

2 Exiles' Bond Plea

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Is Refused

Federal investigators are deliberately concealing a confession to murder and attempted kidnaping that would clear two Cuban exiles sought by Mexico, lawyers for the two told a U.S. Magistrate Friday.

But a federal prosecutor charged that the passports of the two exiles, Gustavo Castillo, 31, and Gaspar Jiménez Escobedo, 42, appear to link them to several anti-Castro bombings in Latin America.

Both men were denied bond after a hearing Friday before U.S. Magistrate Charlene Sorrentino. The judge ruled that persons held for extradition could not be released on bond except under unusual circumstances.

DEFENSE ATTORNEYS for the two men said they would appeal the ruling immediately to the U.S. Fifth Circuit Court of Appeals in New Orleans.

Castillo and Jiménez have been accused by Mexico of taking part in a July 23, 1976, attack on the Cuban consul in Merida, Mexico.

While poster-carrying sympathizers marched outside the federal courthouse and friends and family crammed the small magistrate's courtroom, defense attorneys argued that, because the two men are American citizens, they are entitled to a full hearing on all the evidence allegedly collected against them by Mexican authorities.

Defense attorney Jeff Weiner told Judge Sorrentino that Assistant U.S. Attorney Jerome Sanford has a full confession from Orestes Ruiz Hernández, a prisoner in Mexico, to the killing of Artañán Díaz Díaz, bodyguard to Cuban consul Daniel Ferrer Fernández.

WEINER SAID that Ruiz had confessed to the killing and attempted kidnaping of Ferrer and said that no one else was involved in the attempt.

Mexican authorities have charged that Ruiz, Jiménez and Castillo took part together in the attack.

Ruiz and Jiménez were arrested shortly after the incident by Mexican authorities. Castillo allegedly escaped and fled to Texas. In March 1977, testimony at Friday's hearing showed, Jiménez escaped from a

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— JOHN PINEDA / Miami Herald Staff

Dr. Fernandez Riquer Takes a Break ... he and others picketed Federal Building

jail in Mexico City and returned to his home in Miami, where he has remained until arrested this week.

Sanford replied that the purport-

ed confession by Ruiz had since been repudiated and replaced by a statement involving Castillo and Jiménez in the attack.

Weiner and defense attorneys Edward O'Donnell and Donald Spain said they are prepared to show that Ruiz has been subjected to torture to extract a confession from him.

"WE CAN show that he was given electric shocks," Spain said after the hearing.

The defense attorneys also argued that, because Castillo and Jiménez are U.S. citizens, this country is not obligated to return them to Mexico under the terms of the 1899 treaty.

"We are entitled to a full hearing on all the evidence," Weiner told Judge Sorrentino.

Sanford told the judge that the men should not be released on bond, because they are wanted for a capital crime in Mexico.

The prosecutor also told the court that Castillo's passport, for example, which was seized by Mexican authorities, shows that he was in Costa Rica in February 1976, when the Russian embassy was bombed, and in Jamaica on two occasions when planes serving Cuba were bombed.

Judge Sorrentino said she would rule later on whether the two men could be released on bond, pending the full extradition hearing.

MEANWHILE, protesters outside the courthouse, some of whom had never met the two accused, said that if the two men were extradited to Mexico they would be sent to Cuba and shot.

"I'm here for Cuba and to let the American people know that if these two men, who are American citizens, are extradited to Mexico, it is more than probable that Mexico would then send them to Cuba," asserted Rafael Ubeda, who knew neither accused.

Both Jiménez' wife, Carmen, and Castillo's mother, Laura Pérez, were in the courtroom, crying and praying. "I'm still hopeful. This country cannot talk as much as it does about human rights and send my boy and this man to Mexico. They (U.S. authorities) know that Mexico would send them to Cuba, where they would be shot. My son served and defended this country in the Army. His only crime, if that is one, is that he would like to see Cuba free," Castillo's mother said after the hearing.