

UC Regents' General Counsel files for writ of mandate in Davis type exclusion of Communist Party members.

October 30, 1969

Thomas J. Cunningham, General Counsel of the Regents of the University of California, Thursday filed with the California Court of Appeal in Los Angeles, a petition for a writ of mandate. The petition seeks to overturn the orders issued last week by Superior Court Judge Jerry Pacht in the case involving Angela Davis and the Regents' policy excluding members of the Communist Party from the University's faculty.

The General Counsel contends that Judge Pacht acted contrary to law in denying the motion that the case be transferred to Alameda County and that since he had no authority to proceed further with the case the other orders which he made should be set aside; the application submitted to the Court of Appeal stresses the erroneous and prejudicial nature of the series of orders which the Superior Court issued immediately following its denial of the motion for change of venue.

If the Court of Appeal grants the relief requested in the petition, the effect will be to vacate all orders previously issued and the case will be transferred to the Superior Court for Alameda County for further proceedings.