

# Haldeman New Trial Request Denied

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U.S. District Court Judge John J. Sirica, in an opinion written at his home, where he is recuperating from a massive heart attack, has refused to grant a new trial to former White House chief of staff H. R. (Bob) Haldeman.

Haldeman, sentenced to a prison term of 30 months to eight years for his role in the Watergate cover-up, had argued that he should be given the new trial because of improper contacts between members of the sequestered jury in his case and unauthorized third parties.

Haldeman's attorneys made the request after

learning that the wife of a deputy U.S. marshal had attended a dinner and floor show with the panel at Andrews Air Force Base during the trial on Nov. 22, 1974.

In the trial of former White House aide John D. Ehrlichman and three other defendants charged with conspiring to violate the civil rights of a California psychiatrist by burgling his office, another deputy U.S. marshal brought his wife to a July 4 picnic for jurors held at a local college.

Marshal's service spokesman Chris Rice said yesterday that both incidents have been investigated, but no final action has been taken against the marshals involved.

While no request for a new trial was made by attorneys in the burglary case, Haldeman's attorneys in the Watergate cover-up case said they felt the intrusion into the privacy of the jury by the marshal's wife at least called for a full, open hearing into the incident.

Sirica said such a hearing would be a "fishing expedition. In the present factual context, the allegations by the defendant amount to little more than a conjecture."

Sirica also pointed out that three other defendants in the Watergate cover-up case did not join Haldeman's request for a new trial or an evidentiary hearing, "giving some indication as to its lack of substance."

Sirica said he first learned of the incident in the Watergate cover-up trial in October, 1975, more than 10 months after the verdict had been returned.

According to papers that had been previously filed under seal in connection with the incident, there are conflicting reports within the marshals' service about the handling of the matter by U.S. Marshal George McKinney.

The deputy U.S. marshal involved, Ellis Duley, took his wife to the Andrews' Officers' Club on the night the jury had dinner there. More than 350 persons were in the club that night, and there is some dispute over whether Mrs. Duley actually spoke with jurors.