



ARCHIBALD COX
... cites "risk of flight"

Cox Opposes Bail For 5 in Break-In

United Press International

Watergate Special Prosecutor Archibald Cox asked the U.S. District Court yesterday to deny motions for bail by E. Howard Hunt Jr. and four Miami-area men who pleaded guilty to burglarizing the Democratic National Committee headquarters.

The men are seeking release

from jail pending imposition of final sentences for their part in the June 17, 1972, break-in at the Watergate.

All have asked withdrawal of their guilty pleas. The Cox brief said Hunt's arguments "in support of that motion are frivolous on their face."

"Because of the absence of a likelihood of success to the motion to withdraw the guilty plea, it would be especially appropriate to deny bail," the brief said.

Of the other four, the brief noted their desire to change their guilty pleas but said "the best resolution" would be "a speedy determination of those motions rather than . . . post-conviction releases which would provide a natural incentive for delay."

Cox's brief said each of the defendants has a prior history that indicates the "repeated use of aliases, false identifications and false documents" as well as work in foreign undercover activities and "significant contact" with underground organizations.

"It would hardly be unreasonable to conclude that defendants, if released, would have continued access to those phony credentials, or to the source of new credentials, which would increase immeasurably the risk of flight,"

Cox's brief said.

In addition Hunt, the four Miamians seeking release are Bernard Barker, Virgilio Gonzalez, Eugenio Martinez and Frank Sturgis.