

NYTimes  
**Mitchell Disbarred  
As Lawyer in State**

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By MORRIS KAPLAN

John N. Mitchell, the former United States Attorney General who was convicted of perjury and conspiracy to obstruct justice in the Watergate scandal, was disbarred yesterday from practicing law in New York State.

His disbarment was believed to be the first in the history of the United States of a lawyer who held such high office. According to Justice Department officials, no other person who held the office was ever disbarred.

The 61-year-old lawyer was suspended from practice in March by the United States Supreme Court and by lower

Continued on Page 13, Column 2

## Mitchell Is Disbarred in State For His Watergate Conviction

Continued From Page 1, Col. 7

courts in the District of Columbia. He has the right to protest the suspension and respond within a specified period.

He has not yet been disbarred in the Federal courts, and has asked the courts to postpone a decision on disbarment until the resolution of his appeal of his conviction in the Federal District Court.

Mr. Mitchell was one of four Nixon Administration officials who were convicted on Jan. 1, 1975, of all counts in the Watergate cover-up trial. The others were H. R. Haldeman, John D. Ehrlichman and Robert C. Mardian. The three-month trial culminated the principal investigation and prosecution of persons responsible for the biggest political scandal in the nation's history.

A Federal grand jury named the then President, Richard M. Nixon, on March 1, 1974, as an unindicted co-conspirator in the case. Recently Mr. Nixon asked the Supreme Court to withdraw his name from the roll of lawyers qualified to practice there.

Mr. Mitchell, once a close friend of Mr. Nixon's, was Attorney General from Jan. 20, 1969 to March 1, 1972, when he resigned to head Mr. Nixon's re-election committee.

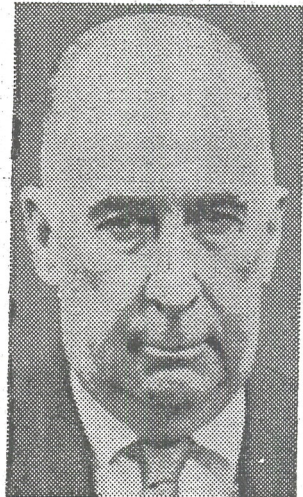
In a unanimous decision, the Appellate Division of State Supreme Court struck his name from the roll of lawyers in a disciplinary proceeding instituted by the Association of the Bar of the City of New York.

The five justices who concurred in yesterday's decision ruled that since Mr. Mitchell had been convicted of a felony, including perjury, that "our inquiry need not go any further."

They took note of Mr. Mitchell's contention that the petition to strike his name from the rolls was premature and should be denied because he was entitled to "an exhaustion of appellate remedies." Through his counsel, Peter Fleming Jr., he argued that to disbar him at this time would constitute a denial of his constitutional guarantee of due process.

"The law in this state is well settled to the contrary," the justices maintained.

The petition to strike Mr. Mitchell's name from the roll was granted by Acting Presid-



The New York Times

John N. Mitchell

ing Justice Arthur Markewich and Associate Justices Vincent A. Lupiano, Louis J. Capozzoli, Myles J. Lane and Emilio Nunez.

At his trial, the prosecutors charged that he had approved the political intelligence plan that led to the Watergate break-in and then had played a central role in the cover-up. Mr. Mitchell, who was born in Detroit, was graduated from Fordham Law School and admitted to practice here on June 19, 1939. He was considered an expert on municipal bonds.