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Kennedy NL 370

NEW BEDFORD, Mass. AP - Dist. Atty. Edmund Dinis Tuesday asked a Pennsylvania court to order exhumation and an autopsy on the body of Mary Jo Kopechne, drowned July 18 in a car accident with Sen. Edward M. Kennedy.

Dinis said in his petition he wanted the post-mortem examination for the forthcoming inquest into the accident.

"The purpose of the inquest," he said in the petition, "is to determine whether or not there is any reason sufficient to believe that the sudden death of Mary Jo Kopechne may have resulted from the act or negligence of a person or persons other than the deceased."

Dinis sent the petition to the Common Pleas Court in Luzerne County, Pennsylvania.

Miss Kopechne, 28, of Washington, and a former secretary of the late Robert F. Kennedy, was buried in her hometown, Plymouth, Pa., which is in that county.

Dinis asked for a hearing on his petition and further urged the court to set a date "as soon as is practicable, because time is of the essence."

The inquest into Miss Kopechne's death is to open in the Dukes County Court at Edgartown, on Matha's Vineyard Island, where Miss Kopechne died.

Dinis said in his petition that the exhumation and autopsy are required, "in order that the circumstances of the death be clearly established and the doubt and suspicion surrounding the death be resolved . . ."

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NEW BEDFORD, Mass.--Kennedy NL A249; resolved. . . ."

Dinis was quoted Tuesday as saying that he ordered an autopsy on Miss Kopechne's body July 20 only to find out that it already had been sent to Pennsylvania.

An article in the Brockton Enterprise quoted Dinis:

"On Sunday, the day following the accident, I ordered an autopsy. I ordered Lt. Killen (Lt. George Killen) a state trooper assigned to Dinis' office to call the state pathologist, but the medical examiner had released the body."

The medical examiner, Dr. Donald R. Mills, told newsmen a few days after the accident that he didn't order an autopsy because he didn't think one was necessary. He said he thought the cause of death, which he declared was accidental drowning, was "obvious."

Mills also told newsmen that he decided against an autopsy after conferring with a representative of Dinis' office.

But Dinis was quoted as denying this in the Enterprise article.

"I didn't know the body was gone when I ordered the autopsy. That medical examiner can't pass the buck to me. He had full authority to order an autopsy himself and he didn't."

The inquest begins Sept. 3 in Edgartown District Court before Judge James A. Boyle.

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