

2024

Classified E.O. 12356 Section 3.3/HND No.

785016

ACC

10000/142/569
(VOL. 2)

2025

Declassified E.O. 12356 Section 3.3/NND No. 785016

142/569
2)

REVIEW OF AMG CASES, CORRESPONDENCE
FEB., MAR. 1944

785010

103/4383/1A.

vol. 2

Opened : 1st March 44 No. 134

Closed : 31 March 44 No. 386

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ACC

SUBJECT : REVIEW OF A.M.C. CASES - CORRESPONDENCE

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2027

Declassified E.O. 12356 Section 3.3/NND No.

735014

SUBJECT : REVIEW OF A.M.G. CASES - CORRESPONDENCE

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1000/142/569

THIS FOLDER

CONTAINS PAPERS

FROM FEB - 1944

TO MAR - 1944

CATALOGUE -

FOUO	DATE	F/ equals FROM.	REF	SUBJECT
277	18 Mar 44	F/ Asst Adj. Reg.	ETK/PV 3/6071/L	Transmission of cases.
278	19 Mar. 44	" " " "	ETK/PV 3/6135/L	" " " "
279	20 Mar. 44	" " " "	" " " "	" " " "
280	21 Mar. 44	" " " "	" " " "	" " " "
281	21 Mar. 44	" " " "	" " " "	" " " "
282	21 Mar. 44	" " " "	" " " "	" " " "
283	22 Mar. 44	F/ RLO Region II	2201/59/11	Cinola Nicole
284	22 Mar. 44	" " " "	" " " "	Alterio Gaetano
285	22 Mar. 44	" " " "	" " " "	Letter to RLO Region III
286	22 Mar. 44	" " " "	" " " "	Giolfi and Cantarella
287	22 Mar. 44	F/ Prov. Legal Officer Avellino	ABG/At	PORCELLI STANISLAO
289	23 Mar. 44	F/ Asst Adj. Region III	ETK/PV 3/6135/L	Transmission of cases
290	24 Mar. 44	" " " "	ETK/PV 3/6071/L	MARA VITO Vincenzo
291	27 Mar. 44	T/ RLO Reg V	ETK/PV 3/6135/L	Mato Vincenzo
292	25 Mar. 44	F/ Asst Adm. Reg. III	280/13/CA	Transmission of Cases
293	25 Mar. 44	F/ R.C. & M.C. Section ACC	" " " "	LoPiano Salvatore
294	27 Mar. 44	T/ " " " "	" " " "	" " " "
295	29 Mar. 44	T/ Prov. Comm. Salerno	" " " "	Salerno Giuseppe
297	23 Mar. 44	T/ RLO Reg. III	" " " "	MANGILLO Angelo
299	23 MAR 44	T/ CHIEF COM. - see volume file	" " " "	PALESSE ITALO 4083/1/14
300	23 MAR 44	T/ SCAD 5TH ARMY	" " " "	" " " "
301	18 MAR 44	F/ Asst Adj. Reg. III	ETK/PV 3/6071/L	TRANSMISSION OF CASES.
303	28 MAR 44	F/ RLO Reg II (TO NO Section)	2201/55/A	Captain Dominici
304	13 Mar. 44	F/ RLO Reg. II	2201/55/G	Review of Grotoneo Giorgi
305	15 Mar. 44	F/ Asst Adj. Reg. III	" " " "	Transmission of cases.
306	17 Mar. 44	F/ RLO Reg. V.	R5/511/14	Petitions for Review
307	20 Mar. 44	F/ SLO 8th Army - (Recd. with)	V. 154	Rucci Rosalia
308	22 Mar. 44	F/ PLO Puglia Prov.	F/P 3067	Sporco II Giuseppe
309	22 Mar. 44	F/ SLO 8th Army	C.P./Legal/18	Malone Giuseppe di Pietro
310	22 Mar. 44	" " " "	" " " "	Palasca & DiFrangia
311	23 Mar. 44	" " " "	" " " "	Receipt of J. 4.
312	" " " "	" " " "	" " " "	Salimpoio Michele di Domenico
313	23 Mar. 44	F/ SLO 8th Army	C.P./Legal/18	Lazzaro Matteo
314	24 Mar. 44	F/ " " " "	C.P./Legal/18	Floritto Alfonso
315	28 Mar. 44	F/ Asst Adj. Reg. III	ETK/PV 3/6135/L	Transmission of cases
316	27 Mar. 44	F/ LO Salerno	208/CA/13	Receipt of J. 4
317	27 Mar. 44	SLO 5th Army	208/CA/3	Receipt of J. 5
318	27 Mar. 44	Lt. Col. Parker (from)	" " " "	Secret trial of Tedesco & Tapor

303 28 MAR 44 F/ RC Reg II (TO MG Section) 2201/55/H Captain Domenico

304 13 Mar. 44 F/ RLO Reg. II
 305 15 Mar. 44 F/ Ass't adj Reg. III
 306 17 Mar. 44 F/ RLO Reg. V.
 307 20 Mar. 44 F/ SLO 8th Army - (Rec'd with)
 308 22 Mar. 44 F/ PLO Foglia Prov.
 309 22 Mar. 44 F/ SLO 8th Army
 310 22 Mar. 44 " " "
 311 23 Mar. 44 " " "
 312 " " " " "
 313 23 Mar. 44 F/ SLO 8th Army
 314 24 Mar. 44 F/ " " "
 315 23 Mar. 44 F/ Ass't Adj. Reg. III

316 27 Mar. 44 F/ LO Salerno
 317 27 Mar. 44 SLO 5th Army
 318 27 Mar. 44 Lt. Col Parker (from)
 319 27 Mar. 44 F/ Major Haugh.
 320 28 Mar. 44 F/ RLO Reg. II
 321 29 Mar. 44 F/ slo 6th Army
 322 30 Mar. 44 F/ RLO Reg. I
 323 31 Mar. 44 F/ SLO 5th Army
 324 31 Mar. 44 T/ SLO 8th Army
 325 31 Mar. 44 T/ PLO Foglia
 326 31 Mar. 44 T/ SLO 8th Army

2201/55/G
 R5/511/14
 V. 154
 F/P 3067
 C.P./Legal/ 18 Malone Giuseppe di Pietro
 " " " " Palasca & DiFrangia
 " " " " Receipt of J. 4.
 C.P./ Legal/10 Salupao Michele di Domenico
 C.F./Legal/13 Lazzaro Matteo
 C.P./Legal/15 Fioritto Alfonso
 EHC/PV
 3/0130/L
 208/CA/13
 208/CA/3
 " "
 2201/58/1
 C.P./Legal/18
 013.031/FLV
 208/CA/13

Review of Crotonese Giorgi
 Transmission of cases.
 Petitions for Review
 Rucci Rosaria
 Sparte li Giuseppe
 C.P./Legal/ 18 Malone Giuseppe di Pietro
 " " " " Palasca & DiFrangia
 " " " " Receipt of J. 4.
 C.P./ Legal/10 Salupao Michele di Domenico
 C.F./Legal/13 Lazzaro Matteo
 C.P./Legal/15 Fioritto Alfonso
 EHC/PV
 3/0130/L
 208/CA/13
 208/CA/3
 " "
 2201/58/1
 C.P./Legal/18
 013.031/FLV
 208/CA/13

Transmission of cases
 Receipt of J. 4
 Receipt of J. 4
 Secret trial of Tedesco & Tapoli
 " "
 Index of death sentences
 Sazzaro Matteo
 Index of death sentences
 J. 4 receipt
 Spallini Pietro
 Sportelli Giuseppe
 Sivilla Pasquale

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Foglio	Date	To/From	Ref	Subject
210	4 mar. 44	F/Reg. III Lt. Batson Adj.	U-1112	List of cases
211	5 mar. 44	F/Reg. III Lt. Batson Adj.	n/c	List of cases
212	7 mar. 44	F/Reg. III Lt. Batson Adj.	n/c	List of cases
213	8 MAR 44	F/Reg. III Lt. Batson Adj.	n/c	List of cases
214	8 MAR 44	F/Reg. III - PROV. I.O. AVALINGO - n/c	n/c	PAT. FOR LIBERTY (CONVICTS)
215	10 MAR 44	F/Reg. III O.W. CAMPBELL - n/c	n/c	List of cases
216	12 MAR 44	F/Reg. III LT. BAKER A/ADJ. - n/c	n/c	List of cases
217	14 MAR 44	F/Reg. III LT. BAKER A/ADJ. - n/c	n/c	List of cases
218	13 MAR 44	F/Reg. III LT. BAKER A/ADJ. (n/c)	n/c	APPLICATION FOR PARDON
219	15 MAR 44	F/Reg. III LT. BAKER A/ADJ. (n/c)	n/c	LIST OF RETURNED J.V.
220	13 mar. 44	F/Reg. II RLO	2201/56/G	Montone Ugo & Tancredi-etc
221	14 mar. 44	F/Reg. III Lt. Baker A/adj	n/c	List of cases on review
222	16 mar. 44	Rlo reg. 3	0A/13	Cagizano, case of
223	6 mar. 44	F/Reg. III SLO 8th army	0A/13	Records
224	16 mar. 44	SLO 8th army	2201/56/G	Records
225	16 mar. 44	Reg. II rlo	2201/56/G	case of Cinola nicola
226	7 mar. 44	Reg. 2 rlo	2201/56/G	Cinola nicola
227	16 mar. 44	Reg. 3 rlo	2201/56/G	Porecelli & others
228	16 mar. 44	Reg. 3 rlo	2201/56/G	Visanno F. & Tavalario A.
229	16 mar. 44	Reg. 3 rlo	2201/56/G	Castaldo & Cangiano (4 def.
230	16 mar. 44	Reg. 3 rlo	2201/56/G	adinoifi & others.
231	17 mar. 44	SLO 8th army	2201/56/G	Belliaario Giovanni
232	17 mar. 44	Reg. 3 rlo	2201/56/G	Indolo Armando etc.
233	17 mar. 44	Reg. 3 H.Q.	2201/56/G	Decisi n or Chief Com.
234	17 mar. 44	Reg. 3 RLO	2201/56/G	Fortunato adrea.
235	10 mar. 44	F/Reg. 5 RLO	R/5/511/15/A	Form 4's
236	10 mar. 44	F/ SLO Naples	R/5/511/15/A	In re quashing of sentences.
237	14 mar. 44	F/ RLO Reg. III	3/6071/L	Review of cases
238	14 mar. 44	F/ RLO Reg. II	2201/55/G	Pissano, Matruecci etc.
239	11 Mar. 44	RLO Reg. II	2201/55/G	Prattico Pasquale
240	18 mar. 44	Rlo Reg. II	2201/55/G	Monterdonul Riots
241	19 mar. 44	Rlo Reg. II	2201/55/G	Monterdonul Riots
242	18 Feb. 44	F/ CAO DIM. Campobasso	2201/55/G	Request of Review of Catani
243	19 mar. 44	SLO AMG. 5th Army	2201/55/G	CATANIA Giuseppe
244	3 mar. 44	F/ Catania Prov. Leg. Off.	2201/55/G	CATANIA Giuseppe
245	9 mar. 44	F/ RLO reg. I	2201/55/G	Bonassera Giuseppe
246	19 mar. 44	RLO Reg. I	2201/55/G	Form 4's
247	17 mar. 44	F/ Dept Commissioner	2201/55/G	Form 4's
248	12 mar. 44	F/ PC. Siracusa	2201/55/G	Silvestrino Ignazio & others
249	19 mar. 44	F/ A.P.C. Legal Salerno	2201/55/G	ALTERIO Gaetano
250	19 mar. 44	RLO Reg. III	2201/55/G	Giuseppe Alfredo
251	19 mar. 44	RLO Reg. II	2201/55/G	Record of Sumary Ct Proceed
252	19 mar. 44	RLO Reg. III	2201/55/G	Merenda, Di Lorenzo & Goggia
253	14 Feb. 44	F/ SLO 8th army	0A/13/	Record of Sumary Ct Proceed
254	16 Feb. 44	F/ SLO 8th army	0A/13/	Merenda, Di Lorenzo & Goggia
255	20 mar. 44	RLO Reg. III	0A/13/	Merenda, Di Lorenzo & Goggia

