

Marcello Enters Plea of Innocence

Carlos Marcello, surrounded by three lawyers and standing before a federal judge for barely five minutes, pleaded not guilty yesterday to an indictment charging him with illegally re-entering the United States.

A federal grand jury had indicted Marcello June 18 for illegal presence in this country.

Marcello, Jefferson Parish rackets figure, was arrested and deported to Guatemala on April 4, 1961. The indictment charges him with re-entering the country without applying for readmission as required by the Immigration and Nationality Act. The indictment says that Marcello is also known as "Calogero Minacori," an alien.

Federal District Judge Herbert W. Christenberry heard Marcello's plea yesterday.

MARCELLO'S lawyers asked for 30 days to file motions and Christenberry granted the request.

The arraignment proceedings originally had been scheduled for Federal District Judge Lansing L. Mitchell. Christenberry explained that Mitchell was absent and that he had been asked to substitute. The case remains, however, on Mitchell's docket.

Marcello, under an order by Christenberry, remains free under \$25,000 bond which he posted after being arrested on the day the indictment was handed down.

After the brief legal proceedings, Marcello and his attorneys, under questioning from newsmen, had no comment. They would not say what motions they plan to file.

ORAL arguments in the case will not be scheduled until after the Marcello's attorneys file their motions in 30 days.

Marcello was represented in court by G. Wray Gill, Jack Wasserman and Michael Maroun. Eric Gissleson represented the U.S. Department of Justice.

Maroun also had no comment about a series of motions attorneys for Marcello filed in federal district court in Houston yesterday seeking to keep Mar-

cello from going to jail on a conviction of punching an FBI agent at New Orleans International Airport in 1966.

Marcello was sentenced to two years in jail and required to pay a \$5,000 fine for the incident. His attorneys asked for a reduction in the sentence and a delay in carrying out the sentence.

THE U.S. Supreme Court turned down Monday a second try by Marcello to get a rehearing on the case. Marcello also has a motion before the Fifth Circuit Court of Appeals to stop the sentence from being carried out.

The 60-year-old Marcello, wearing a dark blue suit, led newsmen, photographers and television camera men in a hectic chase through the corridors of the Wild Life and Fisheries Building, where the federal courtrooms in New Orleans are located. The crush knocked down an elderly man sitting on the steps near the sidewalk on St. Louis Street.

Marcello arrived in the building nearly an hour before the proceedings were scheduled. He rarely spoke.