

No Good Cause For Autopsy, Kopecnes Say

By LEE LINDER

WILKES - BARRE, Pa. (AP) — The attorneys for the parents of Mary Jo Kopecne insisted today "there is no good cause or urgent necessity" for an autopsy on her body. Disturbing her grave "would be grossly offensive."

Attorney Joseph F. Flanagan filed an answer to an amended petition by Dist. Atty. Edmund Dinis, New Bedford, Mass., who has asked Common Pleas Judge Bernard C. Brominski to approve exhumation for an autopsy.

The hearing on the petition is scheduled to begin next Monday at 10 a.m. 20 OCT

The 28-year-old secretary was killed on the night of July 18 when a car operated by Sen. Edward M. Kennedy plunged off a narrow bridge and overturned in a pond on Chapaquiddick Island off the Massachusetts coast. Her death was ruled by drowning, without an autopsy.

HER PARENTS, Mr. and Mrs. Joseph A. Kopecne of Berkeley Heights, N.J., have vigorously opposed disturbing her grave.

Flanagan, in his eight-page answer, said that if the judge should order exhumation

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tion it would be "prejudicial to the wishes, sensitivities, health and well-being" of the parents.

Flanagan said further that "the cause of death has been clearly and legally established by Dr. Donald Mills, acting medical examiner, in Dukes County, Mass.," and alleged that Dinis is "without sufficient information to form a belief as to whether there is doubt and suspicion surrounding the death."

Dinis has sought the autopsy in connection with an inquest he has scheduled, but which is now under attack be-

fore the Massachusetts Supreme Court. That tribunal is reported ready to hand down a decision on how the inquest should be conducted.

KENNEDY'S lawyers have asked for the right to cross-examine witnesses at the inquest, contending that without it the Democratic senator's rights would be prejudiced, and also to exclude the public and the news media.

Dinis petitioned for exhumation and autopsy on Aug. 14, but a hearing was delayed while the judge considered and then denied two motions for dismissal filed by the Kopecnes.

Dinis has asked that the autopsy be performed as soon as practical, since time is of the essence.

Flanagan, however, said that "no exhumation or autopsy ought to be considered unless a determination is made at the inquest to warrant a request for an exhumation or autopsy."

He added also that an autopsy at the present time "will not verify or determine the cause of death" because in the three months since the death "the body of the deceased is in a very different condition from that which it was in at the time of death."

Mass. Grand Jury May Probe Death

EDGARTOWN, Mass. (AP)—The Dukes County Grand Jury conferred for an hour behind closed doors today, then took the unusual move of recessing indefinitely.

The action opened the way to possible action by the panel on its own initiative to investigate the death.

Asst. District Atty. Joseph P. Harrington declined comment on the action of the panel.

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KENNEDY CASE COURT CONFERS IN BOSTON

Special to The New York Times

BOSTON, Oct. 16—The Supreme Judicial Court of Massachusetts met today in a conference that gave rise to speculation that a decision in the case of Senator Edward M. Kennedy might be reached soon, possibly tomorrow.

A five-man panel heard arguments Oct. 8 on Mr. Kennedy's plea to bar the press from an inquest into the death of Mary Jo Kopecne, a Washington secretary, who died in his car July 18.

Mr. Kennedy also seeks to have Judge James A. Boyle, the District Court Judge for Dukes County, disqualified from presiding at the inquest, if and when it is held.

An inquest was scheduled to be held Sept. 3 in Edgartown on Martha's Vineyard Island. It was postponed to enable the Commonwealth's highest court to consider a plea that Mr. Kennedy's constitutional rights would be seriously compromised under ground rules set for the hearing by Judge Boyle.

A hearing is scheduled in Wilkes-Barre, Pa., next Monday to consider a request by District Attorney Edmund Dinis of Dukes County for an autopsy on Miss Kopecne's body. She is buried in Larksville, Pa.

17 OCT

20 OCT