230	16 mar. 44	Reg. 3 rlo	Reg. 3 rlo	R/5/511/15/A	Ballisario Giovanni
231	17 mar. 44	SLO 8th army	SLO 8th army		Iandolo Armando etc.
232	17 mar. 44	Reg. 3 rlo	Reg. 3 rlo		Decision of Chief Com.
233	17 mar. 44	Reg. 3 H.Q.	Reg. 3 H.Q.		Fortunato adrea.
234	17 mar. 44	Reg. 3 RLO	Reg. 3 RLO		Form 4's
235	10 mar. 44	F/ Reg. 5 RLO	F/ Reg. 5 RLO		In re quashing of sentences.
236	10 mar. 44	F/ SLO Naples	F/ SLO Naples		" " " " " "
237	10 mar. 44	" " " "	" " " "		" " " " " "
238	14 mar. 44	F/ RLO Reg. III	F/ RLO Reg. III	3/6071/L	Review of cases
239	11 Mar. 44	F/ RLO Reg. II	F/ RLO Reg. II	2201/55/C	Pisano, Matrucchi etc.
240	18 mar. 44	RLO Reg. II	RLO Reg. II		Prattico Pasquale
241	19 mar. 44	RLO Reg. II	RLO Reg. II		Monterdonui Riots
242	18 Feb. 44	F/ CAO DIM. Campobasso	F/ CAO DIM. Campobasso		Monterdonui Riots
243	19 mar. 44	SCAO AMG. 5th Army	SCAO AMG. 5th Army		Request of Review of Catani
244	3 mar. 44	F/ Catania Prov. Leg. Off.	F/ Catania Prov. Leg. Off.	013.043/HD	CATANIA Giuseppe
245	9 mar. 44	F/ RLO Reg. I	F/ RLO Reg. I		CATANIA Giuseppe
246	19 mar. 44	RLO Reg. I	RLO Reg. I	3/53/CA	Bonnesera Giuseppe
247	17 mar. 44	F/ Dept Commissioner	F/ Dept Commissioner	POS/23	Form 4's
248	12 mar. 44	F/ PC. Siracusa	F/ PC. Siracusa		Form 8's
249	19 mar. 44	F/ A.P.C. Legal Salerno	F/ A.P.C. Legal Salerno		Silvestrino Ignazio & others
250	19 mar. 44	RLO Reg. III	RLO Reg. III		ALTERIO Gaetano
251	19 mar. 44	RLO Reg. II	RLO Reg. II		Giuseppe Alfredo
252	19 mar. 44	RLO Reg. III	RLO Reg. III		Record of Summary Ct Proceed
253	14 Feb. 44	F/ SLO 8th army	F/ SLO 8th army	0A/13/	" " " " "
254	16 Feb. 44	F/ SLO 8th army	F/ SLO 8th army	0A/33/	Merenda, Di Lorenzo & Gaglia
255	20 mar. 44	RLO Reg. III	RLO Reg. III		Pietraroia, Nicola & Cel.
256	20 mar. 44	RLO Reg. V.	RLO Reg. V.		Testa Gennaro
257	20 mar. 44	RLO Reg. III	RLO Reg. III		Terraciano R. & S.
258	20 mar. 44	RLO Reg. III	RLO Reg. III		Di Porzio & others
259	20 mar. 44	RLO Reg. II	RLO Reg. II	2201/56/C	Petrone Pietro
260	3 mar. 44	F/ SLO/Prov. campobasso	F/ SLO/Prov. campobasso	C.P./Legal/4	Pietraroia N. & C (256)
261	8 mar. 44	F/ Reg. II	F/ Reg. II	2201/56/C	Petrone Pietro & Salsano M.
262	13 mar. 44	F/AP.C Legal off.	F/AP.C Legal off.	no ref.	J. 4s
263	21 mar. 44	RLO Reg. V.	RLO Reg. V.		Ariemma Saverio
264	22 mar. 44	RLO Reg. III	RLO Reg. III		Viva Giuseppe & Agata Gen.
265	22 mar. 44	RLO Reg. III	RLO Reg. III		De Rosa & others.
266	23 mar. 44	RLO Reg. III	RLO Reg. III		Cimmino Gaetano
267	23 mar. 44	RLO Reg. IV.	RLO Reg. IV.		Complaint on misdirected D.
268	23 mar. 44	RLO Reg. IV.	RLO Reg. IV.		" " " " " "
269	6 mar. 44	RLO Reg. IV.	RLO Reg. IV.		Misdirected cases.
270	24 mar. 44	SLO 8th army	SLO 8th army		Giannalchele & others.
271	24 mar. 44	RLO Reg. III	RLO Reg. III		Scognamiglio Andrea
272	24 mar. 44	RLO Reg. III	RLO Reg. III		La Rocca Fran.
273	24 mar. 44	F/ 9-10 Reg. IV	F/ 9-10 Reg. IV		Della Corte at others
274	17 mar. 44	RLO Reg. III	RLO Reg. III		Scognamiglio
275	24 mar. 44				

MINUTE SHEET

ACC/4083/1/L
Vol. 2 opened 1 Mar. 44

FOLIO	DATE	TO/FROM	REF.	SUBJECT.
134	1 Mar. 44	Reg. I		Spinelli S.
135	1 Mar. 44	SLO, 8th army		Dott. Tolero R.
136	1 Mar. 44	Reg. I		DiMarzo & Aniceto
137	1 Mar. 44	Reg. I		Salvaggio S.
138	1 Mar. 44	Region II		Montone, Colangelo & Rufo, Delucia
139	2 Mar. 44	Reg. I		Zappardo P.
140	2 Mar. 44	Reg. III		Return of cases.
141	23 Feb. 44	PSLO Chieti	CH/Legal/69	BOSCH & BENDA
142	2 Mar. 44	SLO 5th army		Rossi Luigi.
143	2 Mar. 44	SLO 5th army		Sabatini Michele
144	2 Mar. 44	SLO 5th army		Griffo Saverio
145	3 Mar. 44	PSLO 8th Army		D'Amelio Luigi
146	3 Mar. 44	Region III		DiPorzio Mario
147	5 Mar. 44	Region I		Cutalea, & Dell'Aria
148	5 Mar. 44	Reg. I		Cargano Ercole
149	5 Mar. 44	Reg. III		Di Porzio Mario
150	5 Mar. 44	MS, A.F.H.Q.		Ustica Commission
151	5 Mar. 44	Reg. III		Graziadei Corrado
152	3 Mar. 44	Ass't Adjut. Lt. Batson Region III		List of cases
153	20 Feb. 44	Capt. Brown Ass't Leg. Com	U-1058	Report on Cases.
154	27 Feb. 44	Lt. Batson Adj. Reg. III	15/a-L	List of cases
158	19 Feb. 44	Lt. Batson Adj. Reg. III	V-666	List of cases
161	27 Feb. 44	Lt. Batson Adj. Reg. III	3/0130/L	List of cases
162	6 Mar. 44	Provincial Commission Salerno		Di Benedetto Giuseppe
163	6 Mar. 44	Reg. III		Manganone Felice
164	2 Mar. 44	Lt. Batson Adj. Reg. III		List of cases.
165	1 Mar. 44	Lt. Batson Adj. Reg. III		List of cases
167	22 Feb. 44	Lt. Batson Adj. Reg. III		List of cases
168	7 Mar. 44	Reg. III	U-871	Insurif. Record.
169	7 Mar. 44	Reg. I		Pennisi Antonino
170	7 Mar. 44	Provincial Legal Officer Naples		Cilvestrini Ignazio
171	7 Mar. 44	Region III		Sodano & others
172	26 Feb. 44	RLO (Dickies) Region I	013.04/HD	Lamonia & Di Noto
173	2 Mar. 44	RLO Reg. II	2201/50/G	Di Landro Filippo
174	7 Mar. 44	RLO Reg. I		La Monica & Di Noto
175	3 Mar. 44	RLO Reg. II	2201/50/G	Fortunato & Di Landro
176	8 Mar. 44	RLO Reg. II		Di Landro Filippo
177	6 Mar. 44	RLO Reg. 4	RA/Le/Reg/L7	Misdirected cases
178	9 Mar. 44	Reg. III		Ponticella & Furco
179	9 Mar. 44	Reg. III		Astrocchia Nicola
180	9 Mar. 44	Reg. II		Taverna Alberto
181	9 Mar. 44	Reg. II		Gruenberg & others.
182	9 Mar. 44	Reg. I		Birriolo Antonino
183	4 Mar. 44	Reg. III Lt. Batson Adj.	U-1103	List of cases

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Declassified E.O. 12356 Section 3.3/NND No.

785016

JHCM No. 134

TO No. 326

18

Ref:

Legal Sub. Cont. (Brav)

21st. Feb 1944.

SUBJECT: Application for Review of Sentences.

U-1303

TO: Senior Legal Officer, A.M.G. H.Q. 8th. Army Main.

FROM: F. S. L. C. Campobasso Province.

In cases of ~~SAVINO~~ Giuseppe di Domenica, ~~TOMASINI~~ ~~MICHELLETTI~~ GIUSEPPE, ~~MIGLIARDI~~ LUIGI, ~~SOLAZZI~~ GIUSEPPE, we are enclosing application -s for review of sentences, which are self explanatory. Also enclosed are two further Applications for Reviews-- CASTELLANO Giuseppe di Andrea and--D'AMICO Vincenzo fu Alfonsio.

1st. Ind.

To: CLO

1. Forward for review.

Edwin Mercer

EDWIN I. MERCER, Maj. Gen.

PROVINCIAL CHIEF, A.M.G. 8th ARMY

Shirley R. Marsh
Captain.
Provincial Senior Legal Officer.
Campobasso Province.

AOI

Ref: Legal Sub. Comm. /LEGAL/22. (Rear)

21st. Feb. 1944.

SUBJECT: Application for Review of Sentences.

U-1303

TO: Senior Legal Officer, A.M.G. E.Q. 8th. Army Main.

FROM: P. S. L. C. Campobasso Province.

In cases of ~~SAVINO~~ Giuseppe di Domenica, ~~TOMI~~ ~~LUIGI~~ ~~MICHELETTI~~ GIUSEPPE, ~~MIGLIARDI~~ ~~LUIGI~~, ~~SOLAZZI~~ GIUSEPPE, we are enclosing application -s for review of sentences, which are self explanatory. Also enclosed are two further Applications for Reviews-- ~~CASIELLO~~ Giuseppe di Andrea and--~~D'AMICO~~ Vincenzo fu Alfonso.

To: CLO ✓

1. Forwarded for review

Edwards/Mcner

EDWIN I. MERCER, Maj. Gen.

JUDGE IN CHIEF, A.M.G. 8th ARMY

Shirley R. Marsh
Captain.
Provincial Senior Legal Officer.
Campobasso Province.

