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**WATERGATE FIGURE  
FIGHTS NEW CHARGE**

MIAMI, Sept. 4 (AP)—The attorney for Frank A. Sturgis, a Watergate burglar, said today that he would subpoena records to prove that his client was engaged five years ago in undercover work against Cuba and was not involved in a stolen car ring.

Sturgis, 48 years old, is in the Dade County jail awaiting arraignment on three counts alleging conspiracy and car smuggling into Mexico in 1968.

Ellis Rubin, Sturgis' attorney, said he planned to subpoena records of United States security agencies and embassies.

Sturgis was transferred last week from a Danbury, Conn., Federal prison where he was serving a provisional 40-year sentence for the Watergate break-in.

Mr. Rubin said that Sturgis had been engaged between 1959 and 1968 in "open and underground activities" furnishing "valuable intelligence information" for the United States about Cuba.

The Federal indictment returned against Sturgis early in August contends that he and five other men had driven rented cars from the United States into Mexico and had sold them illegally.