

GI Drops Minister

Presidio Suit Dismissed

U.S. District Judge Gerald Levin has dismissed a restraining order obtained by a minister who said an AWOL soldier at the Presidio had been beaten.

At the request of Assistant U.S. Attorney Steven Cazan, Judge Levin dismissed the suit brought by Pvt. Paul McArdle against the Army.

"I withdraw my suit against the Army of my own free will and volition," said Pvt. McArdle, in a statement released by the Sixth Army information office at the Presidio yesterday.

No Pressure

"I was under no pressure from any military personnel to make any retraction whatsoever."

The Presidio officer said Pvt. McArdle "indicated that his action was based on his desire to disassociate himself from the Rev. Raymond Broshears and because of his distress over the widespread adverse and substantially inaccurate publicity accorded his case."

Broshears, who describes himself as pastor of St. Timothy's Orthodox Episcopal Church of God, 26 Seventh St., personally served the restraining order on Presidio officials last Saturday. The order was obtained from Judge Levin Friday.

It alleged Pvt. McArdle, a British immigrant, joined the Army in 1967 and then went absent without leave, had been so brutally kicked and beaten in the face he had to be hospitalized at the Presidio.

Pvt. McArdle, who is facing court martial charges, said he had contacted Broshears

in the belief the latter was an Episcopal clergyman who could provide him with spiritual counsel in the event he was confined in the post stockade, the Presidio office said.

He said he did not authorize Broshears to make statements which were attributed to McArdle.

'Soiled Wall'

"The incident which apparently gave rise to McArdle's obtaining a restraining order against the Army occurred Sept. 6, when McArdle soiled a freshly painted wall at the Special Processing Detachment by scuffing it with his feet," the Presidio office said.

"He then refused to obey an order by his First Sergeant to wash the marks off the wall and, as is the procedure in all cases of disobedience, was taken to the in-processing room and told to assume the 'search' position prior to further action.

"In the process, he slipped and fell to the floor and began thrashing around, flailing his arms and legs, hitting his head on the floor and shouting incoherently.

"To prevent him from injuring himself, three military policemen were obliged to restrain him and handcuff his hands behind his back. When he calmed down, he was released and he agreed to wash the wall. No charge of disobedience was placed against him."

The Presidio said McArdle was sent to Letterman General Hospital for examination Sept. 10, but that the doctor there found no bruises or oth-

er indications he had been mistreated.

Broshears is not an ordained minister of the Episcopal Church, according to the California Diocese.

Police Record

He came here from Belle ville, Ohio, where he was convicted of contributing to the delinquency of a minor and was sentenced to six months in jail. He is registered with San Francisco police as a sex offender.

The Presidio office said hospital records show Broshears has been a patient in various mental institutions since 1958.