

NYTimes
Dismissal of Otepka's Suit
Upheld by Appeals Court

RICHMOND, July 31 (AP)—
A Federal appeals court upheld
today a lower court's dismissal
of a libel suit filed against
The New York Times by Otto
F. Otepka, a former State Department
security official.
The United States Court of
Appeals for the Fourth Circuit
affirmed the dismissal in a one-
paragraph ruling in which it
said it could find no error in
the action taken last November

by a United States District
Court in Baltimore.

Mr. Otepka brought an action
against The Times in February,
1971, on the basis of a letter
published in The New York
Times Magazine on March 15,
1970.

Mr. Otepka, employed by the
State Department from 1953 to
1969, called the letter a malicious
attack on him and said that
it had been published with
reckless disregard for the truth.

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