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HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

File
ACG/4083/1/L

JFI/jpl

31/mar 44

Subject : Castellano Giuseppe di Andrea.

To : SLO. AMO, 8th Army.

1. A decision on review on the above named defendant was reached on 16 March 44. A receipt of the latter was received from the P.S.L.O., who signed for the S.C.A.O., bearing the date 23 March 44.
2. Form 8 is accordingly returned for filing.

A.C. WRIGHT
Major
for Chief Legal Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACW/jpl

ACC/4083/1/L

31 March 44

Subject : SIVILLA Pasquale.

To : SLD, AMO, 8th Army.

1. This H.Q. only wants J. 4, signed by or for S.C.A.O.
2. Other papers are to be sent to Regional H.Q. for filing.

To Chief Legal Officer.

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REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACC/4083/1/L

ACW/jpl
31 March 44

Subject : Sportelli Giuseppe.

To : Provincial Legal Officer,
AMD, Foggia Province.

1. Reference your letter E/P 3067, dated 22 March 1944.
2. With regard to certain articles which (speaking from memory) it is thought accused said had been seized and of which he claimed the return it is noted from your letter that they have never been in the possession of AMD or of the CC. RR. Accordingly it is not seen that the claim in any way concerns this H.Q.
3. If the accused has a claim he must file it with the proper authorities and adduce such evidence as he may have in support. It is usual to give receipts for articles which are seized under authority.
4. Enclosed please find Provincial Officer's letter E/P 3066.

A.C. WRIGHT
Major
for Chief Legal Officer.

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REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACW/jpl

31 March 44

ACC/4083/1/1

Subject : SPALLINI Pietro

To : SLO, AMB 8th Army.

1. This case appears to be the one affirmed on 29 Feb. 44.
(J. 3 No. 659) and the papers are accordingly returned
for filing.
2. If it does not refer to the same person please return
with record of trial.

for Chief Legal Officer

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4083/1
HEADQUARTERS
AMG 5TH ARMY
LEGAL DIVISION
A.P.O. 464 U.S. ARMY

0
323
31 March 1944
208/CA/13

SUBJECT : Review.
TO : C.L.O., Legal Sub-Commission,
H.Q., A.C.C.

1. There is forwarded herewith the excuted receipt of decision on review in the case of Palma, Raffaele.

Henry L. Glean Capt.
HENRY L. GLEAN
Capt., J.A.G.D., DSLO,
A.M.G. Fifth Army. JAGD

ALLIED CONTROL COMMISSION
SICILY REGION HEADQUARTERS
APO 394

322

RLE 013.031/PLV

30th March 1944

SUBJECT : Death Sentences

TO : C.L.O. - A.C.C. Headquarters (Rear)

Reference ACC/4063/L dated 25th March 1944.

The attached forms are returned, all available particulars having been filled in. This office has no knowledge of any other cases where the death sentence was imposed.

For Lt. Colonel A.N. HANCOCK:

FRANK L. VECCHIOLLA
Captain, JAGD.
Regional Legal Officer.

js.

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Ref: C.P./LEGAL/18
24th. March 1944.

SUBJECT; Application for Review-- LAZZARO Matteo di Antonio.
TO S.L.O. A.M.G. H.Q.s 8th Army Main.
FROM/ P.S.L.O. Campobasso Province.

Forwarded herewith is Form 11 in above mentioned case. Form 8-a has already been forwarded to your H.Q.s under the old arrangement. By reason of the need for heavy sentences in the TERMOLI area to check the vigorous Black Market in foodstuffs, it is recommended that the sentence in case be NOT reduced.

1st Inst 27/3/44

To: S.L.O. H.Q. ACC (Rear)

1. Forwarded
2. Form 8-a not in my possession.

J.A. R. (Lt. Major)
Scotts Guards.
Provincial Senior Legal Officer
Campobasso Province

PROVINCIAL SENIOR LEGAL OFFICER
CAMPOLONGO

4083
HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

APR 14 8

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28 Mar 44

Ref: 2201/58/1

Subject:- Death Sentences

To :- Chief Legal Officer

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1. Ref your ACC/4083/1 dated 25 March, the forms are returned duly completed, except so far as execution of sentence on Di Landro is concerned, notice of confirmation of which was not received by this H.Q. until after the transfer of the Province of Salerno to Region 3. No doubt therefore you will communicate with Region 3 on this point.

2. There are ^{no} other cases in this Region in which the sentence has been death.

D.E.S. Cousins
D.E.S. COUSINS, Lt.Col.
R.L.C.
Region II

176

File

HEADQUARTERS
AMG 5th ARMY
LEGAL DIVISION
A.P.O. 464 U.S. ARMY

317

27 March 1944.
208/CA/13.

Subject : Review.

To R.C. & M.G. Section (for Legal
Sub-Commission), HQ. ACC.

Receipt of decision on review in the case of
Casalare Arturo is returned herewith.

Henry L. Shields
for J.V.M. Shields, *Capt TAGD*
Lt. Col.,
Senior Legal Officer,
A.M.G. 5th ARMY.

ALLIED MILITARY GOVERNMENT
SALERNO PROVINCE
LEGAL OFFICE

27 March 44

Subject: Form J 4

To: C.J.O., A.C.C.

316

✓ 1) Herewith is executed Form J 4 in
case of Lanaro Carmine di Carmine Antonio.

James J. Vogel
James J. Vogel 1st Lt.
Legal Office

Case of 1. Baldo Matteo 2. Baldi Osvaldo

Sabatino Carmine di Antonio

Guesco Vincenzo

Covering letter on
receipt of above names
destroyed. They all were
under date of 27 March 44

James J. Vogel
James J. Vogel 1st Lt.
Legal Office

Case of 1. Baldo Matteo 2. Baldi Osvaldo

Sebastiano Carmine di Antonio

Guasco Vincenzo

Covering letter on
receipt of above names
destroyed. They all were
under date of 27 March 44.

BRANQUARDO
MURIEL J. ALLAN O'HARA
U.S. Atty. Gen. Gray

315

of March 1944

223/2V
2/11/44

Subject: Transmission of enclosed documents relating to
Review of sentences.

To : Chief Legal Officer, A.S.C., Salerno.
From : Asst. Chief Legal Officer, Region I.

1. Pursuant to appropriate order, I enclose herewith the documents listed below relating to applications for Review of Sentences.

Legal File No.	Name	Court	Date of Trial	Decision
1111	✓ Cayato Pasquale	Aversa	12 Feb 44	Appl. Voted 2
367	✓ Palcone Francesco	Sup.Ct.N.C.2 Naples C.V.	11 Mar. 44	Appl. Voted 3
1117	✓ Garavullo Roberto	Naples C.V.	14 " 44	Appl. Voted 3
824	✓ Iannicelli Andrea	Aversa	21 Feb 44	Appl. Voted 3
1051	✓ Le Stefano Amdeo	Nap.Ct.N.C.4	13 Mar. 44	Appl. Voted 3
773	✓ Bruno Vincenzo	" " " "	24 Feb 44	Appl. Voted 3
935	✓ Vozzo Salvatore	" " " "	10 Mar. 44	Appl. Voted 3
972	✓ Russo Giovanni	" " " "	7 " 44	Appl. Voted 3
1098	✓ Garavullo Mario	" " " "	16 Feb 44	113
767	✓ Mancotti Anna	Naples C.V.	24 " 44	Appl.
1090	✓ Ricci Carla	" " " "	16 " 44	Appl.

with the documents listed below relating to applications for Review of Sentences.

Legal File No.	Name	Court	Date of Trial	Comm- ment
2111	✓ Caputo Pasquale	Aversa	11 Feb 44	Appl., Form 5
937	✓ Falcone Francesco	Sup.Ct.No.1	11 Mar 44	Appl., Form 5
1112	✓ Garavito Roberto	Sup.Ct.No.1	11 " 44	Appl., Form 5
824	✓ Iannicelli Andrea	Aversa	11 Feb 44	Appl., Form 5
1351	✓ Stefano Amadori	Sup.Ct.No.1	11 Mar 44	Appl., Form 5
771	✓ Romano Vincenzo	" " "	11 Feb 44	Appl., Form 5
336	✓ Vasso Salvatore	" " "	11 Mar 44	Appl., Form 5
932	✓ Russo Giovanni	" " "	11 " 44	Appl., Form 5
1306	✓ Scialoja Maria	" " "	11 Feb 44	Appl., Form 5
701	✓ Turchetta Anna	Sup.Ct.No.1	11 " 44	Appl., Form 5
1090	✓ Tena Carla	" " "	11 " 44	Appl., Form 5
1067	✓ Vaccaro Luigi	Sup.Ct.No.1	11 Mar 44	Appl., Form 5
57	✓ Valente Antonio	Sup.Ct.No.1	11 Dec 41	Appl., Form 5

Information requested by A.C.O. attached.

For the Regional Commissioner:

M. J. JAMES,
Int. Sec.,
Assistant to the Regional Commissioner.

Ref: C.P./LEGAL/18.

24th. March 1944

SUBJECT: Application for Review--FIORITTO Alfonse fu Carlo.

TO: S.L.O. A.M.G. 8th. Army Main.

FROM: P.S.L.O. Campobasso Province.

Forwarded herewith are Forms No 8a and No 11 in respect of the above mentioned case.

The first charge does not appear to have been properly framed under Para. 2 Article II, Section 44. The third charge appears to be based on no more than a denial of his guilt on the first charge and is NOT supported in toto by statement of Captain Faynter. The fourth charge does not appear to be good, and the fifth charge has been laid under the wrong section as well as involving duplicity.

* Form 8-a itself is insufficiently completed and the sentence does not contain and could not contain, within the jurisdiction of a Summary Court any term of imprisonment in default of the payment of the fine.

The Officer who tried the case is at present on leave and it was therefore not considered right to hold up the forwarding of the appeal further to enable him to complete the Form 8-a. Having regard to the manifold irregularities of this case it is considered that it should be in the hands of the reviewing authority immediately. * A communication is being sent to the C.A.O. concerned requesting him to state the charges on which the accused was found guilty, but it would appear from the appeal that accused was found guilty on all the charges. Attention is invited to Trial Judge's observations on the question of sentence.

For your information the fitness of the officer concerned

* Form 8-a itself is insufficiently completed and the sentence does not contain and could not contain, within the jurisdiction of a Summary Court any term of imprisonment in default of the payment of the fine.

The Officer who tried the case is at present on leave and it was therefore not considered right to hold up the forwarding of the appeal further to enable him to complete the Form 8-a. Having regard to the manifold irregularities of this case it is considered that it should be in the hands of the reviewing authority immediately. * A communication is being sent to the C.A.O. concerned requesting him to state the charges on which the accused was found guilty, but it would appear from the appeal that accused was found guilty on all the charges. Attention is invited to Trial Judge's observations on the question of sentence.

For your information the fitness of the officer concerned for Summary Court work is at present under consideration by this H.Q.s.

* Time lgtg. of case, Trial Judge has been seen at the H.Q.s. and has completed Form 8-a, stating accused was convicted on all charges.

J.A. Royal (1941) Major.
Scots Guards.
Provincial Senior Legal Officer.
Campobasso Province.

1st Ind. 28/3/44
To C.L.O. H.Q. A.C.O. (Rear) A.P.O. 394

1. Forwarded for review.
2. The officer concerned has few cases for trial. He has not judicial temperament in opinion of undersigned, but the character of his assignment is such that it is desirable that he have Summary Court powers.
3. His future performance will be closely observed.

