

THE NEW YORK TIMES, TUESDAY, SEPTEMBER 30, 1969

Judge Studies Second Request To Prevent Kopechne Autopsy

WILKES-BARRE, Pa., Sept. 29 (AP)—A judge took under advisement today the latest motion by the parents of Mary Jo Kopechne to block an autopsy on their daughter.

Judge Bernard C. Brominski of Common Pleas Court also reserved decision on a separate motion by the Kopechnes to delay any hearing on the petition of District Attorney Edmund S. Dinis of New Bedford, Mass., for an autopsy until Mr. Dinis completes his scheduled inquest into her death.

Miss Kopechne, 28 years old, died July 18 when a car driven by Senator Edward M. Kennedy, Massachusetts Democrat, plunged off a narrow bridge into a tidal pond on Chappaquiddick Island, off the Massachusetts coast.

There was no indication when the judge would rule on the dismissal motion on the second Kopechne motion for the hearing delay. It could be by the end of the week. The

Kopechnes moved to dismiss it Aug. 25, but Judge Brominski turned that motion down on Sept. 3.

Mr. Dinis filed his petition Aug. 14 and amended it Sept. 19, reporting that his investigators learned of the alleged presence of blood in Miss Kopechne's mouth and nose and on her clothing only after she had been buried.

"There must be proof of a crime and then an autopsy can prove the guilt or innocence of one suspected of criminal conduct," said Joseph F. Flanagan, attorney for Mr. and Mrs. Joseph A. Kopechne of Berkeley Heights, N. J., during today's court appearance. "The test of whether or not an autopsy will be ordered cannot be based upon guesswork or speculation."

Mr. Dinis was not in the courtroom. His assistant, Armand Fernandes Jr., arguing for an immediate autopsy, insisted it was "not a frivolous request."



Associated Press
OPPOSE AUTOPSY ON DAUGHTER: Mr. and Mrs. Joseph A. Kopechne leaving court in Wilkes-Barre, Pa., yesterday.