Court Denies Chapin Review of Conviction

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Dwight L. Chapin, one-time appointments secretary to President Nixon, was denied Supreme Court review of his perjury conviction yesterday.

Chapin is serving a term of 10 to 30 months arising from his grand jury testimony concerning so-called political "dirty tricks" during the 1972 presidential campaign.

He was found guilty on April 5, 1974, of falsely testifying that he was not familiar with distribution of campaign literature by Donald H. Segretti and did not give Segretti instructions regarding any specific candidate.

Watergate Special Prosecutor Charles F.C. Ruff told the high court that "the evidence left no doubt that Chapin was aware that Segretti had been responsible for distribution of the materials."

Ruff said the evidence also demonstrated that Chapin told Segretti several times to concentrate on embarrassing Sen. Edmund S. Muskie of Maine, who was then a candidate for the Democratic presidential nomination.

Chapin argued that the questions he was asked before the Watergate grand jury were ambiguous.

Segretti pleaded guilty to conspiracy to distribute unsigned campaign literature during the 1972 Democratic presidential primary in Florida. He served a six-month term.

In another case, the high court refused to grant an immediate stay of a gag order imposed by Nebraska state courts to restrict news coverage of a mass murder case.

The court postponed action on a petition by the Nebraska Press Association and other news organizations for an order blocking enforcement of the gag order.

Justices William J. Brennan, Potter Stewart and Thurgood Marshall said they would have granted the request to stay the Dec. 1 ruling by the Nebraska Supreme Court.

The court said it will decide whether to grant a full hearing in the case after receiving legal briefs, due today, from the state attorney general.

The justices also denied the news organizations' petition for modification of Justice Harry A. Blackmun's order of Nov. 20, which left standing the most hotly disputed of the restrictions originally issued by a trial judge.

The court said the dispute over the trial judge's order has been superseded by the state supreme court ruling.

The order was issued Oct. 27 by District Court Judge Hugh Stuart of North Platte, Neb. It barred the press from reporting many of the details of the slaying of six members of a Sutherland, Neb., family on Oct. 18 and of a preliminary hearing for Erwin Charles Simants, charged with the murders.

Blackmun lifted some portions of the order, including those that blocked the reporting of medical testimony and the identities of the victims of alleged sexual assaults. But he upheld a ban on reporting of confessions, or of the circumstances of Simants' arrest, before his trial begins.

The Supreme Court also agreed to decide whether the Department of Housing and Urban Development must review the environmental impact of private housing projects before it allows land to be sold in interstate commerce.

The justices will hear arguments on HUD's appeal that a lower court order requiring environmental review would swamp the agency in work not required by statute.

The 1969 National Environmental Policy Act requires federal agencies to file environmental impact statements for major federal actions that significantly affect the environment.

A 1968 act requires private developers to disclose information needed by potential property buyers.

The Scenic Rivers Association of Oklahoma and the Illinois River Conservation Council sued HUD and the Flint Ridge Development Co., saying HUD must prepare an impact statement before approving disclosure statements for an Illinois River basic development in Oklahoma.

U.S. District Judge Luther Bohanon and the Tenth U.S. Circuit Court of Appeals agreed that HUD approval of the investor statement constituted federal involvement requiring an environmental impact statement.

HUD said it had 7,000 filings by developers that presumably would have to be reviewed under the broader interpretation.