Edward J. Hanger
EDWARD J. HANGER, M.B.C.,
Senior Legal Officer,
1st. Eighth Army.

Ref: C-1 LEGAL/18. 2438
29 MAR 1944

23rd. March, 1944.

SUBJECT: Review of Sentence.

TO: S.L.C. A.M.G. H.Q.s 8th. Army Main.

FROM: P.S.L.C. Campobasso Province.

Forwarded herewith is Form II in respect of Iazzaro Matteo, together with Form 8-a.

(1) The attention of C.A.O. Termoli has been drawn to the proper method of framing these charges. It is not, however, considered that the accused suffered any prejudice by reason of this irregularity.

(2). TERMOLI is a centre of the Black Market, and it is considered that the Sentence should stand. It is particularly urged that the request for commutation of the sentence to a pecuniary penalty be not allowed, as such penalties are useless in this class of case. The fact that the accused is an educated man aggravates the offence.

1st Ind. 27/3/44

To: C.L.O. H.Q. (Rear) S.C.C. Legal Sub com.

1. Forwarded for review.

2. Recommendations, etc. contained in.

Edison J. Murer

EDISON J. MURER, Maj. D.S.O.
PROVINCIAL OFFICER A.M.G. 8th ARMYA. R. J. P. Major.
Scots Guards.
Provincial Senior Legal Officer.
Campobasso Province.

Ref. E.O. /LEGAL/10. # 133
23rd. March, 1944.

Duphond

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SUBJECT: SALDUPAO Michele di Domenico.

TO: ADV. DE OTO Cesare Gennaro, Corso Vittorio Emanuele, No. 11,
Campobasso.

FROM: Assistant Legal Officer, A.M.G. H.Q.s Campobasso Province.

This is to advise you that upon review, the Senior Legal Officer, A.M.G. H.Q.s 8th Army Main has affirmed the conviction and sentence of the above named accused, but has amended the sentence to include an additional two months imprisonment, if the accused defaults in the payment of the Fine.

Receipt acknowledged
De Oto Cesare Gennaro

Arthur F. Schults
Arthur F. Schults, Captain.
Assistant Legal Officer.
Campobasso Province.

17

2141-3 DD FORM 53
 Ref: C.P./LEGAL/10.

23rd. March, 1944.

File

SUBJECT: Receipt of Decisions on Review.
 TO: S.L.O. A.M.G. H.Qs 8th. Army Main.
 FROM: P.S.L.O. Campobasso Province.

Attached hereto are receipts for decisions on review Nos. 982, 983, 984, and 985, which have been received here.

1st Feb 27/3/44

To: CLO HQ ACC (Rear)

1. Forwarded for file.

Edward Mercer

EDWARD MERCER, 441 0-4

Arthur P. Smith

Captain 63

Assistant Legal Officer.

Campobasso Province.

Ref: 29 MAR 1944
C.P./LEGAL/19.
22nd March 1944

SUBJECT: Case of MALONE, Giuseppe di Pietro.
TO: S.L.C. A.M.G. H.I.s 8th. Army Main.
FROM: P.S.L.C. Campobasso Province.

301

2437

Forwarded herewith is Form 11 in respect of the above case which was tried by a Superior Military Court at FORLI on 13/3/44.

Prisi Judge's observations are attached to Form 11. *Proceedings attached*

With reference to your endorsement on this H.I.s letter of 14/3/44 attached, it was not appreciated that it was your instructions that Superior court cases be held back thirty days.

This is noted for future reference.

1st ind 27/3/44

To: C.L.O. H.Q. Acc Legal Sub com.

1. Forwarded for review

Edward Mercer
EDWIN V. MERCER, Maj. O.C.
PROV. LEGAL OFFICER A.M.G. 8th ARMY

J.A. Ryck-Atu Major.
Scots Guards.
Provincial Senior Legal Officer.
Campobasso Province.

Ref: 29 MAR 1944
C.P./LEGAL/19.
32nd March 1944

SUBJECT: Case of MALONE, Giuseppe di Pietro.
TO: S.L.C. A.M.G. H.Q.s 8th. Army Main.
FROM: P.S.L.C. Campobasso Province.

Forwarded herewith is Form 11 in respect of the above case which was tried by a Superior Military Court at FORLI on 13/3/44. Trial Judge's observations are attached to Form 11. *Proceedings attached*

With reference to your endorsement on this H.Q.s letter of 14/2/44 attached, it was not appreciated that it was your instructions that Superior court cases be held back thirty days. This is noted for future reference.

1st ind. 27/3/44
To: CDO HQ acc Legal Sec Com. J.A. Byet (Att. Major.
Sovs Guards.
Provincial Senior Legal Officer.
Campobasso Province.
EDWIN X MERCER, Maj. O.C.
PROV. LEGAL OFFICER A.M.G. 8th ARMY

4083/1 ✓
 Ref.F/P 3067
 22 Mar. 1944

2164

308

100

SUBJECT: Decision on Review (Case of Sportelli Giuseppe,
 § 119).
TO: Legal Subcommissioner, Eqs. A.C.C.
FROM: A.M.G., Foggia Province.

Reference your A.C.C./4083/1/2, 22 Febr. 44, address-
 ed to R.L.O., Region 4.

Enclosed herewith is copy of letter of 18 Mar. 44
 received from P.O., Cerignola. It appears that the articles
 in question have never been in the possession of AMG or
 the CC.RR. The present whereabouts of F/O Odgers are not
 known to this AMG. However, it is considered extremely
 doubtful that, if this Officer ever had the articles, it
 would be possible to locate them now.

It would appear that the only remedy available to
 the accused would be to file a claim with the proper autho-
 rities. However, before so advising him, we will appreciate
 any comments you may have.

Wm. H. Levt
 Major, J.A.G.D.
 Provincial Legal Officer.

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166

Chief Legal Officer, H.Q. A.G.O.

FROM: H.Q. Region 5 AMG.

SUBJECT: Petitions for Review.

REF.: R5/541/14.

DATE: 17 March 1944.

1. Herewith petitions for review in the following summary court cases from Foggia Province:-

Calabria Paolo	Lucera	Puonora Alfonso
Gallo Angelo	Forramaggiore	De Leonardi Michele
Zingaro Carmine	Cerignola	Mazza Roberto
Lucarelli Rocco	"	Caterino Pasquale
Ariemma Savario	"	Labacco Eligio
Vigginio Sabino	"	
Di Trani Pasquale	Sansevero	
Mitolo Vincenzo		

2. The following observations are made on the above:-
CALABRIA PAOLO. The sentence has already expired. The Form 3 has been completed by RLO from the SMR.

GALLO ANGELO. The accused pleaded guilty to possession of an unloaded pistol (Proc 2-15), so that no Form 3 is required. RLO was in court during the proceedings. The evidence given by SCAPQ WAS THAT he was following a "black-market" truck, which he stopped, and arrested, inter alias, the accused who was travelling thereon and had a pistol. The other facts are correctly stated in the petition. No further evidence was called. In the opinion of the RLO no fine should have been imposed in this case, and that whereas a sentence of 6 months would not have been excessive, if imposed directly, the financial penalty was introduced because of the black-market aspect of the case. Incidentally the accused is being charged with black-market before the Italian courts. He is not in a position to pay a fine.

ZINGARO CARMINE. Pleading guilty. No Form 3. No comment.
PUONORA ALFONSO and LEONARDI MICHAEL. Petitions dated 26 Feb 44 by a relative of these accused have already been forwarded. These petitions, although apparently earlier in date, were presumably prepared by their advocates. No comment.

DE LEONARDI MICHAEL. No comment.
ARIEMMA SAVERIO. This case has been discussed with CLO before the petition arrived. It appears to CLO and RLO that the accused had been sentenced for an offence other than that charged, and that the whole proceedings if not improper were most undesirable. It is clear that the statement to CAPQ was made while un-

Old received
Re Di Trani Pasquale
La Sorsa Eligio

306

LASACCO MIGLIO

Santovito

2. The following observations are made on the above:-
 CALABRIA PACIO. The sentence has already expired. The form 8 has been completed by RIO from the SIRE.

SALLO AMILIO. The accused pleaded guilty to possession of an unloaded pistol (Proc 2-76), so that no form 8 is required. RIO was in court during the proceedings. The evidence given by SIRE and that he was following a "black-market" truck, which he stopped, and arrested, inter alia, the accused who was travelling thereon and had a pistol. The other facts are correctly stated in the petition. No further evidence was called. In the opinion of the RIO no fine should have been imposed in this case, and that whereas a sentence of 6 months would not have been excessive, it imposed directly, the financial penalty was introduced because of the black-market aspect of the case. Incidentally the accused is being charged with black-market before the Italian courts. He is not in a position to pay a fine.

ZUCCHERO CARLINO. Pleading guilty. No form 8. No comment.

BRONERA ALFONSO and INCASAROLI ROSSO. Petitions dated 26 Feb 44 by a relative of these accused have already been forwarded. These petitions, although apparently earlier in date, were presumably prepared by their advocates. No comment.

DE LUOMAGNUS MICHAEL. No comment.

ARZUFFA SAVENIO. This case has been discussed with CIO before the petition arrived. It appears to CIO and RIO that the accused had been sentenced for an offence other than that charged, and that the whole proceedings if not improper were most undesirable. It is clear that the statement to CAPJ was made while under arrest for a substantive offence, that the accused was not cautioned and that his statement was made to defend himself. The report from CAPJ to SIRE which is enclosed furnishes the background to the case. It is recommended that either the conviction be quashed or the balance of sentence suspended. RIO has been warned against the unreliability of trying persons on these charges in such cases.

MASZA ROZOLINO. In this case the quantity of cigarettes etc. is very small and does not appear to warrant the punishment awarded even if an offence has been committed. (ref conversation RIO/CIO). The trial judge cannot recollect any special facts and thinks he may have been wrongly misled.

VIRILANO SABINO. It appears from the charge sheet particulars that the charge was reduced to "possession".

CATERINO PASQUALE. Petition dated 9 Feb 44 already forwarded on 6 March. Charge sheet (Proc 2 Act II 27 and 40) accompanied.

DE LUANI PASQUALE. Petition dated 20 Feb 44 and charge sheet already forwarded on 6 March, and all documents are now in your possession.

LO SACCO MIGLIO. Petition dated 11 Feb 44 already forwarded on 6 March.

3. By this H.Q. be informed, please, of the policy as to the forwarding of second petitions, particularly when there is no substance in them.

For the Regional Commissioner

W. H. J. JONES

W. H. J. JONES
Regional Commissioner

W. H. J. JONES

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
A.P.O. 394, U.S. Army

500

305

15 March 1944

Subject: Transmission of Enclosed Documents relating Review of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to appropriate order, I enclose herewith the documents listed below relating to applications for Review of Sentences.

Legal File No.	Name	Court	Date of Trial	Docu- ment
418	Duongo Gennaro	Sum. Court No. 2	8 Feb 44	Appl., Form 8
927	Adagnolo Maria	Gragnano	18 " 44	Appl., Form 8
928	Di Maio Francesco	Castellammare	3 Mar. 44	Appl., Form 8
929	Narra Salvatore	Portici	26 Feb 44	Appl., Form 8
930	Anberto D'Anna	"	12 " 44	Appl., Form 8

16
For the Regional Commissioner:

Neil C. Baker
NEIL C. BAKER,
1st Lt., G.M.C.,
Assistant Adjutant.

