

SFChronicle NOV 6 1971

Quentin Inmates Demand Ruchell Magee as Counsel

By Jim Brewer

The six inmates accused in the bloody alleged escape attempt at San Quentin Prison August 21 rejected their court-appointed attorneys yesterday and demanded that inmate Ruchell Magee be appointed to defend them against murder and conspiracy charges.

Magee is himself on trial for murder along with Angela Davis in the Marin courthouse shootout last year. Magee, who has a reputation as a jailhouse lawyer, was in the San Quentin adjustment center along with the six defendants when the alleged escape attempt took the lives of three guards and three inmates.

Superior Court Judge E. Warren McGuire ordered the petition of the six inmates to appoint Magee lodged as part of the record, noting flatly, "it will obviously be denied." He set November 19 as the date for the fourth try at formally arraigning the inmate defendants.

As in their previous three appearances, the six inmates were led into the courtroom individually yesterday, tightly shackled.

REJECTION

Each rejected his court-appointed attorney and then

walked out when the judge refused to appoint Magee or any other lawyer.

The inmates have refused to talk with any of the court-appointed attorneys since the lawyers were named to represent them October 29.

"The court should remove this man," defendant Talamantes snapped at attorney Louis F. Hawkins yesterday. "He is a threat to my defense because he is a court agent."

"I'm dismissing these clowns here," said defendant David Johnson of public defenders Frank J. Cox and Larry Toney. When the judge refused to allow their "dismissal," Johnson headed for the door, saying, "Man, I'm gone, let the record show that."

DRUMGO

Soledad Brother Fleeta Drumgo, whose court-appointed attorney is Richard Briener, said, "We need time, we might want to represent ourselves."

Defendant Willie Tate, whose court-appointed attorney is Howard Moorehouse, said simply, "I don't want this dude."

And defendant John Spain, after rejecting attorney Stephen Koolpe, said, "Judge, you can remove me if you

want, but this is outright fascism here."

SUBSTITUTES

The final defendant, Hugo Pinell, was granted a substitute attorney in place of Robert McCreadie, but only after McCreadie said he was acting as counsel to the family of one of the guards killed in the incident. Pinell indicated he would not talk to his new court-appointed attorney, Richard Tarrant, either.

The judge has indicated he will accept the inmates' appeals for substitute attorneys, but only if they are made on legal grounds by lawyers appointed to speak for the defendants.

Because the six have so far refused to be interviewed by any of the court-appointed lawyers, that was impossible.