

Marcello Ouster

By CHARLES ZEWE

An Italian Foreign Ministry spokesman today said there is no case for Carlos Marcello needing a passport "or any other paper" as a prerequisite for his deportation to Italy.

The move virtually eliminates what U.S. government officials considered a major stumbling block at attempts to boot the 61-year-old rackets figure out of the country and clears the way for a new deportation try.

"There is no case of Marcello needing a passport to return to Italy or any other paper to be issued by Rome au-

thorities," the spokesman said in Rome.

"MARCELLO, WHO IS an Italian citizen, can return to Italy with a signed document, bearing his picture, released by the embassy in Washington."

The portly Marcello, who was released from a federal prison last week after serving a jail term for taking a poke at an FBI agent, has been the target of government deportation efforts since 1953.

Each attempt has been frustrated by lengthy court battles and the reluctance of any country to accept him.

THE STATE DEPARTMENT renewed and intensified its efforts to have Marcello deported in early February and has asked the Foreign Ministry to issue a passport "as a matter of normal procedure," a state department official said today.

The Italian government spokesman said, however, no passport was needed.

He added the Italians cannot force Marcello back to Italy "so he'd have to come back voluntarily."

"OTHERWISE," the spokesman said, "the U.S. could declare him persona non grata, in which case he

Is Eased

would be served with an expulsion order by American authorities and shipped back even without Italian papers."

Officials at the U.S. Immigration and Naturalization Service said they would move immediately to have the "document of identity" issued by the Italian Embassy in Washington.

Charles Gordon, chief legal counsel for the immigration service, said in a telephone interview from his Washington office that his office would speed up its efforts to deport Marcello armed with the decision from Italy.

Marcello was held to be an Italian

citizen in a 1967 Italian court case decision which went unnoticed by government officials until early this year.

"THIS COMES AS A surprise," said Gordon, "and we will move to have the papers issued immediately."

The immigration service attorney said his office also would move to expedite an appeal by Marcello to the U.S. Fifth Circuit Court of Appeals asking that a hearing into his deportation case be reopened.

Last month, the immigration Board of Appeals turned down a request by

Turn to Page 10, Column 1

Deportation Is Eased

Continued from Front Page

Marcello attorneys that the proceedings be reopened and that one of two deportation orders against Marcello be set aside. The board turned down the move as "premature."

"We will probably not try to deport Marcello until his court case is decided," said Gordon, "but we will

move to have the necessary papers readied."

A HEARING DATE ON THE motion by Marcello has not been set. Attorneys have been asked, however, to file briefs in the proceedings.

"We anticipate that Marcello's attorneys will try some new moves to block his deportation even if the court rules," said Gordon. "They're very resourceful."