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Judge Expected to Order Sirhan Death

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Superior Judge Herbert V. Walker is expected to follow a jury recommendation today and sentence Sirhan Bishara Sirhan to death for the assassination of Sen. Robert F. Kennedy.

Before imposing judgment, however, the court will hear arguments on defense motions to grant Sirhan a new trial and reduce his penalty to life in prison. It is unlikely that either request will be granted.

The 25-year-old Palestinian immigrant's attorneys, Grant B. Cooper and Russell E. Parsons, indicated their arguments will consume most of the day. Emile Zola Berman, a third lawyer who defended Sirhan, will remain in New York and not be present for the proceedings.

The three prosecutors—Dep. Dist. Attys. Lynn D. Compton, John E. Howard and David N. Fitts—said they will offer short replies in opposition to the defense motions.

Judge Walker is expected to allow A. L. Wirin, chief counsel for the Southern California Chapter of the American Civil Liberties Union, to appear as a friend of the court for the purpose of arguing against the imposition of the death penalty on the ground it is cruel and unusual punishment and violates Sirhan's constitutional right to due process of law.

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Wirin said he will also join Cooper and Parsons in their contention that Judge Walker erred in excluding from the jury persons who are unalterably opposed to capital punishment.

In a brief filed with the court, Cooper and Parsons said they will seek a new trial on several grounds, all of them dealing with court rulings adverse to the defense.

They claim that Judge Walker erred in permitting the use of Sirhan's notebooks as evidence, in not quashing the grand jury indictment, in not

granting a mistrial when reports that the defense was negotiating for a plea to murder with life imprisonment were made public and in not ordering the impaneling of a separate jury to hear the penalty phase of the trial.

Judge Walker could reduce the jury's recommendation of the death penalty to life, but that is rarely done.

In 19 other such cases which have come before him, the veteran jurist has altered the jury's verdict only once and that was at the suggestion of state penal authorities.

Sirhan was found guilty

April 17 of first-degree murder and of five counts of assault with intent to commit murder.

The assault victims were persons wounded in the barrage of gunfire last June 5 at the Ambassador which claimed the life of Sen. Kennedy.

The same jury of seven men and five women on April 23 voted that Sirhan should die.

Most of the arguments advanced by the defense today will be for the purpose of compiling a record for use in Sirhan's automatic appeal to the State Supreme Court.

The proceedings will be held in the same heavily guarded Hall of Justice courtroom where the trial was conducted.