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PROVIDENCE, R.I.

Attorney General Dennis J. Roberts II asked the state Supreme Court Thursday to deny parole eligibility to convicted mob hit man Maurice ''Pro'' Lerner until 1989.

Lerner, 47, formerly of Brookline, Mass., once was linked to a purported CIA plot to have Fidel Castro killed in the 1960s.

Lerner is serving two consecutive life terms for slaying Rudolph Marfeo and Anthony Melei in a local market in 1968. Reputed Mew England mob boss Raymond L.S. Patriarca was convicted of conspiracy for ordering the killings.

Lerner's lawyer told the justices Thursday that a Superior Court judge ruled correctly that corrections officials violated his client's constitutional rights by telling him he would not be eligible for parole until 1989.

Roberts urged the court to reverse the decision that makes Lerner eligible for parole at any time. If Lerner wins, it will mean he can be considered for a parole hearing, not that he will be released automatically.

Lerner argued that while he was serving his sentence, the state Parole Board and corrections officials told him he would be eligible for parole in 1979. But in January 1980, Lerner says, he was told he wouldn't be eligible until 1989.

He claims a new rule on parole eligibility, requiring an inmate to serve 10 years on each life sentence, was applied retroactively in violation of the U.S. Constitution.

Robert M. Bonin of Boston, Lerner's lawyer, said the constitution bars the state from changing the parole bill during a sentence. Bonin said the law in effect when Lerner was sentenced requires him to serve only 10 years before eligibility.

But Roberts argued that at the time of the murder, state law required someone serving two consecutive life sentences to serve 20 years before being eligible for parole. The fact that Lerner was told he would be eligible in 1979, but was later told otherwise, is not a constitutional violation, Roberts said.

''The state was not inflicting any greater punishment on him than the law required at the time he committed the double murder,'' Roberts said.

He also argued that Parole Board interpretations of laws on parole eligibility do not have the force of law within the meaning of the U.S. Constitution.

In 1978, mobster-turned-federal witness Vincent ''Fat Vinnie'' Teresa linked Lerner to an alleged CIA plan to assassinate Cuban Premier Fidel Castro for $4 million.

In a federal court deposition, Teresa said he was present in the early 1960s when Patriarca and his then No. 1 lieutenant, Henry Tameleo ''picked Maurice 'Pro' Lerner to do the work.''

At the time, Patriarca called Teresa's claim ''crazy.''

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