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COPPOLINO TRIAL BJT 450

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NAPLES, FLA., APRIL 21 (AP)-THE "BATTLE OF THE EXPERTS", AS DEFENSE ATTORNEY F. LEE BAILEY PUT IT, HAS BEGUN IN EARNEST IN THE DRUG MURDER TRIAL OF DR. CARL COPPOLINO.

BAILEY TOUCHED THE BATTLE OFF THURSDAY WHEN HE PUT HIS FIRST EXPERT MEDICAL WITNESS ON THE STAND TO TESTIFY THAT THE DOCTOR'S WIFE, CARMELA, DID NOT DIE OF AN INJECTION OF SUCCINYLCHOLINE.

PROSECUTION EXPERTS, IN SIX DAYS OF TESTIFYING, BACKED UP THE STATE'S CHARGE THAT COPPOLINO MURDERED HIS WIFE WITH A LETHAL INJECTION OF THE PARALYZING DRUG ON AUG. 28, 1965.

PROSECUTORS CLAIM THE 34-YEAR-OLD ANESTHESIOLOGIST WAS IN FINANCIAL TROUBLE AND WANTED TO COLLECT \$65,000 LIFE INSURANCE ON CARMELA AND MARRY A RICH DIVORCEE, MARY GIBSON.

THE FIRST DEFENSE WITNESS, RESEARCH BIOCHEMIST DR. JOHN C. SMITH, SAID HE INJECTED LIVE RATS WITH LETHAL DOSES OF RADIOACTIVE SUCCINYLCHOLINE AND THEN TRACED AND MEASURED IT.

HE SAID HE MADE CHEMICAL TESTS ON TISSUE TAKEN FROM THE TRACK OF A NEEDLE PUNCTURE ON THE DEAD WOMAN'S EXHUMED BODY AND CONCLUDED "THE LEVEL OF CHOLINE WAS NOT CONSISTENT WITH A LETHAL INJECTION OF SUCCINYLCHOLINE."

STATE AND DEFENSE EXPERTS AGREED THAT SUCCINYLCHOLINE RAPIDLY BREAKS DOWN IN THE BODY TO FORM SUCCINIC ACID AND CHOLINE. LARGELY BECAUSE OF THIS, THE DRUG HAS BEEN CONSIDERED UNDETECTABLE AFTER DEATH.

DR. CHARLES J. UMBERGER, CHIEF TOXICOLOGIST FOR THE NEW YORK CITY MEDICAL EXAMINER, TESTIFIED LAST WEEK THAT HE FOUND ENOUGH SUCCINIC ACID IN CARMELA'S BRAIN TO CONCLUDE THAT SHE DIED OF "A TOXIC OVERDOSE" OF THE DRUG.

UMBERGER SAID BECAUSE EMBALMING FLUID IS KNOWN TO FREE LARGE

AMOUNTS OF CHOLINE IN THE BODY, HE GAVE NO THOUGHT TO THE AMOUNT IN THE BODY ORGANS HE TESTED.

ASST. STATE ATTY. WILLIAM STRODE ASKED SMITH IF HE HAD EVER EXTRACTED SUCCINIC ACID FROM THE BODY OF A HUMAN OR A RAT. "NO," SAID SMITH.

"THEN", STRODE CONTINUED, "YOU JUST DISAGREE WITH DR. UMBERGER ON PRINCIPLE?"

"YES," SMITH REPLIED. STRODE ASKED JUDGE LYNN SILVERTOOTH TO STRIKE ALL OF SMITH'S TESTIMONY FROM THE RECORD. THE JUDGE SAID HE WOULD ACCEPT "FOR ITS VALUE" AND RULE ON ADMISSABILITY LATER.

SMITH, HEAD OF ANESTHESIOLOGY RESEARCH AT NEW YORK'S MONTEFIORE HOSPITAL, TOOK THE STAND BEFORE THE STATE HAD COMPLETED ITS CASE. BOTH SIDES AGREED TO LET HIM DO THIS FOR PERSONAL CONVENIENCE.

COPPOLINO RETURNED TO THE COURTROOM IN APPARENT GOOD SHAPE AFTER COMPLAINING OF ILLNESS PRIOR TO MORNING RECESS. HIS COMPLAINT CAUSED SOME CONSTERNATION IN VIEW OF HIS PREVIOUS HOSPITALIZATION FOR SELF-DIAGNOSED HEART ATTACK.

COPPOLINO CLAIMED \$22,000 A YEAR DISABILITY INSURANCE IN 1962, STATING HE SUFFERED FROM CORONARY ARTERY DISEASE. THE STATE HAS QUESTIONED THAT HE HAS A HEART CONDITION, AND SAID IT WILL PRODUCE EVIDENCE TO THE CONTRARY.

BAILEY TOLD THE COURT MONDAY, AFTER JUDGE SILVERTOOTH REFUSED TO RULE THE TESTIMONY OF THE STATE'S WITNESSES INADMISSABLE, THAT THE STAGE WAS SET FOR "A BATTLE OF EXPERTS."

HE SAID HE WOULD CALL UP ENOUGH WITNESSES TO "ABSOLUTELY BURY THE NOTION THAT A GUILTY VERDICT COULD BE REACHED IN THIS CASE."

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