

21 Jan 71

Supreme Court Asked for New Marcello Trial

WASHINGTON (A P) —

Lawyers for Carlos Marcello, Jefferson Parish rackets figure in federal prison, have appealed to the Supreme Court for a new trial claiming the government deliberately suppressed evidence.

Marcello, 60, is serving a six-month sentence at the Springfield, Mo., Medical Center for intimidating an FBI agent at New Orleans International Airport in 1966.

The appeal, filed late yesterday, claimed the prosecution suppressed evidence the FBI caused a harassing convocation of reporters at the airport, staging the circumstances under which Marcello swung a fist at FBI agent Patrick J. Collins. The appeal also contended the government suppressed evidence Collins was drunk that day.

In October the Supreme Court turned down a bail plea from Marcello, clearing the way for his imprisonment. Justice Hugo L. Black and William O. Douglas dissented. Black called the case and circumstances highly disturbing.