

# Liddy Seeks Retrial; Cites Sirica Action

Associated Press

Convicted Watergate conspirator G. Gordon Liddy yesterday asked the U.S. Court of Appeals for a new trial on grounds a federal judge had violated his constitutional rights.

In a brief filed with the Court, attorneys for Liddy contended that Chief U.S. District Judge John J. Sirica "cast himself in the light of a witness, thus lending the dignity and authority of his office to the words he read to the jury."

"It is not the judge's function to introduce new and inadmissible matter to the jury."

A federal jury convicted Liddy of burglary, conspiracy and wiretapping after a trial in January at which Sirica presided. On March 23, Sirica sentenced Liddy to a maximum of 20 years in prison and fined him \$40,000.

The brief said that when Sirica read to the jury testimony and the text of bench conferences that had taken place when the jury was absent, he violated Liddy's constitutional rights to cross-examine accusers and against self-incrimination.

The brief contended Sirica further violated Liddy's rights when he told the jury it could regard Liddy's retention of a lawyer at 5 a.m. on the day of the Watergate arrests on June 17, 1972, as an indication he had a "guilty state of mind."

Another alleged violation of Liddy's rights included in the appeal was the introduction of testimony that he had been fired from President Nixon's re-election committee for refusing to cooperate with the FBI.