

3/31/93 A12

Newspaper appeals denial of court records in murder

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THE ASBURY PARK PRESS yesterday filed an appeal of a federal court judge's refusal to unseal records relating to what the newspaper believes is a guilty plea of a Miami man in the slaying of an Asbury Park woman.

Judge John E. Sprizzo of the Southern District of New York, in a sealed ruling last week, ruled against the newspaper in its request to review records in the case of Marcus Cojab.

Cojab is charged with ordering the August 1990 murder of Deborah Owens, 37, in Ocean Township. Owens was believed by Monmouth County authorities to have been a courier in an international cocaine ring run by Cojab.

Cojab was charged in Monmouth County and faced a possible death sentence until the federal government superseded in the case last year. Federal authorities are not seeking the death penalty. Cojab had been scheduled to plead guilty last October, but the plea

hearing was abruptly canceled after reporters objected to what they believed were plans to close the public hearing.

The Press believes Cojab pleaded guilty on Feb. 2. The newspaper filed a motion March 25 seeking the records.

The government has refused to disclose the reason for the secret proceedings or to acknowledge that a plea has occurred. Sprizzo allowed the Justice Department to submit its briefs in response to the Press' motion under seal.

Yesterday, in court papers, Press lawyer Richard P. O'Leary said, "The Press seeks an expedited appeal because the secretive and procedurally defective method by which the District Court ordered the closure of the proceedings below has created a substantial risk of denying The Press and its readers access to newsworthy information until it is no longer newsworthy without ever having publicly set forth the reasons for such a curtailment of First Amendment rights."