

Marcello

An attorney for Jefferson Parish rackets figure Carlos Marcello said today his client will surrender at Houston this week to begin serving a two-year federal prison sentence.

Anthony Frilou of Houston, who took part in the unsuccessful defense of Marcello on charges of assaulting and intimidating an agent of the Federal Bureau of Investiga-

tion at New Orleans International Airport Sept. 30, 1966, said he might file a motion with the Houston court for reduction of the sentence.

Marcello was contacted by the States-Item today and said he had no comment on the matter.

MARCELLO'S NEW Orleans attorney, G. Wray Gill Sr., said he knows "nothing

about" a Marcello plan to surrender. "I have no comment," Gill said.

The rackets boss was convicted in Houston in 1968 of taking two swings at FBI agent Patrick J. Collins after returning from New York City. Marcello testified at the trial he thought the agent, taking pictures, was a newsman.

In addition to the two-year

term, Marcello was assessed a \$5,000 fine by U.S. District Judge John V. Singleton.

MONDAY, THE U.S. Supreme Court refused to review the conviction.

Frilou's statement came as a surprise, since Marcello's attorneys reportedly were considering filing with the Supreme Court a petition for a

'to Surrender'

rehearing of the decision not to review.

Following the court's decree, Gill said he and Jack Wasserman, leading counsel for Marcello, would have to get their "heads together" on future strategy.

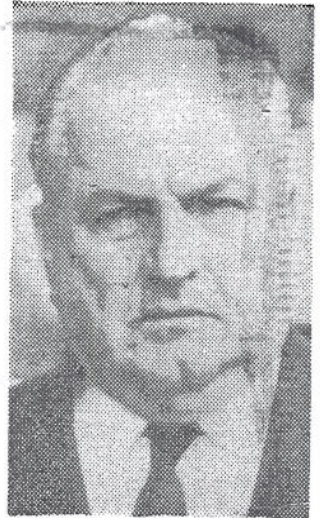
U.S. ATTORNEY Gerald J. Gallinghouse said a petition for a rehearing and stay order would not automatically

suspend execution of the judgment.

Gallinghouse said he was hopeful the Supreme Court would deny any such petition which might be filed so Marcello could start serving his time.

"As the Supreme Court did not suspend execution of this judgment, it will be final unless the court should sus-

See **MARCELLO**—Page 6



CARLOS MARCELLO

Marcello

Continued from Front Page

pend the judgment by a future stay order," said Gallinghouse.

Gallinghouse said he had no information on whether Marcello intended to surrender this week.

MEANWHILE, MARCELLO is still under a deportation order dating back to 1952, based on the fact that he was an Italian national born in Tunis, North Africa. The immigration order declared Marcello an undesirable alien because of a narcotics conviction in federal court here in 1939.