

Murder Defense Denied Report Called Crucial

By Paul W. Valentine

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A lawyer for murder suspect Walter Lee Parman cannot get his hands on a crucial autopsy report for preparation of his case, although a national detective magazine published an article containing allegedly direct quotes from it.

Attorney Addison Bowman of the Legal Aid Agency sought a court order yesterday to compel the D.C. Coroner's Office to let him see the report. After a brief hearing before District Judge William B. Bryant, further consideration of the matter was postponed indefinitely.

Two earlier motions to subpoena the report in District Court also have failed.

Meanwhile, the reading public has had access to the June, 1965, issue of True Detective Magazine, which contains a purported account of the "mutilation-murder" of State Department employe Shirley Ann Cary, 32, and the subsequent arrest of Parman, 33, in connection with the slaying.

Quotes Report

It quotes the coroner's report as saying Miss Cary died from strangulation "by some means other than manual."

At another point, it quotes the report as saying there was "definite indication of sexual molestation, but victim not raped."

The story, written by Hal White of New York City, also says, "Contrary to the medical examiner's preliminary findings, death was believed to have occurred less than three hours before the nude body was found."

Attorney Bowman argued before Judge Bryant that, if the magazine account is correct, the coroner's report is

essential to preparation of the case.

Parman is charged with murder and assault with a dangerous weapon, specifically, his teeth. Bowman contended the Government must depend heavily on the coroner's report to prove these charges. If he cannot have access to this basic document, he maintained, Parman will be denied effective assistance of counsel in violation of the Sixth Amendment of the Constitution.

Earlier Motions Denied

Bryant postponed further consideration of the issue yesterday pending appointment of a new Assistant U.S. Attorney to the case.

Two earlier motions to subpoena the coroner's report were denied by Judge Joseph C. McGarraghy.

Coroner Richard Whelton said yesterday his office customarily does not provide autopsy reports to defense lawyers prior to trial except under court order. There is no Federal rule or law specifically requiring pre-trial access, he said.

Whelton said he does not know how True Detective Magazine obtained direct quotes from the report.

"It is not our policy to give out that kind of thing," he said. He said he does not recall being interviewed by anyone from the magazine.

The U.S. Attorney's Office and the Police Department's Homicide Squad also have access to coroner's reports. Spokesmen from both offices said the Cary report could not have been leaked through them, however.

"No one in this office talked about it," said Homicide Capt. George Donahue. "Besides, we would never give direct quotes from an autopsy report."