

# 2 Ousted at Quentin

By William Cooney

Two of six inmates on trial for alleged involvement in a San Quentin escape attempt in August, 1971, were removed from a Marin county Superior Court yesterday when they refused to stop shouting.

The other four defendants sat somewhat impassively as Judge Henry Broderick quizzed potential jurors on **claimed** physical or economic hardships that would prevent them from serving during a six-to-nine-month trial.

As soon as the session began at 9:30 a.m. defendant Louis Talamantez, 30, started shouting about an "urgent matter."

Broderick ordered him to be silent. But Talamantez shouted, "I cannot get a fair trial with these chains on."

A recess was taken and Talamantez was removed. All defendants are shackled, hand and foot, to their chairs. They, their attorneys and court personnel are separated from spectators by a bulletproof plastic screen.

The second defendant to exit the court was Hugo Pinell, 31. At 2:15 p.m., 45 minutes into the afternoon session, Pinell started shouting about a "conspiracy to kill Ruchell Magee (another San Quentin inmate) and all us defendants" and cursing the judge.

Pinell refused orders to be quiet and threw some papers at his attorney, Lynn Carman, as deputies cleared the court of spectators.

When court resumed, Pinell was not there. Only the day before, San Quentin officials said, Pinell had attacked Carman with a ballpoint pen, hitting him in the throat during a conference at the prison.

Carman denied any stabbing and, smiling, showed his unmarked throat to reporters yesterday morning before court.

His alleged stabbing brought motions from all six

defense attorneys yesterday for a mistrial or a change of venue because of alleged bad publicity.

Louis Hawkins, attorney for Talamantez, termed the San Quentin "press account wildly inaccurate" and said this "adverse publicity is fresh, not distant nor remote."

Judge Broderick, moving his hands in calming motions toward the attorneys, told them to put all their motions in writing and he would rule on them today.

Attorneys also claimed **they have trouble seeing** their clients and possible

other inmate witnesses at the prison.

Broderick waved off those comments, saying "we could occupy a half hour every morning with com-

plaints and griping and tales of woe. I don't intend to do that."

By day's end, 55 prospective jurors had been quizzed. Broderick hopes to finish today, so actual jury selection can start Monday.

The six defendants are blamed for the deaths of three guards and two convict workers in San Quentin during an alleged escape attempt Aug. 21, 1971.

In addition Talamantez and Pinell, the other defendants are Fleeta Drumgo, 29; David Johnson, 28; John Larry Spain, 25, and Willie Tate, 30.

## Trial