

NY ONLY

NOT FOR PUBLICATION

ADV MON PMS MAY 29

RIVERO 320

BY THEODORE A. EDIGER  
ASSOCIATED PRESS WRITER

MIAMI, FLA. (AP)-FELIPE RIVERO, THE AGGRESSIVE ANTI-CASTRO CUBAN EXILE LEADER WHOM U.S. IMMIGRATION AUTHORITIES SEEK TO DEPORT--TO SOMEWHERE--BEGAN HIS 17TH DAY BEHIND BARS TODAY, AND CLAIMED HE SHOULD BE GRANTED FREEDOM ON BOND.

RIVERO'S ATTORNEY, GINO NEGRETTI, SAID HE WOULD ASK SPECIAL IMMIGRATION DEPARTMENT HEARING OFFICER DANIEL SCHRULL TO CONTINUE A DEPORTATION HEARING SET FOR TODAY UNTIL DISPOSITION OF A HABEAS CORPUS REQUEST TO BE HEARD WEDNESDAY BEFORE U.S. DISTRICT JUDGE W. O. MEHRTENS.

U.S. OFFICIALS ADMITTED THEY DID NOT KNOW WHERE THEY COULD SEND RIVERO IF HIS EXCLUSION FROM THE UNITED STATES IS UPHELD. OBVIOUSLY, IT COULD NOT BE TO HIS COMMUNIST HOMELAND.

RIVERO WAS ARRESTED MAY 12. HE WAS LODGED IN THE DADE COUNTY JAIL, AND LATER--AFTER GOING ON A HUNGER STRIKE--TO A HOSPITAL PRISON WARD. THE EXILE FASTED NINE DAYS.

THE IMMIGRATION DEPARTMENT CHARGE AGAINST HIM SAYS: "YOU . . . ARE A MEMBER OF AN ORGANIZATION (CUBAN NATIONALIST ASSOCIATION) WHICH ADVOCATES (A) THE DUTY, NECESSITY OR PROPRIETY OF THE UNLAWFUL ASSAULTING OR KILLING OF ANY OFFICER . . . OF AN ORGANIZED GOVERNMENT (CUBA) . . . (B) THE UNLAWFUL DAMAGE, INJURY OR DESTRUCTION OF PROPERTY . . . OR (C) SABOTAGE."

THE DEPARTMENT CHARGED FURTHER: "THERE IS REASON TO BELIEVE THAT YOU SEEK TO ENTER THE UNITED STATES SOLELY, PRINCIPALLY, OR INCIDENTALLY TO ENGAGE IN ACTIVITIES WHICH WOULD BE PREJUDICIAL TO THE PUBLIC INTEREST."

WHILE RIVERO ALREADY IS IN THE UNITED STATES, LEGALLY HE HAS NOT "ENTERED," SINCE HE CAME AS A REFUGEE. CUBAN REFUGEES ARE IN THIS COUNTRY ON A "PAROLE" STATUS.

THE IMMIGRATION CHARGE CONTINUED: "THERE IS REASONABLE GROUND TO BELIEVE THAT YOU PROBABLY WOULD, AFTER ENTRY, ENGAGE IN ACTIVITIES WHICH WOULD BE PROHIBITED BY THE LAWS OF THE UNITED STATES RELATING TO SABOTAGE . . ."

AN ORIGINAL ORDER, SOON AFTER RIVERO'S ARREST, TO EXCLUDE HIM FROM THE UNITED STATES, WAS SET ASIDE BY THE REGIONAL IMMIGRATION OFFICE IN RICHMOND, VA., BECAUSE IT WAS MADE WITHOUT A PUBLIC HEARING.

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