THE Crown will not proceed with the charge of murder against Jeffrey Miller, 22.

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His lawyers said vesterday that the Attorney-General's Department had told them it would not be filing a bill for the charge.

Mr Miller, of Carrington, was charged with having murdered 69-year-old Bithard Slater at Newcastle on December 19, 1980.

The lawyers said the Crown's lecision followed summission by them that the evidence was so tenuous that the case would be unsafe to go to a jury.

They had submitted also that there was a chance of a grave miscarriage of justice.

Mr Slater died three days after he was found on the floor of the Birdwood Park lavatory.

In December last year, Mr R. Meehan, SM, committed Mr Miler to Newcastle Supreme Court for trial on the murder charge.

The case is listed for mention at next month's Newcastle Supreme Court sittings.

Jeffrey Miller, 21, prison inmate, is charged with having murdered Ri-chard Slater at Newcastle on December 19, 1980.