Prosecutor Says He Got No Data on Attica Defe

By TOM GOLDSTEIN Special to The New York Times

today that his office had re-reach for a disposable paper Attica inmates. ceived no information from cub, which was refilled with anyone regarding the strategy water every 10 minutes or so of the Attica legal defense by a court attendant. team.

Simonetti, appeared tense but clock" since he arrived in Buf-confident as he answered ques- falo Sunday night. On more tions from State Supreme Court than two dozen occasions, he Justice Joseph S. Mattina and asked defense lawyers to relawvers for charged with killing two Attica Two weeks ago, after his inmates. inmates.

investigated charges after the 1971 prison uprising. Mr. Simonetti's office.

But, he said, the investigation said that he did not want to defense team. Mr. Simonetti give details of tiis investigation responded, "Absolutely not" a grand jury now hearing if his office had either authorevidence about possible crimes ized the use of informants in by law-enforcement offfcers.

Aside from this disclosure. the stocky 40-year-old prosecutor answered questioned briskly and politely, often appending sixth day of a hearing that "sir" to his "yes" or "no" responses.

For more than three hours,

he sat rigidly in the witness au of Investigation had preju-hearing to determine if the BUFFALO, April 29 — The stand with his hands clasped in his lap. He moved only to chief Attica prosecutor testified in his lap. He moved only to on charges that he killed two defense of Mr. Stroble. It was

Mr. Simonetti said that he The prosecutor, Anthony G. had been "working around the a defendant peat their questions.

At the end of the day's heHr- that Mr. Simonetti had covered ings, Mr. Simonetti reluctantly up crimes committed by law-disclosed that his office had enforcment officers durin and that after the retaking of the prison, guards had recorded conversa- Bernard S. Meyer was named tions of Attica inmates shortly to conduct an investigation of

But today's hearing was reshowed that these recordings stricted to determining whether had "no pertinsnce or relevance the state prosecution received or importance." Mr. Simonetti information about the Attica because it was a matter before when asked by Justice Mattina the defense camp or received any information about the defense in any other way.

His testimony came on the

informant for the Federal Bure- broadened the scope of the

then that the justice ordered Last week, Justice Mattina Mr. Simonetti to appear.

"The allegation is an extremely serious one and it had to be answered one way or another, " Justice Mattina said today in explaining

