

U.S. Judge Denies An Attica Move

Buffalo, N.Y.

A United States district court yesterday dismissed an action claiming that convicts at Attica State Prison had been beaten since the abortive uprising was put down September 13 with the loss of 42 lives.

Judge John T. Curtin turned down the application for an injunction to stop the alleged beatings on the ground that any reprisal against prisoners was temporary and did not continue beyond September 14.

Curtin adhered to a traditional reluctance of federal courts to intervene in state prison matters and said he could not issue an injunction unless the denial of constitu-

tional rights was on a continuing basis.

But he added: "The beatings, running of the gauntlet, the racial slurs, the nighttime harassment, the threats of injury and reprisal . . . should not have occurred and should not be permitted in the future."

Nearly all the complaints concerned events on September 13, the day state troopers stormed and recaptured the prison.

The judge also turned down a move to have monitoring officials placed in the prison to keep an eye on the treatment of convicts.

Reuters