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Court Order Halts Trial Of Magee

The state Supreme Court ordered a temporary halt in the Ruchell Magee trial yesterday until it decides upon a request to permit former U.S. Attorney General Ramsey Clark to join the defense counsel.

Superior Court Judge Morton Colvin had twice turned down requests from defense attorney Robert Carrow, claiming Clark's legal background was not "personally familiar" to the judge.

Carrow appealed the initial ruling, first to the state court of Appeals without success and then to the state Supreme Court.

In its decision yesterday, the state Supreme Court granted a hearing on the matter of Clark's qualifications and ordered the Magee trial stayed until the issue was settled.

No date was set for the hearing, according to a spokesman for the court.

Defense Attorney Carrow had argued before Judge Colvin that the case could be wound up by the end of this week if Clark were allowed to help.

But on Monday, as he did on February 15, Colvin said he would appoint as co-counsel only an attorney "whom the court has confidence in, and with whom the court is personally familiar, and whose qualifications are known to the court."

Colvin recessed the trial yesterday afternoon after receiving word of the state Supreme Court's decision.

In the past few weeks, Clark has been in daily attendance at the trial, meeting frequently with Carrow to discuss defense strategy but only outside of the courtroom.

Colvin has approved this limited participation in the case. The judge, however, has not allowed Clark to sit formally with the defense counsel in the courtroom, requiring instead that Clark sit in the spectator's section behind a thick bullet-proof glass screen.

The court adjourned when psychiatrist Martin Blinder was scheduled to begin his testimony on Magee's prison personnel record.

Magee is charged with taking part in the kidnap of Superior Court Judge Harold J. Haley at the Marin County Civic Center and later killing him outside during the ensuing shooting.