by Colvin, to shut up. Magee replied, "Oh, kiss my —," and was removed.

Colvin then dismissed Carrow's motion to withdraw on the grounds that the expected long trial would be harmful to his health and would interfere with another trial he is involved in.

Magee, hearing the ruling in his cell over a loudspeaker, began a ruckus requiring three bailiffs to subdue him.

Carrow also registered his disgust by slamming his

notebook and protesting that the ruling was "in total disregard of common decency and places me in an impossible position."

He then lost a bid for reconsideration and to delay setting the trial to allow an appeal.

In denying Carrow's pleas, Colvin said, "This case is now over two years old and this case will have to go to trial at the earliest possible time."

The charges against Magee stem from the Aug. 7, 1970 shootout at the Marin

County Hall of Justice in which Magee is accused of shooting Judge Harold Haley.

His former co-defendant in the case, Angela Davis, has been acquitted of the same charges stemming from the same case.