By DOUG LAURIE

The attorney for Senator Robert F. Kennedy's convicted killer says new evidence unearthed by a private investigator, and supported by a noted ballistics expert, "makes it appear quite likely that Sen. Kennedy was not killed by a bullet from the gun of Sirhan Sirhan."

Attorney Godfrey Isaac of Los Angeles told The ENQUIRER in an exclusive interview that he will cite much of the new evidence in "an extraordinary writ" to try to get his client, Sirhan, a new trial. He said he would file the writ as soon as he finished work on it.

The new evidence was gathered by Ted Charach, a 41-year-old Canadian-born broadcast journalist, during a three-year investigation into the circumstances of Sen. Kennedy's death.

Kennedy was shot down early on the morning of June 5, 1968, in the pantry of the Ambassador Hotel in Los Angeles just moments after winning the California Democratic Presidential primary. Five others were wounded.

Some 150 persons witnessed the horror-filled event. Many of them actually saw Sirhan firing his .22 caliber pistol as the 42-year-old Presidential hopeful walked toward him.

Even Isaac admits there is no question that the 26-year-old Jordanian was "there and shooting."

But the mass of evidence gathered by Charach, who claims he was the first newsman to enter the hotel pantry after Kennedy was shot, makes it "improbable that Senator Kennedy was shot by Sirhan's gun," Isaac said.

Two key experts support Charach's claim that Sirhan isn't the killer — former Los Angeles Coroner Dr. Thomas T. Noguchi and nationally-recognized ballistics expert, William W. Harper. Both say that Kennedy was shot from behind and from a distance of within 3 inches.

At no time was Sirhan ever closer than 4 feet to Kennedy, nor was he ever behind him, Isaac says.

Harper, a noted criminologist who has qualified as a ballistics expert in the courts of seven states, said in an affidavit filed by Charach with the Los Angeles Superior Court last June 25:

"During the past seven months I have made a careful review and study of the physical circumstances of the assassination of Senator Robert F. Kennedy. In this connection I have examined the physical evidence introduced at the trial, including the Sirhan gun, the bullets and shell cases. I have also studied the autopsy report, the autopsy photographs, and pertinent portions of the trial testimony."

From that study, Harper concluded:

"1. Two .22-caliber guns were involved in the assassination.

"2. Senator Kennedy was killed by one of the shots fired from Firing Position B, fired by a second gunman. Firing Position B was located close to the senator, immediately to his right and rear.

"3. The five bystanders that were wounded were shot by Sirhan from Firing Position A, located directly in front of the senator.

"4. It is extremely unlikely that any of the bullets fired by the Sirhan gun ever struck the body of Senator Kennedy.

"It is self-evident," Harper said in his affidavit, "that within the brief time of the shooting (roughly 14 seconds) Sirhan could not have been in both firing positions at the same time.

"No eyewitness saw Sirhan at any position other than the firing position A (in front of the senator) where he was quickly restrained by citizens."

He also stated that the fatal shot was fired 1 to 3 inches from the sena-

tor's head. Noguchi, who performed the autopsy on Kennedy, testified at the Sirhan trial that the senator died as a result of a gunshot wound behind his right ear.

Two other bullets entered under Kennedy's right armpit. Dr. Noguchi testified.

The former coroner told the court that all the bullets were fired from behind Kennedy, from back to front, right to left and upward.

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