

Probe Into Charge Kleindienst Lied

San Diego

A federal judge has ordered an investigation into allegations that former U.S. Attorney General Richard Kleindienst obstructed justice and lied under oath at a court hearing here almost a year ago.

U.S. District Judge Howard B. Turrentine signed the order directing an inquiry by the local U.S. attorney's office. The investigation was sought by two San Francisco attorneys, John C. Brittain and Philip Scott Ryan.

At the time of Kleindienst's testimony, the two attorneys represented Manuel Glen Abascal, 27, of Berkeley, one of seven defendants in an LSD case. Abascal was convicted last week on two counts of using LSD.

The two attorneys had subpoenaed Kleindienst to determine if he signed an authorization for wiretapping that helped the government obtain evidence against Abascal and other defendants in the LSD case.

In the subpoena, Kleindienst was ordered to bring

to the Nov. 29, 1973, hearing "any logs, documents and other objects which evidence your whereabouts on Jan. 1, 1973, up to and including Jan. 12, 1973."

Kleindienst testified at the hearing that the documents were not available to him because they had been turned over to the Senate Watergate committee.

The attorneys now contend, however, that the former attorney general's testimony on that point was untrue. The attorneys filed 95 pages of documentation and affidavits, including sworn statements by two aides of the Watergate committee, saying that the documents were returned to Kleindienst's office two months before the San Diego hearing.

Kleindienst pleaded guilty last May to a one-count misdemeanor charge of withholding information from a Senate investigating committee.

He was sentenced to one month of unsupervised probation.