

Rulings From the Bench

Date Set for Ruchell Magee Trial

The trial of San Quentin convict Ruchell Magee on charges of murder, kidnap and conspiracy will begin here on October 11, Superior Court Judge Morton R. Colvin ruled yesterday.

At the same time, Colvin denied defense attorney Robert Carrow's motion to withdraw from the case.

"Mr. Magee has shown that he is reluctant and recalcitrant with any counsel," said the judge. "If I granted your motion, in six or eight weeks a new counsel would be standing here before me making the same motion."

Judge Colvin said Magee "has the capacity to cooperate, but just will not."

He said that although Magee has made repeated requests to act as his own defense counsel, "he can't seem to understand that this he cannot do."

Carrow, the sixth court-appointed attorney for Magee, angrily threw his pencil and note pad down upon hearing the decision.

"This is a total disregard of common decency and

principle," he argued.

Judge Colvin noted that more than two years had

passed since the Marin county Civic Center gun battle from which the charges

against Magee stem and said "it's time this case was brought to trial."