

Fri., Aug. 22, 1969 ☆☆ San Francisco Chronicle 3

Autopsy Hearing

Court Delay in Mary Jo Case

Wilkes-Barre, Pa.

A Luzerne county judge announced yesterday postponement of a hearing scheduled for Monday for an autopsy on the body of Mary Jo Kopechne, the victim of an auto accident last month involving Senator Edward M. Kennedy.

The announcement by Judge Bernard C. Brominski of the county's Common Pleas Court followed a 40

minute private conference in his chambers with District Attorney Edmund Dinis of New Bedford, Mass., and lawyers for Mr. and Mrs. Joseph Kopechne of Berkeley Heights, N.J., the dead woman's parents.

"After conferring with counsel, the hearing scheduled for Monday is temporarily postponed," Brominski said. "Instead, we will hear arguments at that time on the motions presented to the court" by the Kopechne attorneys.

Dinis, who has scheduled a September 3 inquest into the death, said he will "oppose vigorously any action to dismiss his petition."

Attorneys for the Kopechnes, who oppose an autopsy, sought Tuesday to block the hearing here by filing a motion seeking dismissal of the petition.

The judge's decision appeared to dim any hope Dinis might entertain to present autopsy results in evidence at the inquest in Edgartown, Mass.

Brominski said the arguments Monday are expected to take only about two hours, but that he probably will not hand down a decision until later next week.

Assuming that a decision upholds Dinis, a hearing on the original petition will still remain to be held.

The motion contended that the Luzerne county court "is without jurisdiction and authority" to order exhumation and autopsy of Miss Kopechne's body.

Attorney John E. O'Connor, one of the Kopechne lawyers, said: "In effect, we believe it is illegal for Massachusetts to ask Pennsylvania to order an autopsy that should have properly been ordered in Massachusetts in the first place."

Associated Press