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Fairfax Prosecutor Seeks U.S. Data on CIA Break-In

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Fairfax County Commonwealth's Attorney Robert F. Horan Jr. said yesterday he has asked the Justice Department to provide him with its files on the 1971 Central Intelligence Agency break-in at a Fairfax City photography studio.

Horan said he also has asked to see the department's files on a meeting in Virginia that the late mobster Sam Giancana reportedly held with others in 1961 to plan the assassina-

tion of Cuban Premier Fidel Castro.

The prosecutor said he has determined from his investigation that the break-in at Roland studio, at 10419 Main St., involved illegal entry, which he said is a misdemeanor with a one-year statute of limitation that expired in 1972.

According to the Rockefeller commission, which investigated CIA activities last year, the CIA wanted to photograph papers in the studio, which was operated by former CIA part-time em-

ployee Deborah Fitzgerald and the man she later married, former Castro government propaganda official Orlando Nunez.

Horan said he wants to make sure that the break-in did not involve a felony that still would be punishable. "I'm not suggesting that other evidence is there," Horan said, "but I want to make sure."

Horan said he has read news accounts of a meeting that was reportedly held in Virginia between Giancana and others to plan an assassination attempt against Castro.

"I can't imagine Sam Giancana arriving at Dulles Airport," Horan said. However, he said he wanted to see the files to make sure no conspiracy to commit murder was planned in the area.

Horan said he wrote the Justice Department on Tuesday, after the department's decision was announced last week to drop possible criminal charges against former CIA Director Richard Helms, other CIA officials and Fairfax City police involved in the studio break-in. He said he has not yet received any response to his letter.