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Sirhan lead A072 no pickup

By NICK PROFITT

Associated Press Writer

LOS ANGELES AP - A brother of Sirhan Bishara Sirhan testified today that he said it was all right with him for police to search the Sirhan home a few hours after Sen. Robert F. Kennedy was mortally wounded. But the mother, who owns it, said she gave no authorization.

And the prosecution in the case of the 24-year-old Jordanian charged with murder in Kennedy's death conceded that officers had no search warrant.

The statements were at a Superior Court hearing on a defense motion to suppress evidence found in the home.

Sirhan's brother, Adel, 29, testified that he told a policeman "something to the effect 'it is okay with me sir'" for a search to be made. He said his mother was at work when officers asked his permission.

The mother, Mary, said: "It is my house. I am buying it." But she said she gave no permission to search it.

Sirhan's attorney contends that when police rummaged through Sirhan's bedroom without a warrant it was exploratory, not pursuant to an arrest, and hence unconstitutional.

Kennedy was shot June 5 just after winning the California Democratic primary election and died a day later. Sirhan, arrested at the scene, faces trial Dec. 9.

Los Angeles police Sgt. William E. Brandt, who headed the search of the home in nearby Pasadena, said Adel, talking to officers at the Pasadena police station, said "we could make the search, but that it was his mother's house" and she was at work. Brandt said he received instructions from superior to make the search. He testified that items taken from the bedroom included two large notebooks, a small brown spiral notebook, a U.S. Treasury Department envelope bearing pencil writing, a filmstrip with three photos of the defendant, a piece of cardboard containing pencil writing, an envelope with a live but damaged .22 caliber cartridge, two physicians' business cards, and two cleaning patches and nitro powder solvent.

Officer Dante A. Lodolo, supporting Brandt's testimony, said another brother, Munir, 21, also said that it was all right as far as he was concerned for the search.

Lodolo added that Adel indicated a belief that Sirhan was involved in the shooting. When told of the circumstances, Lodolo said, "Adel Sirhan bowed his head and said in effect, 'I know,'"

Residents of the home were the mother, Mary, and Sirhan, Adel and Munir. Lodolo said Adel watched as the 30-minute search was made.

Earlier the chief prosecutor in the case, Dep. Dist. Atty. Lynn D. Compton, told the court that "the officers were not armed with a search warrant."

Sgt. Brandt, asked why police wanted to make the search, said "we were interested in evidence of a possible conspiracy."

But he added under questioning that there was no evidence of a conspiracy at that time.

The prosecution had acknowledged previously that it still has no evidence of a conspiracy.

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