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## SIRHAN AWAITING APPEAL OUTCOME

Long Legal Maneuvering Is  
About to Get Under Way

By STEVEN V. ROBERTS  
Special to The New York Times

LOS ANGELES, April 28 — One year after he was sentenced to die for the murder of Senator Robert F. Kennedy, Sirhan Bishara Sirhan sits on death row in San Quentin, waiting for the long legal maneuverings that will decide his fate.

He waits almost entirely alone. Other prisoners are kept away from him for security reasons, and he receives few visitors, even from his poverty-ridden family.

"I can't say he's very happy where he is," said Sirhan's attorney, George E. Shibley, "Death Row is not a pleasant place for anyone."

Mr. Shibley and Luke McKisack, Sirhan's other lawyer, are now preparing their brief for an appeal to the California Supreme Court. They will argue that the 26-year-old Palestinian Arab should receive a new trial for at least three reasons:

1. The Court acted "unconstitutionally," the lawyers say, in refusing to accept an agreement between Sirhan's original lawyer, Grant B. Cooper, and the Los Angeles County District Attorney's Office. Under that agreement, Sirhan would have pleaded guilty to first-degree murder, and would have received a sentence of life imprisonment. But Judge Herbert V. Walker insisted that the case had to go to trial, and the jury sentenced Sirhan to death.
2. The Court admitted into evidence various items, including Sirhan's notebook, which were seized by police in Sirhan's home. The lawyers contend that the action violated the "illegal search and seizure" provision of the Constitution.
3. The Court should have allowed the defense to present evidence regarding the background of the Arab-Israeli war. The lawyers maintain that understanding the Middle East situation was essential to understanding Sirhan's

psychological disorders.

### Brief Ready in Month

The brief should be ready next month, Mr. Shibley said. Then the state has a chance to reply. After that, the appeal will be set for trial.

It will probably be a number of years before the case is closed. Caryl Chessman, who was executed at San Quentin in 1960, spent 12 years on Death Row before exhausting all his avenues of appeal.

In a second legal action, Sirhan's lawyers are trying to get an injunction against the publication of a book called "R. F. K. Must Die," by Robert B. Kaiser. The book, written by a freelance writer who served as an investigator for Sirhan's lawyers, is a narrative history of the assassination.

The lawyers contend that publication of the book, tentatively scheduled for September, would prejudice Sirhan's right to a fair hearing if he were granted a new trial.

However, a judge in Los Angeles refused last week to issue a temporary injunction against publication of the book. A hearing on a request for an injunction in New York is set for April 30.

### A Simple Cell

Meanwhile, Sirhan spends his days in a simple cell, 5 feet wide and 11 feet deep. The only furniture is a bed, a table, a stool, a wash basin and a toilet. A TV set hangs on the wall outside the cell.

"It's not a honeymoon cottage by any means," said Louis Nelson, the warden at San Quentin.

When he arrived last May, prison officials had information that other inmates were intent on killing Sirhan. Thus, he was only allowed to exercise in an area 12 feet by 15 feet directly in front of his cell.

The prisoner went on a hunger strike to protest the restrictions. Now he is allowed to move another 15 feet, up to a chain link fence which separates him from the 66 other residents of Death Row.

Sirhan has developed a particular interest in reading Arabic to pass the time. Mr. Shibley recently sent him a copy of the Bible in Arabic and some Arabic newspapers and magazines.

"He's more adjusted now than he was in the first few months," Warden Nelson said of his prisoner. "He was overwhelmed by the idea of being incarcerated under a sentence of death, but now he's becoming more accustomed to it. He causes no great problems."