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

13 March 44

Ref: 2201/55/G

SUBJECT:- Review of Case

TO :- Chief Judicial Officer

GROTONCO, Giorgio (C/74)

Record, with petition annexed, is enclosed
for review.


D.E.S. COUSINS. Lt. Col.
R.L.O.
REGION II

1 - File

400311

HEADQUARTERS

ALLIED CONTROL COMMISSION

SECTION II

5437

303

Ref. 2201/55/A

28 Mar 44

Subj. In re Captain Dominici, CC.RR.

To: Executive Commissioner, H.C. and M.G. Section
ACC Headquarters, Naples.

1. Ref ACC/4063/1/L of 27 Feb 44, the decision that the case against the above named officer should be handed over for action to the G.O.C., CC.RR. was regretted by this Hq. since local comment in Reggio was to the effect that the matter was being "hushed up" because Captain Dominici had been a friend of Allied Officers, and in view of his remarks implicating some of them.

2. There has been an unfortunate sequel.

The officer in question was removed to Catanzaro where he has moved about freely, pending a hearing of his case by a board of CC.RR. officers at date unknown.

By what can only be considered as a ruse in the worst possible taste, Captain Dominici obtained entrance to a party given by the P.C., Catanzaro in the following way.

On the day before the dance the daughter of the Colonel of the CC.RR. rang up the P.C. and asked if she might have a ticket for a Captain of the CC.RR. The P.C. agreed, asked what his name was, and was informed that she would tell him the next day.

Next morning he rang her up and asked for the officer's name, which she then gave as Captain Dominici. While the name conveyed a meaning to the mind of the P.C. Catanzaro, the full facts of the case were not within his knowledge. He replied, however, that surely there were circumstances which made the request most surprising, and was it approved by her father. She replied in the affirmative.

Capt. Dominici appeared at the party, and it is notable that when offered drinks, he is stated to have said that while he

The officer in question was removed to Catanzaro where he has moved about freely, pending a hearing of his case by a board of CC. AR. officers at date unknown.

By what can only be considered as a ruse in the worst possible taste, Captain Dominici obtained entrance to a party given by the P.C., Catanzaro in the following way.

On the day before the dance the daughter of the Colonel of the CC. AR. rang up the P.C. and asked if she might have a ticket for a Captain of the CC. AR. The P.C. agreed, asked what his name was, and was informed that she would tell him the next day.

Next morning he rang her up and asked for the officer's name, which she then gave as Captain Dominici. While the name conveyed a meaning to the mind of the P.C., Catanzaro, the full facts of the case were not within his knowledge. He replied, however, that cursily there were circumstances which made the request most surprising, and was it approved by her father. She replied in the affirmative.

Capt. Dominici appeared at the party, and it is notable that when offered drinks, he is stated to have said that while he could not drink with Allied Officers, he was glad to attend their reception.

3. If admittedly, the P.C. Catanzaro made an error of judgment in not cancelling the invitation when Capt. Dominici's name was disclosed, this in no sense condones what is submitted to have been a carefully conceived plan with a two fold object - namely:-

- a) To rehabilitate Capt. Dominici in Reggio.
- b) To make it appear to the Board which is to try him, that so little importance does ACC attach - even if nothing else - to his profuse lying to the C.A.F.C. and his remarks implicating A.A.G. officers, that he is still their honored guest.

-2-

4. It is respectfully recommended that the G.O.C., CC.HB. and officers concerned should be left in no doubt as to ACC's attitude in regard to the matter, or the contempt in which this corrupt Carabinieri Officer is held by the ACC Officers in Region II.

G. W. Mc Caffrey
G. W. McCaffrey
Lt. Col., Inf.
R.C.

GMH/rjh

Copies: C.L.O., Legal Sub-Commission, Rear HQ, ACC, ~~San Marino~~
Provincial Commissioner, Cotenzaro.
R.P.S.O., Region II HQ.
Chief, P.S. Sub-Comm. - ACC Rear HQ

18

~~4-86~~

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
A.P.O. 394, U.S. Army

~~2-15~~

301

~~EX/PY~~
~~3/6071/1~~

18 March 1944

Subject: Transmission of Enclosed Documents relating
to Pardons.

To : C.I.C., Legal Sub-Commission, A.C.C., Salerno.

There is submitted herewith in accordance
with Executive Memo No. 4, A.C.C., 7 February 1944,
the following applications for pardon:

- 1) Cimmino Gaetano
- 2) Nicola Pucci

For the Regional Commissioner:

Neil C. Baker
Neil C. Baker,
1st Lt., Q.M.C.,
Assistant Adjutant.

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HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 34

297

ACC/4083/1/L

ACC/jpl
28 March 44

Subject : Case of MINGILLO Angelo

To : IAD (thru HC) Region III.

1. Reference your letter ETK/pt dated 21 March 1944, enclosing letter from accused's advocate and provisional licence to operate a ferry signed by "L'Ingegnere Capo."

2. It is desired to know what relation this document has to the case. The following points occur:

- (a) Was the Ingegnere Capo entitled to issue such a document?
- (b) It is issued to one PIRELLA LORENZO. Accused did not plead that he was an employee or acting in any way or behalf of said PIRELLA LORENZO. The accused according to the record pleaded "GUILTY" and declined to give evidence. At the time of his arrest, however, he had said he had the boat merely to convey his sister across and had carried no one else. The evidence for the prosecution was that he carried a man with a bicycle and that others were waiting on the river bank.
- (c) The alleged authority is to operate a ferry on the river Volturno at a spot in "Comune di Castelcampagnano in corrispondenza della Strada Comunale Obbligatoria, Castelcampagnano-Mellizzano, presso il Sottaro di Castelcampagnano." The ferry mentioned in the charge was on the Calore River at a spot 2 1/2 miles from Apple regular ferry. The arrest report says: "Calore river - 2 miles west of Anagni."

3. On the face of the documents it is impossible to say if the alleged authority, whatever its value, has any relation to the ferry actually worked by the accused. On the contrary it seems at first sight to refer to a different person, a different river and a different location. Moreover it is not clear why accused made a false declaration when arrested, later pleaded guilty and declined to give evidence.

- 2 -

2910

4. If these questions cannot be cleared up it would seem that the advocate's sending of the document is but a frivolous and clumsy attempt to confuse the Reviewing authority, and he should be so informed.

5. It would moreover seem that even where a valid authority is granted to operate a ferry, the ferryman would be bound to check that the people transported were the bearers of a regular pass.

6. It is observed that the alleged authority is of the same date as the offense and therefore its belated disclosure is not understood. Possibly this should be enquired into.

A.C. WRIGHT
Major
For Chief Legal Officer.

HEADQUARTERS
ADMINISTRATIVE COMMISSION
Legal Sub-Commission
APR 24

ACC/4083/1

ACW/101

26 March 44

Subject : Case of SALERNO Giuseppe

To : Provincial Commissioner, Salerno.

1. Enclosed petition relating to the above mentioned has been received at this H.Q. He was apparently sentenced by ASD Court in Salerno on 18 Nov. 43 to 1 year's imprisonment.

2. Please send the record to this H.Q.

H.C. FRICHT
Major
for Chief Legal Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

JPL/jpl

27 March 44

ACC/4883/1/1

Subject : Case of Lofiano Salvatore.

To : H.Q., A.C.C., H.C. & L.G. Section.
APO 394

1. Reference your letter 280/13/CA, dated 25 March 44.
2. The Court sentenced the above mentioned defendant to three years' imprisonment.
3. The Reviewing Officer affirmed the Court's decision. on 3 Dec. 43.
4. A receipted copy of the Reviewing Officer's decision on review was received by this office bearing the signature of the S.C.A.O and the date of 13 Dec. 44.

A.C. WRIGHT
Major
for Chief Legal Officer.

26 MAR 1944

2384

4083/1

HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. SECTION
APO 394

293

25 March 1944

Ref/280/13/CA.

SUBJECT: Case of Lo Piano Salvatore.

TO : V.P. Admin Section (For Legal Sub-Commission)

1. The above case was tried by the writer while serving as Superior court for the province of Caltanissetta. The facts in the case are not recalled.
2. A letter has been received by attorney of the accused dated 15 March 1944 and stating an appeal was duly filed but no action received up to date.
3. Will you please advise me what action has been taken in this case, and if there is any question in the case, if you will send me the file, I will be glad to review it and render any further opinion I might have on the subject.


FRANK L. PETTOR
Captain, CMP
R.C. & M.G. Section

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HEADQUARTERS
REGION 1, ALLIED CONTROL COMMISSION
A.P.O. 394, U.S. Army

242

226/PV
3/6/36/L

25 March 1944

Subject: Transmission of Inclosed Documents relating
Reviews of Sentences.

To : Chief Commissioner, Allied Control Commission,
Salerno.

1. Pursuant to appropriate order, I enclose
herewith the documents listed below relating to applications
for Review of Sentences.

Legal File No.	Name	Court	Date of Docu- Trial ment	
933	Florio Alfonso	Sup.Ct.No.2	12 Mar.44 Appl.,	✓
		S.Maria G.V.	Form 8	
1872	Petillo Aniello	Noia	16 Dec 43 Appl.,	✓
			Form 8	
225	Agata Gennaro	Sub.Ct.No. 1	2 Feb 44 Appl.,	✓
			Form 8	
225	Vivo Giuseppe	" " "	2 " 44 Appl.,	✓
			Form 8	

For the Regional Commissioner:

15:

Neil C. Baker
NEIL C. BAKER,
1st Lt., U.S.A., 95
Assistant Adjutant.

WAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACW/jpl
27 March 44

291

ASO/4083/1/2

Subject : Mitolo Vincenzo

To : RLO (thru RC) Region V.

1. This case is affirmed but only provisionally, as there is no power to compel Italian Authorities in Bari (unoccupied territory) to receive the prisoner in the house of correction.
2. If any difficulty arises please refer to this H.Q.

A.C. WRIGHT
Major
for Chief Legal Officer.

H083/1
✓

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HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
A.P.S. 394, U.S. Army

227

290

FILED BY
3/20/44

24 March 1944

Subject: Marangelo Vincenzo.

To : Chief Commissioner, A.C.C., Legal
Sub-Commissioner, Salerno.

1. I hand you herewith letter this day received from Captain A.S. Gold, Provincial Legal Officer, Avellino in compliance with your letter relative to subject.

2. It will be noted that Defendant Marangelo Vincenzo did not appeal from the sentence of the Court.

For the Regional Commissioner:

Paul C. Baker
PAUL C. BAKER,
1st Lt., U.S. Army
Assistant Adjutant.

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HEADQUARTERS
REGION 1, ALLIED CONTROL COMMISSION
A.P.O. 384, U.S. Army

23 FEBRU 1944

2/24/44
2/21/36/1

Subject: Transmission of Enclosed Documents relating Review of Sentences.

To : Chief Commissioner, Allied Control Commission, Salerno.

1. Pursuant to appropriate order, I enclose herewith the documents listed below relating to applications for Review of Sentences.

