

DELAY IN TRIAL OF SIRHAN TURNED DOWN

By LINDA DEUTSCH

LOS ANGELES (AP)—Sirhan Bishara Sirhan appeared in court today for the start of his trial on charges of murdering Sen. Robert F. Kennedy but the session was adjourned until tomorrow after a series of defense motions, one of them an unsuccessful request for a 30-day delay.

The 24-year-old Jordanian was in court about an hour and a half—part of the time in a closed meeting with attorneys for both sides and Superior Judge Herbert V. Walker.

WALKER ADJOURNED THE trial until 2 p. m. tomorrow after denying the request for the month's delay and asking that one of the motions be made in writing.

Sirhan appeared calm as the proceedings began. He entered the heavily guarded courtroom wearing a grey suit and blue tie, sat down at the long counsel table and waved to his attorneys. He later was ordered taken back to his cell.

The move for a 30-day delay came when Grant B. Cooper, one of three defense attorneys, asked that Sirhan's plea of not guilty be set aside "for the sole and only purpose of making a motion to quash the indictment."

JUDGE WALKER ASKED THAT the motion be made in writing and Cooper said he would need additional time. "I would suggest a period of 30 days," he said.

The judge denied this, saying, "There is a great deal of expense and inconvenience involved. I feel we should move as expeditiously as possible."

Judge Walker also denied a plea for two separate juries, one to determine whether Sirhan is guilty or innocent and a second to determine the penalty if the defendant is convicted. He said Cooper could make the motion again at the end of the first part of the trial.

COOPER HAS BEEN ORDERED to appear this afternoon in U.S. District Court to answer a federal grand jury's questions—which he has said he will not do—or show cause why he should not be held in contempt of court.

Cooper cannot be taken off the Sirhan case except at Sirhan's request. Cooper could withdraw, although another defense attorney, Russell Parsons, has said he will not be willing to proceed without Cooper.

Cooper has said he will refuse to answer grand jury questions on how he came to possess secret transcripts in the Friars' Club card cheating case because of the lawyer-

Continued from Front Page

client" relationships. His client was one of five convicted of cheating club members.

DEFENSE MOTIONS AND jury selection are expected to take two weeks and presentation of evidence by both sides two months or more. There are indications more than 200 witnesses will be called.

Sirhan, 24, a Jordanian who came to this country as a boy with his family, is accused of shooting Kennedy last June 5 in a kitchen corridor of the Ambassador Hotel as the New Yorker left a victory celebration following California's Democratic presidential primary.

Five bystanders were wounded and Sirhan also is being tried on five counts of assault with intent to commit murder.

THE TRIAL will be in a tiny armor-plated eighth-floor courtroom in the gray-stone, 43-year-old Hall of Justice. Windows have been covered with quarter-inch sheets of steel. Sirhan, arrested at the shooting scene, is held in a heavily guarded cell on the 13th floor.

Judge Herbert V. Walker, 69, dean of the Los Angeles Criminal Division, will hear the trial in Superior Court. Walker decreed the death penalty 21 years ago for Caryl Chessman, convicted kidnap-rape who died in the gas chamber in 1960 after 12 years of appeals.

David N. Fitts, Lynn Compton and John Howard of the district attorney's office will handle the prosecution.

SIRHAN'S CHIEF attorney, Cooper, is a former president of the Los Angeles County Bar Association. Like Parsons, he is a former deputy

district attorney. His greatest fame is a criminal defense lawyer for the past 20 years. The third defense lawyer is Emile Zola Berman of New York City.

At a preliminary hearing, Sirhan pleaded innocent but did not enter a separate plea of innocent by reason of insanity. This is permissible under California law.

However, if he is found guilty, Sirhan could be saved from the gas chamber by a provision of California law which recognizes that a person may be legally sane yet not fully responsible for his actions.

This is known as "diminished responsibility" and allows a verdict short of first-degree murder and a lesser penalty than death. Although little known outside California, the technicality has been reinforced by several court decisions since 1949.

Turn to Page 4, Column 7

OVER



SIRHAN BISHARA SIRHAN, right, is escorted by defense attorney RUSSELL E. PARSONS as he enters a Los Angeles Superior Courtroom for the start of his trial on charges of murdering Sen. Robert F. Kennedy.

—AP WIREPHOTO.