DAILY NEWS

New York, Saturday, November 5, 1977

News photo by Leonard Detrick

Tastes Better Than It Wears. Frank Sturgis tries out pie that Aaron Kay failed to smash in his face outside Criminal Court yesterday. Watergate burglar Sturgis was cleared of threatening former spy Marita Lorenz to keep her quiet.

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Tape Evidence Erases Case Against Sturgis

By ROBERT CRANE and OWEN MORITZ

Watergate burglar Frank Sturgis was cleared of all charges yesterday that he had threatened a former CIA spy in an effort to deter her from testifying before a congressional assassination committee.

An assistant Manhattan district attorney told a hearing in Criminal Court that he examined seven tape recordings between Sturgis and the woman, Marita Lorenz, and found "they contain no threats."

There were also some fun and games outside the courthouse. En route to his appearance, Sturgis was confroonted by pie-thrower Aron Kay.

Pie Man Charged

Sighting the bearded Kay, Sturgis, an ex-marine, stepped aside while his companion, Harold Nelson, checked Kay's arm.

The pie fell to the ground in a splatter, and Kay allegedly took some blows before a transit policeman appeared and slapped handcuffs on him.

Kay, who has partly or fully creamed Mayor Beame, Sen. Daniel P. Moynihan and several Watergate figures and calls his hobby "an act of political expression" in the tradition of the Marx Brothers, was taken to the Fifth Precinct station. He was charged with harrassment and resisting arrest.

Sturgis, 53, served a prison term for his part in the June 17, 1972, break-in at the Democratic National Committee headquarters in the Watergate complex.

His latest troubles came Monday night when police charged him with coercion and harassment after he appeared at Miss Lorenz' 18th-floor East Side apartment.

She said Sturgis had threatened her after she reportedly testified that he was involved with Lee Harvey Oswald, the assassin of President Kennedy. Sturgis has denied any part in a conspiracy.