

Sirica Reply Deadline Is Monday

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The U.S. Circuit Court of Appeals yesterday set a Monday deadline for replies to an attempt by five of the Watergate cover-up defendants to prevent U.S. District Court Judge John Sirica from presiding at their trial.

Attorneys for the five asked the court to step into the dispute last week after Sirica refused to disqualify himself.

Sirica assigned himself to the trial under court rules governing lengthy cases. The cover-up trial is scheduled to start Sept. 9.

In rejecting charges of bias in favor of the prosecution, Sirica said that "every action, decision and comment of the court cited by the defendants arose in the course of official judicial activity."

The defense lawyers charged, however, that the judge "failed to appreciate the disqualifying inconsistency between the judicial role he assigned himself in this case and his role in developing the indictments" charging their clients with obstructing justice.

The appeals court ordered Watergate Special Prosecutor Leon Jaworski to submit his response by Monday and invited Judge Sirica to file a separate answer of his own at the same time if he wishes.

Circuit Court Judge Carl McGowan said in yesterday's order that he would vote to deny the petition for Sirica's disqualification. The case will probably be decided by the full court.