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# ROSENBERG'S DATA REPORTED MISSING

## Sobell Sues to See 'Lost' Exhibits in Spy Case

By PETER KIHSS

The United States Attorney's office has said that Government exhibits in the case of Julius and Ethel Rosenberg, who were executed in 1953 for conspiring in atomic espionage, have disappeared, according to a suit filed in Federal Court yesterday.

An application for a writ of mandamus to allow an inspection of 10 exhibits by Morton Sobell was filed by Burt Neuborne of the American Civil Liberties Union Foundation. Mr. Sobell asserts that he is innocent of a conspiracy to transmit any defense information to the Soviet Union, despite his conviction during the Rosenberg trial in 1951.

Mr. Sobell, who served 17 years and nine months of a 30-year sentence, is required to report to the United States Board of Parole until 1981.

The new case at issue involves how long exhibits must be retained. Several legal experts said informally yesterday that they believed there was no specified time limit.

United States Attorney Paul J. Curran would say only that a response to the new suit would be made in due course.

### Incredulity Expressed

In the application, Mr. Neuborne said Mr. Sobell had on numerous occasions within the last year sought to inspect the Government exhibits. The application said that finally Chief Assistant Silvio J. Mollo told Mr. Neuborne on March 25 in a telephone conversation that "the exhibits in the Rosenberg case could not be found."

"When counsel expressed incredulity that the records of perhaps the most notorious criminal prosecution in recent years could become lost," the petition went on, "Mr. Mollo reiterated that the records were not available."

"Counsel thereupon requested Mr. Mollo to inform him of the nature of the search which had been made and to inform him of the steps which would be taken to find the 'lost' Rosenberg exhibits. Mr. Mollo declined to do so."

Mr. Sobell, now a medical electronics engineer, said he hoped he "might be able to prove an exhibit a fraud." The 10 exhibits he seeks include four sketches that David Greenglass, the chief prosecution witness, testified were replicas of drawings he had made to give to Julius Rosenberg or Harry Gold, as a spy courier.