

# Levi Hedges on New Gurney Trial

Washington

Attorney General Edward H. Levi said yesterday he has not decided whether to re-try former Senator Edward J. Gurney (Rep-Fla.) on the conspiracy and perjury charges that resulted in a hung jury in August.

The Justice Department announced about two weeks ago that Gurney will be retried.

"A decision has not been made. We have not made a decision one way or the other," Levi told reporters.

Levi said he and Deputy Attorney General Harold R. Tyler must make the decision, and that they have not yet made up their minds.

The previous announcement on November 21 came from a department spokesman and was based on information from Assistant Attorney General Richard Thornburgh, who apparently had not checked with the attorney general.

Gurney's lawyers already have been notified that the department will proceed with the retrial.

*Associated Press*