

# Richey Will Withdraw From Nixon Tape Cases

U.S. District Court Judge Charles R. Richey has disqualified himself from any future court hearings and rulings in lawsuits concerning the White House tapes and documents from the Nixon administration.

The withdrawal came without explanation by Judge Richey, who had previously refused when asked by former President Nixon's attorneys to take himself out of the cases.

Judge Richey said yesterday he would have no comment on the brief order, which was dated last Friday at 4 p.m.

Richey ruled on Jan. 31 that

tapes and documents from the Nixon administration belonged to the federal government and not to the former president.

He also rejected an argument by Nixon's attorneys that the former President could claim presidential privilege on the materials, even though he was no longer in office.

That ruling has never taken effect, however, since an emergency court of appeals panel immediately blocked it. A three-judge court—of which Richey was a member—has since met and is currently considering whether it should consider the constitutionality of a recently passed law concerning the tapes and documents.

Richey was strongly criticized by the emergency panel after he released his original decision. The emergency panel said he should have taken up the constitutionality of the new law before reaching the decision on ownership and privilege claims on the tapes and documents.

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