Legal File No.	Name	Court	Date of Trial	Document
1048	Schettini Desio	Berre	15 Feb 44	Application, Form 8.
1047	Desiderio Alfonso	Torre Annunziata	9 March 44	Application, Form 8
1046	Cepollara Biagio	Portici	12 Dec 43	Application, Form 8
1045	De Luca Uiso	Rasina	21 March 44	Application, Form 8
1044	Cirillo Giovanni	Torre Annunziata	3 March 44	Application, Form 8
1043	Cerillo Durante	Torre Annunziata	" "	Application, Form 8
639	De Falco Raffaele	Berre	15 Feb 44	Application, Form 8
941	Santareno Gerardo	San. Ct. No. 1	9 March 44	Application, Form 8
845	Fonca Antonio	Sup. Court Benevento	6 " "	Application, Form 8
	Fonca Antonio	San. Ct. No. 2	10 " "	Application, Form 8

Case No.	Name	Address	Date	Application	Form	Remarks
1047	Desiderio Alfonso	Torre Annunziata	9 March 44	Application	Form 3	✓
1046	Capellaro Biagio	Portici	12 Dec 43	Application	Form 3	✓
1045	De Luca Ciro	Resina	11 March 44	Application	Form 3	✓
1044	Ciriaco Giovanni	Torre Annunziata	9 March 44	Application	Form 3	✓
1043	Cherillo Eusebio	Torre Annunziata	13 "	Application	Form 3	✓
630	De Paolo Raffaele	Barra	15 Feb 44	Application	Form 3	✓
941	Santeramo Gerardo	San. Ct. No. 1	8 March 44	Application	Form 3	✓
945	Fusco Antonio	Sup. Court Benevento	6 "	44 Appl.	151	✓
948	Donnelli Alfonso	San. Ct. No. 2	10 "	44 Form 3		✓
943	De Carda Stefano	"	10 "	44 Application	Form 3	✓
946	De Martino Giovanni	"	8 "	44 Application	Form 3	✓
946	De Martino Pasquale	"	2 "	44 Application	Form 3	✓
410	Mugelli Francesco	"	8 Feb 44	Application		✓
688	(This case is now pending before A.D.C.) Pasquale Angelo (This case was returned to Court for more information.) Attached to said application is statement of Court. Bullette Giovanni (He are unable to supply A.C.C. with additional information on this case)	San. Ct. No. 3	31 Jan 44	Application		✓
79	(This case is now pending before A.D.C.) Benevento 14 Jan 44 Appl.					✓
68	(This case is now pending before A.D.C.) Benevento 14 Jan 44 Appl.					✓

Legal
File No.

Name

Court

Date of
Trial

Docu-
ment

720 Sebastiano Gaetano Torres del Oro 25 Jan 44 Appl. ✓
(Attached to Application is statement of Trial Judge.
We do not have any additional records in this case.)

721 Benedita Rofio Barrs 18 Jan 44 Appl. ✓
(Up request of A.C.C. a statement of the Judge has
been obtained some being ordered on said application.)

1043 Di Mafe Semuro Sum.Ct.No.2 12 Feb 44 Appl. ✓
(Regret there is no additional record in this case.)

For the Regional Commissioner:

Neil C. Baker
Neil C. Baker, Jr.
Dist. Ct., A.C.C.
Assistant Adjutant.

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394 U. S. Army

22 March 1944.

SUBJECT : Appeal of Stanislao Porcelli, Summary Court, Avellino,
18 January 1944.

TO : Headquarters, Allied Control Commission, Region 3,
for Regional Legal Officer.

1: Reference is made to Memorandum for Senior Legal Officer, Avellino Province, ref. BDC/pv, 3/6071/L, advising as to certain Decisions on Review by the Chief Commissioner, H.Q., A.C.C. (or his appointee).

2. Among the Appeals decided was that of the above named, and in connection with such decision, it is stated by the Legal Sub-Commission A.C.C. that "it is to be observed that one of the defendants, Marangelo Vincenzo, pleaded guilty, but the record does not show that any sentence was passed upon him. Information is requested on this point".

3. The accused Marangelo Vincenzo was sentenced on 18 Jan. 1944 to serve 60 days imprisonment and to pay a fine of 10,000 lire, in default of payment to serve 100 additional days imprisonment.

A. E. Gold
A.E. Gold,
Captain AUS,
Provincial Legal Officer,
Avellino.

AEG/AT

This defendant had not appeal

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HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

286 2313 512

22 March 44

Ref: 2201/59/11

SUBJECT:- Cases at Salerno

TO :- Chief Judicial Officer ✓
Copy to R.C.L.O., Region 3, NAPLES

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GISOLFI and CANTARELLA

Your letter ACC/4083/1/L of 11 March with its enclosures has been forwarded to R.C.L.O. Region 3. This H.Q. has no particulars whatever of these cases, neither have the records ever been submitted.

Back home Cabl

Mc

D.E.S.COUSINS, Lt.Col.
R.L.O.
REGION II

25 MAR 1944

S E 35

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

22 March 44

Ref: 2201/59/11

SUBJECT:- Review of Cases

TO :- R.C.L.O. Region 3, Naples
Copy to Chief Judicial Officer

Letter ACC/4083/1/L from the Chief Judicial Officer dated 18 Mar, together with all its enclosures, is sent herewith.

The error in sending the Record S/Eb/115 is regretted. This H.Q. has no knowledge of a case against Zottoli, Vito, for being in possession of clothing and tins, neither has the Record ever been submitted to this H.Q.

Blackburn Lt
D.E.S. COUSINS, Lt.Col.
R.L.O.
REGION II

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

5 MAR 1944

2310 5236

241

22 March 44

Ref: 2201/59/11

SUBJECT:- Review of Cases

TO :- R.C.L.O. Region 3, Naples.

Copy to Chief Judicial Officer,
Legal Sub-Commission A.C.C., Salerno.

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ALTERIO, Gaetano.

Letter ACC/4083/1/L dated 19 Mar, with appeal
annexed is enclosed. The case appears to have been held
at Aversa, which is in your Region.

MacMahon (alt)

R.E.S. COUZINS, Lt. Col.
R.L.O.
REGION II

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

25 MAR 1944

5245

22 MAR 44

Ref: 2201/59/11

SUBJECT:- Review of Sentence

TO :- R.C.L.O. Region 3, Naples
Copy to Chief Judicial Officer.CINOLA, Nicola (S/S/61 - 17 Dec 43)

Record with decision on review Form J-4 and letter ACC/4083/1/L of 16 Mar from C.J.O. is enclosed herewith. No doubt you will take the necessary action as a result of the variation in the sentence.

Jackhouse left
D.E.S. COUSINS, Lt. Col.
R.L.O.
REGION II

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
A.P.C. 384, U.S. Army

21 March 1944

BTK/ov
3/6136/1

Subject: Transmission of Enclosed Documents relating to Review of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to appropriate order, I enclose herewith the documents listed below relating to applications for Review of Sentences.

Regul File No.	Name	Court	Date of Trial	Document
*1002	Montanino Nicola	Aversa	10 March 44	Appl., Form 8
1008	Chianese Giuseppina	"	15 " 44	Appl., Form 8
*1009	Chierello Giuseppe	"	17 " 44	Appl., Form 8
1010	Ferrara Maria	"	17 " 44	Appl., Form 8
*1011	Patricelli Pietro	Nola	14 " 44	Appl., Form 8

2. The following is an Application for Clemency:

75- P. Bretti Enrico Sup.Ct. Avellino 12 Jan 44

This case has been assigned by A.C.C. we are enclosing all documents together with Form 8.

For the Regional Commissioner:

143

Neil C. Baker
1st Lt., G.M.C.,
Assistant Adjutant.

HEADQUARTERS

REGION 3, ALLIED MILITARY COMMISSION
A.P.O. 104, U.S. Army

WMS/pv
3/21/36/1

21 March 1944

Subject: Transmission of Enclosed Documents relating Review of Sentences.

To : Chief Commissioner, Allied Control Commission, Salerno.

1. Pursuant to appropriate order, I enclose herewith the documents listed below relating to applications for Review of Sentences.

Legal File No.	Name	Court	Date of Document Filed	Appl.
311	Botta Pasqualina	Sum.Ct.No.1	19 Jan 44	
703	Landolo Antonio	"	" 19 " 44	"
705 3	Trovaglione Maria	" No.2	28 " 44	"
704	Cervo Gennaro	"	" 1 18 " 44	"
705	Sannino Gennaro	"	" 1 18 " 44	"

2. Pursuant to letters from Legal Sub-Commission A.C.C. dated 7 March 1944 an attempt was made to obtain the information desired by your Commission relative to the above cases. There is attached to each of said cases the information obtained.

For the Regional Commissioner:

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the documents listed below relative to applications for review of sentences.

Legal File No.	Name	Court	Date of Document Filed
311	Botte Pasqualina	San. Ct. No. 1	19 Jun 44 Appl.
703	Isabelle Antonio	" " "	" 19 " 44 "
706 3	Travagliato Maria	" " No. 2 28	" 44 "
704	Carvo Genaro	" " " 1 16	" 44 "
705	Samirino Genaro	" " " 1 16	" 44 "

2. Pursuant to letters from Leged San Commission dated 7 March 1944 an attempt was made to obtain the information desired by your Commission relative to the above cases. There is attached to each of said cases the information obtained.

143

For the Regional Commissioner:

Paul C. Baker
1st Lt., U.S.M.C., 92
Assistant Adjutant.

Pass on

Mary

20 Nov 44

20 Nov 44

20 Nov 44

20 Nov 44

20 Nov 44

24 MAR 1944

2249 3321

HEADQUARTERS
REGION 1, ALLIED CONTROL COMMISSION
A.P.O. 334, U.S. Army

(289)

1282

BY/PT
1/5071/U
6/76

21 MAR 1944

Subject: Transmission of Enclosed Documents relating
Review of Sentences.

To : Chief Commissioner, Allied Control Commission. <

1. Pursuant to appropriate order, I enclose herewith the documents listed below relating to Applications for Review of Sentences.

Legal File No.	Name	Court	Date of Trial	Document
53	Monzillo Angelo	Sup.Ct. Benevento	14 Jan 44	Appl.
	This case is now pending before Legal Sub-Commission.			
379	Silvestro Guido	Sum. Ct. No.2	17 Dec 43	Appl.
	This case is now pending before Legal Sub-Commission.			

2. These documents were received in this office
20 March 1944.

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For the Regional Commissioner:

Neil C. Baker
NEIL C. BAKER,
1st Lt., A.M.C.,
Assistant Adjutant.

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. Army

279

28 March 1944

238/27
3/27/44
6136

Subject: Transmission of Enclosed Documents relating
Review of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to appropriate order, I enclose herewith the documents listed below relating to applications for Review of Sentences.

Legal File No.	Name	Court	Date of Trial	Document
884	Gallo Giuseppe	Superior Ct.	2 Feb 44	Appl., Form 8
884	Muro Erichello	" "	2 " 44	Appl., Form 8
884	Alberto Stecchi	" "	2 " 44	Appl., Form 8
884	Rebbero Raffaele	" "	2 " 44	Appl., Form 8

For the Regional Commissioner:

141

Neil C. Baker
1st Lt., U.S.A.,
Assistant Adjutant.

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
A.P.O. 394, U.S. Army

278

MM/PT
3/20/44
65

19 March 1944

Subject: Transmission of Enclosed Documents relating
Review of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to appropriate order, I enclose herewith the documents listed below relating to applications for Review of Sentences.

Legal File No.	Name	Court	Date of Trial	Docu- ment
666	Cinque Giuseppe	Nola	1 Feb 44	Appl. ✓
319	Silvestrino Maria	"	25 Jan 44	Appl. 9
693	Raga Vincenzo	"	1 Feb 44	Appl. ✓

2. Statements of the evidence requested by A.C.C. are attached to said applications for Review.

For the Regional Commissioner:

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Neil E. Baker
1st Lt., S.M.C.,
Assistant Adjutant.

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
A.F.P. 344, U.S. Army

16 March 1944

3/30/44

Subject: Transmission of Inclosed Documents relating Review of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to appropriate order, I enclose herewith the documents listed below relating to applications for Review of Sentences.

