

Chandler Asks Separation of Subpoena Plea

Attorneys for Life magazine writer David Chandler today asked a panel of three federal judges to rescind an order which consolidated suits brought by Chandler and rackets figure Carlos Marcello seeking to block subpoenas issued by the legislative committee investigating organized crime.

Chandler wrote the Life article stating that Marcello exerted great influence in the state. In separate suits, attorneys for Chandler and Marcello have asked to have subpoenas dismissed.

Earlier this week, John V. Parker, an attorney for the legislative committee, succeeded in having U.S. Court Judges John Minor Wisdom and Lansing L. Mitchell consolidate the suits for one hearing.

In an answer filed today, Chandler's attorneys asked that the consolidation order be rescinded on the grounds that lumping the suits together goes against established rules of procedure.

Both suits are to be heard Monday before a three-judge panel of Wisdom, Mitchell and Judge Fred J. Cassibry.

In his request for the consolidation, Parker contended both suits are based on essentially the same contentions and should be heard at once.

The judges' answer could come at the Monday hearing.

Medical Tests Are Conducted On Marcello

Ochsner Clinic officials confirmed today that Jefferson Parish rackets figure Carlos Marcello has been undergoing tests at the clinic all week.

An Ochsner spokesman said the apparent reason for the checkup is so Marcello can gather medical evidence to reinforce the contention of Marcello and his personal physician that he is too sick to serve his two-year federal sentence.

His lawyers filed two motions in Houston on Tuesday seeking to keep Marcello out of prison in conjunction with the 1966 incident at New Orleans International Airport when he struck an agent of the FBI.

One motion asked the judge to consider reduction of the sentence on grounds of Marcello's health and because of alleged provocation by the FBI.

That motion said the incident would never have occurred had the FBI not been harassing Marcello.

Another motion contends the jury that first indicted Marcello was improperly composed, adverse publicity precluded grand jury objectivity and the use of false and

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suppressed testimony invalidates the verdict, judgment and sentence.

The Ochsner official said reports on the clinic's findings are released only to the patient and doctor.

NEW ORLEANS STATES-ITEM