

EB381LA

5 JAN 1967
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LOS ANGELES, CALIF., JAN. 5 (AP)-AN AIR FORCE STAFF SERGEANT ACCUSED OF CONSPIRING TO COMMIT ESPIONAGE WITH A RUSSIAN AGENT WAS ORDERED TODAY TO STAND TRIAL IN ALEXANDRIA, VA.

BUT U.S. DISTRICT JUDGE A. ANDREW HAUK SAID HE WILL NOT SIGN REMOVAL PAPERS FOR HERBERT WILLIAM BOECKENHAUPT, 23, UNTIL JAN. 20 TO GIVE HIS LAWYER TIME TO INVESTIGATE THE CHARGES.

HAUK AUTHORIZED TRAVEL EXPENSES TO VIRGINIA AND A FEE FOR BOECKENHAUPT'S COURT APPOINTED ATTORNEY, BERNARD WINSBERG, AS WELL AS A \$500 FEE FOR LOCAL INVESTIGATION BY WINSBERG.

BOECKENHAUPT HAD ASKED TO BE TRIED HERE. THE JUDGE SAID WINSBERG CAN MAKE A MOTION IN VIRGINIA THAT A "FAIR AND IMPARTIAL TRIAL CANNOT BE HELD IN ALEXANDRIA," AND, FAILING THAT, HE CAN SEEK APPOINTMENT AS ONE OF TWO DEFENSE ATTORNEYS AT THE VIRGINIA TRIAL.

THE GERMAN-BORN AIRMAN, WHO WAS ARRESTED AT MARCH AIR FORCE BASE, RIVERSIDE, CALIF., IS ACCUSED OF CONSPIRING WITH ALEKSEY R. MALININ, ASSISTANT COMMERCIAL COUNSELOR AT THE SOVIET EMBASSY IN WASHINGTON TO DELIVER SECRET CODE INFORMATION TO RUSSIA BETWEEN JUNE 1965 AND LAST OCTOBER.

BOECKENHAUPT WAS STATIONED AT THE PENTAGON AS A COMMUNICATIONS REPAIRMAN, WITH TOP SECRET CLEARANCE FROM APRIL 1964 TO AUGUST 1965.

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