Legal File No.	Name	Court	Date of Trial	Document
512	D'Amore Luigi	S. Maria C.V.	7 March 44	Appl. Form 8
712	D'Ayuleo Enrico	"	23 Feb 44	Appl. Form 8
706	Manni Carlo	Sup. Court S. Maria C.V.	23 "	Appl. Form 8
707	Abbate Pasquale	Sup. Court S. Maria C.V.	22 "	Appl. Form 8
708	Griscione Antonio	Sup. Court S. Maria C.V.	22 "	Appl. Form 8
709	D'Aquino Alessandro	Sup. Court S. Maria C.V.	22 "	Appl. Form 8
983	Zanosoito Luigi	Sum. Court No. 4	16 March 44	Appl. Form 8
984	De Carulia Giuseppe	Sum. Ct. No. 4	16 March 44	Appl. Form 8
931	Bliffi Antonio	S. Maria C.V.	"	44 Appl. Form 8

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C-10

Serial File No.	Name	Court	Date of Trial	Docu- ment
914	Biglietti Vincenzo	Sum. Ct. No. 1	11 March 44	44 Appl., Form 8
921	Vierente Pasquale	Sup. Court	28 Feb	44 Appl., Form 8
748	Russo Giuseppe	"	15 "	44 Appl., Form 8
743	Russo Francesco	"	16 "	44 Appl., Form 8
848	Vecchione Angela	"	17 "	44 Appl., Form 8
263	Blancardi Raffaele	"	1 March 44	44 Appl., Form 8

For the Regional Commissioner:

Neil T. Baker
Neil T. Baker,
1st Lt., Q.M.C.,
Assistant Adjutant.

JOINT HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 3/4

ACC/4033/1/L

ACC/jpl
24 March

Subject : Case of Principe Luigi and others.

To : RLD (thru RC) Region III.

1. The record in the above case is returned herewith.
2. The decision is affirmed.

3. It is presumed that the bail and other monies held for Principe Luigi were appropriated to payment of his fine and that the bail monies held in respect of the other accused have likewise been appropriated to payment of their fines.

BT
sgn (G.A. Ursprung)
COLONEL

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
LEGAL DIVISION
APO 334, U.S. Army

274

17 March 1944

Subject: Della Cave Antonio, Di Dato Giuseppe, Esposito Pasquale, and Esposito Carmine.

To: Chief Commissioner, Allied Control Commission.

1. Reference is made to your letter 13 March 1944, AGC/483/1/L, relative to the above-named subject. Our records (Form No. 33) disclose that Esposito Carmine's appeal was decided 25 February 1944 by A.C.C. and said case was affirmed. With reference to subject Di Dato Giuseppe our records (Form No. 33) disclose that Di Dato Giuseppe's Appeal was decided 7 March 1944 by A.C.C. and said case was affirmed.

Affirm {

2. With reference to Della Cave Antonio and Esposito Pasquale I am enclosing Form 6 which contains the only record in the case.

John W. Chapman 135
JOHN W. CHAPMAN,
Lt. Col., J.A.S.D.,
Reg. Chief Legal Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION.

Legal Sub-Commission

A.P.O. 134

AGC/4093/1/L

24th March 1944.

Subject: Case of La Rocca Francesco.

For H.L.G. thru H.C. Reg III

1. The decision in the above case has been affirmed and the relevant forms are enclosed herewith.

2. It is pointed out that on the facts of the case, accused appears to have been helping himself to the flour and should have been charged with stealing. The penalty appears most inadequate.

while

3. It is also observed that Maxim suffering from tuberculosis, he is engaged preparing food for the Army. May to a fact be brought to the notice of the Officer in charge of contracts for Army bread.

A.C. Wright, Maj.
for G.H. Upjohn, Colonel, G.L.G.

ARMED FORCES
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 344

AGW/344
14 March 44

/J4083/1/L

Subject : Case of Scognamiglio Andrea di Antonio

To : RLO (thru RC) Region III.

1. Enclosed is the record of the above said case.
2. The record does not show sentence which has been taken from from "Appeal Form". It is assumed to be correct as the Judge in his comments says "the sentence is considered just."
3. The decision is affirmed. The record should, however, be completed before filing.

for A.C. Wright, Maj.
O.R. Upjohn
COLONEL, C.I.O.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission.
APO 394



ACC/4083/1/L

24th March 1944.

Subject. Cases of : G. AMMAICORELE Giustino di Raffaele
RUTOLO Ivo fu Rosario
NARCISI Tommaso di Luigi.

To SLO (thru SCAD) 8th Army.

1. The decisions of the court in the above cases have been affirmed and the relevant forms are enclosed.

2. Reference is made to my Memorandum on the subject of Publicity and Propaganda dated the 20th March inst (ACC 4009/L) and it is suggested that you get into touch with the PRO in your district with a view to giving wide publicity to the sentences imposed for breach of permit regulations *in your Courts near the front.*

A.C. Wright, Maj.
for G.R. Upjohn, Colonel, C.L.O.

THE KING-DARWIN
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 374

100/4003/1/1

100/101
24 March 44

Subject : Misdirected Cases.

To : RLC (thru HQ) Region IV.
SIC AMB, 8th Army.

1. Reference your letter 100/101/Reg/277 dated 6 March 44, received this day, and endorsed by SIC 8th Army, AMB.
2. It is much regretted that the misdirected communications escaped attention.
3. An endeavor is being made to prevent the recurrence of such mistakes.

A.C. BRIGHT
Major
For Chief Legal Officer.

HEADQUARTERS REGION IV
ALLIED MILITARY GOVERNMENT
APO 394

23 MAR 1944

2210

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TO : S.I.C. A.M.G. 8th Army
FROM : H.I.C. Region 4
SUBJECT: Provincial and Army Boundaries
REF : R4/LE/Reg/E/7
DATE : 6 March 1944

1. The enclosed papers in the case of Diamantina Insigni were received by us from A.C.G. and are now dispatched to you.
2. They should not have been sent to us and the address on the covering letter from A.C.G. is not only erroneous but meaningless.
3. Papers intended for you, and for other organizations, have been erroneously sent to us, thus causing delay in their ultimate reception which could have been avoided by correct addressing.
4. We enclose a copy of a letter initially sent to S.I.C. A.C.G. on this subject, and would add that we have had to write twice subsequently on specific cases of misdirection.
5. As delays caused by such misdirection affect you it may be that you would also take the matter up with A.C.G., Legal Sub-Commission.

WOR Dates.

Capt.
Chief Counsel
for H.I.C. Reg. 4

1st Ind. 21/3/44

→ No. CLO HQ acc Legal Sub com

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1. Statement in para. 3 is confirmed by undersigned.

Edwin J. Mercer

EDWIN J. MERCER, Maj. Ord.
SENIOR LEGAL OFFICER S.I.C. 8th ARMY

HEADQUARTERS REGION 4
ALLIED MILITARY GOVERNMENT
APO 394

269

TO : C.L.O., A.C.C. HQ.
FROM : R.L.O., Region 4
SUBJECT : Provincial and Army Boundaries
REF : R4/LE/Reg/E/7/
DATE : 26 February 1944.

1. At various dates recently letters and documents have been received at this Headquarters intended variously for Chieti, Campobasso, and Foggia.
2. Could the department responsible for dispatch be reminded that Chieti and Campobasso are and always have been controlled by A.M.G. 8th Army, and that Foggia since the 14th of this month has been under AMG Region 5.
3. Direct transmission to the above respective Headquarters would avoid the delay caused by the re-addressing, packing, and posting from this Headquarters.

W.G. WILLMER, R.O.,
Colonel,
R.L.O., Region 4.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission

AGC/181
23 March 44

AGC/1883/1/L

Subject : Case of GIMINO Gaelano

To : RLD (thru RC) Region III

1. Enclosed is a petition for clemency with sundry papers attached by the above named on compassionate grounds. (illness, and old age.)

2. It will be appreciated if you can supply this B.G. with particulars of the offense for which he was sentenced at AFRICOLA last November to one year's imprisonment and Lire 5,000 fine.

A.C. WRIGHT
Major
For Chief Legal Officer.

ENCL: SUNDRY PAPERS.

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REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACC/4083/1/L

ACR/jdl

23/may/44

Subject : Case of 1. DeRosa Giovanna
2. Esposito Carlo
3. Marino Franco
4. Punzetti Anna
5. Valentino Maria
6. Abbate Giovanni

Case of Zani Carla

To : RLO (thru RC) Region III.

1. Reference the letter from the Assistant Adjutant, H.Q. Reg. III, dated 13 March 1944, adn addressed to the Chief Commissioner.

2. Records or charge sheets being attached to the petitions for:

DeRosa
Esposito
Marino

It is possible for the Reviewing Officer to deal with these cases which are accordingly receiving attention.

3. In the case of PUNZETTI Anna a search discloses the fact that an earlier petition has already been lodged but (apart from the Judge's comments at the foot of the petition) there is no record of the facts or evidence adduced at the trial. The two petitions are returned, herewith and it is requested that the record on other sufficient particulars be forwarded to enable the CLO to review the case.

4. The case of VALENTINO Maria the sentence has already been reduced to 6 months.

5. In the case of ZANI Carla only a petition for review has been received. A record of the trial is requested.

6. If a general review of all cases of avowed or suspected prostitutes is considered necessary in the opinion of the local L.O. the respective records and petitions should be collected together and submitted for re-examination by this H.Q.

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- 2 -

7. In case of ABBATE Giovanni no appeal has been lodged and the record must therefore be kept in abeyance in this H.Q. until the expiration of time limited for appeal. Normally records should not be forwarded before the time has expired or an appeal has been lodged. Much time and labor is wasted when the record and appeal form are sent separately.

8. The letter under reply was directed to the Chief Commissioner and therefore delivered to him thus costing him much time and trouble. Communications regarding Review of Cases should be sent by normal channels namely, from the Regional RLO to the CLO.

GERALD R. UPJOHN
COLONEL
Chief Legal Officer.

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HEAD HEADQUARTERS
ARMED FORCES COMMISSION
Legal Sub-Commission
AIO 374

ACC/AGB3/1/L

ASW/Jpl
22 March 44

Subject : Case of 1. Vivo Giuseppe fu Gennaro
2. Agata Gennaro fu Vincenzo

To : RLC (thru RC) Region III.

1. The papers in the above mentioned cases are returned herewith.
2. It will be observed that on the "green edition" form II, the accused appeals against the sentence of 6 months and 10,000 lire fine; on the "white edition" form II, the accused appeal against the sentence of 6 months and 5,000 lire fine.
3. Please inform this Headquarters what was the actual sentence and in addition state whether an alternative term was imposed in case of default of fine.

GEORGE POLLOCK
Colonel
Chief Judicial Officer.

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HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

KCC/4083/1/L

ACW/jpl
22 March 44

Subject : Case of Arienza Saverio.

To : HLD (thru RC) Region V.

1. The record in the above case is returned herewith.
2. There is technical evidence to support the charge of making a false statement and accordingly the course has been adopted to affirm the conviction but to remit the balance of the sentence.
3. As mentioned, however, in conversation with Lt. Col. Saverio the proceedings were undesirable in the circumstances and the practice of bringing such charges should be discouraged.

GERALD R. UPJOHN
Colonel
Chief Legal Officer.

