

UNDERGO PRETRIAL EXAMINATION: Capt. Leland J. Brumley is followed by Col. Robert B. Rheault as the two Special Forces officers leave dining hall in Longbinh. They and six other men are facing possible court-martial in the reported murder of a Vietnamese double agent.

Lawyer Says Army Has 'Just No Case' Against the Berets

By JAMES P. STERBA

Special to The New York Time

SAIGON, South Vietnam, Aug. 19—A criminal lawyer hired to defend three of the Special Forces soldiers facing possible court - martial on charges of murder and con-spiracy said today that "there is just no case" against the men.

"Weighing the evidence," said the lawyer, Henry B. Rothblatt, "there is just no case. I would be very surprised to see how any objective law officer could bring this case to trial."

Mr. Rothblatt, who has written several books on criminal law, said that the Army had committed an "error in judgment" in its handling of the case and that the morale of United States troops in South Vietnam and their faith in military justice were at stake as a result.

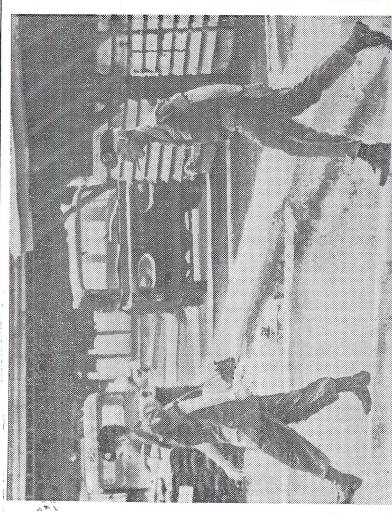
Egiht Special Forces officers, including Col. Robert B. Rheault, former commander of all Special Forces in Vietnam, are undergoing pretrial examination - similar to a grand jury investigation-in the reported murder of a Vietnamese double agent June 20.

Mr. Rothblatt was summoned to South Vietnam by the military lawyers for Maj. David E. Crew, Capt. Leland J. Brumley and Chief Warrant Officer Edward M. Boyle.

Knowledgeable sources said Continued on Page 3, Column 4



OUTSIDE BARRACKS: Colonel Rheault, left, Chief Warrant Officer Edward M. Boyle, back to camera, and Capt. Robert F. Marasco. Man next to Colonel Rheault is not identified.



RETURN TO QUARTERS: Capt. Leland J. Bromley, left, and Col. Robert B. Rheault walk to billets in which they were confined since Sunday. They had been elsewhere before.

'Just No Case' Against Berets, Lawyer Asserts

cial Forces soldiers, who had been in a stockade at the Army post at Longbinh, were moved to regular quarters. They were joined there by Colonel Rheault, who had been in a house trailer.
Today, Colonel Rheault was observed walking outside his
room without a shirt. Capt. Robert F. Marasco, who is also being held, appeared at one point wearing his full Special Forces uniform and sunglasses.

An Army spokesman said that the men had been held in the stockade earlier in order to keep them from communicating with each other during the initial phase of the investigation.

Details on Victim Reported

As lawyers were awaiting As lawyers were awaiting the continuation of the investigation tomorrow, a Vietnamese language newspaper reported that the victim in the case was a 31-year-old man named Thai Khac Chyen. President the victim has been been viously the victim has been identified as Chuyen Thai Khac.
According to this account,

According to this account, Mr. Chuyen, who worked as an interpreter for the Special Forces since Dec. 6, 1965, was ordered to a Special Forces liaison office in Saigon on June since by his wife and family.

The report said that Mr. Chuyen not only worked on se-cret missions along the Ho Chi Minh Trail in Laos and Cambodi but also swept floors and polished furniture for the Special Forces, It added that on June 11 Forces, It added that on June 11 Mr. Chuyen was notified to report to Camp Goodman, a Special Forces post. He appeared the next day and was questioned and released, and he told his wife he was "going on a mission."

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On June 13 he went to Camp Goodman again and returned to tell his wife that he had had to pass a lie-detector test. He left home that day and has not returned, according to the account.

As attorneys awaited the continuation of the investiga-tion tomorrow, reporters were looking into a story that appeared in a Vietnamese-language newspaper that said the victim in the case was a 31-year-old man named Thai Khac Chuyen, similar to Chuyen Thai Khac, who was identified as the victim in the case.

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that the three had asked for civilian counsel but had not specified a particular lawyer. Their military lawyers selected Mr. Rothblatt.

Yesterday seven of the Special Special family.

According to this story, Mr. Chuyen, who worked as an inference of the United States Army support troops here. General Mabry, who ordered the investigation, will then decide whether to proceed with a court-martial.

Particle Forces colding who had family.

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Some time after June 13 two Americans dressed in civilian clothes questioned his family, it was reported. According to the account, Mr. Chuyen worked for the Special Forces in the Ashau Valley in northern South Vietnam, in Tayninh, near the Cambodian border, and in Cantho, in the Mekong River delta, before being summoned to Saigon on June 11.

Meanwhile, the Army spokesman said that on July 24 all with a list of cates. That the Special Forces man said that on July 24 all were not faking orders from were made without notification to the Pentagon.

A letter dated Aug. 16 by Under Secretary of the Army Thaddeus R. Beal to Representative Peter W. Rodino, Democrat of New Jersey, made public at the Pentagon today, said: "To the best of my knowledge, "To the best of my knowledge without notification to the Pentagon.

A letter dated Aug. 16 by Under Secretary of the Army Thaddeus R. Beal to Representative Peter W. Rodi

Meanwhile, the Army spokes meditated murder and con-spiracy to commit murder. On

spokesman said.
Col. H. D. Seaman, secretary
to the General Staff of the
Army in Vietnam, is in charge of the investigation, he added.

The spokesman said that when Col. Seaman finishes the investigation, he will make rec-

and defense intelligence agency regulations and manuals."
Without being specific, the Under Secretary said that "Army staff experience indicates" that the Special Forces man said that on July 24 all were not taking orders from eight of the Special Forces anyone outside the military soldiers were accused of pre-chain of command. There have chain of command. There have been reports that the alleged execution of the Vietnamese national was ordered by the Central was or the same day, he added, military lawyers were appointed to their defense.

The allegations were made by Col. Edward V. Hendren, the Army's chief legal officer in Vietnam, "on the basis of information supplied to him," the

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