

New Plea for Ehrlichman Trial Delay

Washington

Attorneys for John D. Ehrlichman yesterday continued their quest for a delay of the Watergate coverup trial beyond its scheduled September 30 starting date by asking Supreme Court Justice William O. Douglas for a lengthy postponement.

Chief Justice Warren E. Burger turned down an identical plea from Ehrlichman Wednesday, saying he would not overrule U.S. District Judge John J. Sirica because "such matters are essentially within the sound judicial discretion of the trial judge."

Ehrlichman's attorney, Andrew C. Hall, argued that former President Nixon's resignation generated so much publicity that it would be impossible for Ehrlichman to receive a fair trial now. Hall asked that the trial be put off until next January to let the publicity die down.

Nothing in the Supreme Court's rules prohibits lawyers from resubmitting such requests to each of the nine justices in turn, though the rules say judge-shopping is "not favored." Usually one justice is extremely reluctant to reverse another.