ALLIED CONTROL COMMISSION
 ALLIED MILITARY GOVERNMENT
 SALERNO PROVINCE
 LEGAL OFFICE

21 March 1944

Form J 4

Subject:

C.J.C., A.C.C.

To:

1) Herewith the following executed foras

J 4

J 4:

Number

853

880

Case

Marazzo Giocchino

Napoli Giuseppe and Orsilia Francesco

James J. Vogel
 James J. Vogel
 1st Lieutenant C.M.P.
 A.P.C., Legal

124

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

13 March 44.

Ref: 2201/56/G

SUBJECT:- Review of Cases

TO :- Chief Judicial Officer.

PETRONE, Pietro (S/S/120)
SALSANO, Mauro (S/CT/22)

Records, with petitions annexed are
enclosed for review.



D.E.S. COUSINS, Lt. Col.
R.L.O.
REGION II

C.F./LEGAL/1.

8th. March. 1944.

SUBJECT: Case of PIETRAROIA Nicolae and PIETRAROIA CELESTINO.

TO: C.L.O., Rear H.Q.S., A.C.O., Legal Dept. Campobasso, A.P.C. 314.

FROM: P.S.L.O. Campobasso Province.

In accordance with instructions of Eighth Army, papers in above case are returned to your H.Q.S., together with acknowledgement by S.C.A.O. Campobasso Province of receipt of decision on Review.

S.A.B-C./N.J.M.

J.A. Bryant (1st Lt.)
Major.
Scots Guards.
Provincial Senior Legal Officer.
Campobasso Province.

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

1579 ✓ 4375
3 MARCH 44

Ref: 2201/56/G

SUBJECT:- Review of sentence

TO :- Chief Judicial Officer

PETRONE, PIETRO

A further petition in this case is enclosed.
The record was sent to you on 21 Feb.

D.E.S. Cousins
D.E.S. COUSINS. Lt. Col.
R.I.C.
REGION II

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

JM/jpl

20 Mar. 44

ACC/4083/1/1

Subject : Case of Di Porzio Mario and others.

To : RLO (thru RC) Region III.

1. Reference my memorandum ACC/4083/1/1 dated 3 March 44.
and your note typed thereon forwarding form 8.

2. The signed record returned herewith does not prescribe
any sentence in the case of TUCCILLO Domenico, though he was found
guilty of the first charge of Summary C. An appeal has however
been lodged in his case from which it appears that a sentence of
three years was actually imposed.

3. Will you please have the record completed as necessary and
resubmitted to this office.

Encl: Record

GEORGE POLLOCK
COLONEL
Chief Judicial Officer

REAR HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
AR 394

ACW/jpi

20 Mar. 44

/ ACC/4083/1/L

Subject : Case of TERRACCIANO Raffaele
TERRACCIANO Salvatore.

To : REO (thru RC) Region III

1. Returned herewith is the petition on behalf of the above named.
2. That were the facts in this case which caused the judge to pass a sentence of 12 months imprisonment.

Encl : Petition.

GERARD FURLOCK
Colonel
Chief Judicial Officer.

113

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 334

ACW/jpl
20 Mar. 44

ACC/4983/1/L

Subject : TESTA Gennaro

To : RLO (thru HC) Region III.

No application for review appears to have been received
in this case and the record is accordingly returned to your office.

Encl: Case record.

GEORGE FOLLOCA
Colonel
Chief Judicial Officer

HEAD HEADQUARTERS
ARMED CONTROL COMMISSIONER
Legal Sub-Commission
402 394

ACB/jpl

20 March 49

ACB/403/1/5

Subject : Case of FERNANDO Nicola
FERNANDO Celestino.

To : RLD (thru AC) Region V.

1. The enclosed papers in the above mentioned case are
returned to your office for filing.

Copy to :
SIO, AME 8th Army

GEORGE POLLOCK
Colonel
Chief Judicial Officer.

Encl : Case records in above cases.

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HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Coordination

ACW/jpl
20 Mar. 44

ACW/4083/1/L

Subject: Cases of 1. Merenda Antonio
2. Di Lorenzo Francesco
3. Coglia Vittorio

To : RLO (thru AC) Region III.

The papers relating to above cases are returned herewith as the records do not show what sentences were imposed. Said records (form 3) should be completed.

GEORGE FORBES
Colonel
Chief Judicial Officer.

SUBJECT: Report of Summary Court Proceedings
of Ident. Bernard.

P.S.L.C. Chieti.

Rear AMG Eighth Army.

ON/13

16 Feb 44.

1. Undersigned is gravely concerned regarding subject.
 - (a) For possession of arms and explosives, which carries a possible death penalty the court gives respectively 15 days and 4 days.
 - (b) For wrongful possession of U.D. property the court imposed a fine of 500 lire.
2. It is quite apparent that this officer does not understand that the object to be obtained by our courts is security for the Army, not reforming the civilian.
3. Please have a talk with this officer at your first opportunity.
4. Papers referred to in 1(a) and 1(b) of your note are returned herewith.

EDWIN J. MURDER, Maj. Ord.
Senior Legal Officer,
A.M.G. Eighth Army.

Copy to C-10-HQ ACC Legal Unit 404.

APD 394

SUBJECT: Record of Military Court Proceedings.

Rear Adm Eighth Army.

P.H.L.O. 100-100.

04/15/

14 Feb 64.

Copy: C.I.O. Hq., 400.
Legal Subdivision.

1. Major Muzars frequently reports "6 found guilty - 1 acquitted" when there are more than one accused. It is probable that records and indices are kept on these cases and from such report it would be impossible to register the names of those found guilty. Records should show the individuals found guilty and those found not guilty.

2. The sentences voted out by Lieut. Landesman for unlawful possession of U.S. property are insufficient to act as a deterrent.

~~3. The sentences voted out by Lieut. Landesman for unlawful possession of U.S. property are insufficient to act as a deterrent.~~

Edmund Muzars

Edmund J. Muzars, Maj. Gen.
Senior Legal Officer,
8th Army.

HEAD HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACE/jpi
19 Dec. 44

100/4083/1/L

Subject : Case of Grillo Alfredo G. Fortunato.

To : SAC (thru RC) Region III.

1. This case has already been affirmed.
2. The further petition discloses no new grounds for review and is returned herewith together with form 8.

A.C. WRIGHT
MAJOR
For Chief Judicial Officer.

REAR HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

GP/jp1
19 March 1941

ACC/4083/1/L

Subject : Case of ALTARDO Gaetano

To : RAO (thru MC) Region II.

1. This petition is returned for inclusion with the other papers in this case.
2. The conviction and sentence have already been affirmed and must stand.

GEORGE POLLOCK
Colonel
Chief Judicial Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACC/4083/1/L

GP/jpl
19 March 44

Subject : Trial of Silvestrino Ignazio and others.

To : RLO (thru RC) Region III.

1. The framing of the charges in this case as shown on the "arrest report" is unsatisfactory. Were these the only charges served on the accused or was there a charge sheet? Each charge should refer only to one specific offence, eg that the defendant offered a bribe.

2. It seems further that this case should not have been tried in a Summary Court.

3. There is, however, evidence to support the convictions and they are affirmed.

GEORGE POLLOCK
Colonel
Chief Judicial Officer.

ALLIED MILITARY GOVERNMENT
SALERNO PROVINCE
LEGAL OFFICE

19 March 1944

Subject:

Form J 4

To:

C.I.O., A.C.C.

1) Herewith the following executed forms

J 4 :

Number	Case
675 ✓	D'Urso Francesco
676 ✓	Asato Gennaro
689 ✓	Ienna Gaetano
701 ✓	Andreoli Angelo
729 ✓	Visconti, Pepe and Di Martino
730 ✓	Petrone Antonio, Capasso et al.

Major, E. Cavot, 2nd

A.P.C., Legal

Case

D'Urso Francesco

Arato Gennaro

Iemma Gaetano

Andreoli Angelo

Visconti, Pepe and Di Martino

Petrone Antonio, Capasso et al.

Number

675 ✓

676 ✓

689 ✓

901 ✓

729 ✓

730 ✓

Baptist, Guyot, 2nd

A.P.C., Legal

Subject :- LegalRe :- P.O. A.S.S.

Borrowed from S.A. in the following items :-

1. STANLEY DORRIS ✓
2. WILLIAM DORRIS ✓
3. WILLIAM DORRIS ✓
4. WILLIAM DORRIS ✓
5. WILLIAM DORRIS ✓
6. WILLIAM DORRIS ✓
7. WILLIAM DORRIS ✓
8. WILLIAM DORRIS ✓
9. WILLIAM DORRIS ✓
10. WILLIAM DORRIS ✓

1. WILLIAM DORRIS ✓
2. WILLIAM DORRIS ✓
3. WILLIAM DORRIS ✓
4. WILLIAM DORRIS ✓
5. WILLIAM DORRIS ✓
6. WILLIAM DORRIS ✓
7. WILLIAM DORRIS ✓
8. WILLIAM DORRIS ✓
9. WILLIAM DORRIS ✓
10. WILLIAM DORRIS ✓

STANLEY DORRIS
10/10/50
P.O.

WILLIAM DORRIS ✓

P.O.
A.S.S.

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HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. SECTION
APO 394

8 MAR 1944

1971
247

Ref/3/53/CA

FLP/mrd
17 March 1944

SUBJECT: Bonnasera Giuseppe

TO : Administrative Section
(for Legal Subcommittee)

1. Reference ACC/4083/L of 27 Feb.,
forwarded herewith is the file in this
matter.

2. The Executive Commissioner ad-
vises he does not propose to take further
action in this case.

For R. E. Fiske
Colonel, Cavalry

for NORMAN E. FISKE
Colonel, Cavalry
Deputy Executive Commissioner

Encl. 1

Case record
on file
4083/24

file

111

file
4083HEADQUARTERS
ALLIED CONTROL COMMISSION
R.C. & M.G. SECTION
APO 394

8 MAR 1944

1971
247

Ref/3/3/CA

FLP/mrd
17 March 1944

SUBJECT: Bonnasera Giuseppe

TO : Administrative Section
(for Legal Subcommittee)

1. Reference ACC/4083/1 of 27 Feb.,
forwarded herewith is the file in this
matter.

2. The Executive Commissioner ad-
vises he does not propose to take further
action in this case.

for R. E. Fiske
Colonel, Cavalry
for NORMAN E. FISKE
Colonel, Cavalry
Deputy Executive Commissioner

Encl. 1

Case record
on file
4083/24

file

111

RENT HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

HW/jpl
19 Mar. 44

ACC/4083/1/L

Subject : Case of CATANIA Giuseppe

To : RLO (thru RC) Region I.

1. This case has been very carefully re-examined in the light of your memorandum RLE 013.043/HD dated 9 March 1944, and Major Campbell's letter M/132/L dated 3 March 1944. Four different officers have made independent reviews of the case.

2. It is regretted that the decision recorded in my note ACC/4083/1/L dated 12 February 1944 must stand. Reviewing Officers are naturally reluctant to quash convictions given by CAOs. They can however review cases only on the basis of the written records submitted to them in accordance with the instructions specifically laid down by higher authority.

3. In this case I am still of the opinion that on the written record there is no real evidence against CATANIA-Giuseppe's admission on page 22 of the record does not read as if it implicated CATANIA in any way.

4. While the difficulty of completing elaborate records is appreciated, it is really essential that cases coming forward for review should be so presented as to give the full picture to the Reviewing Officer.

5. The objections to the release of a character such as CATANIA are well appreciated. It should be added that while the Italian Police naturally would prefer to have CATANIA safely lodged in jail for a definite period, they would not seem to be without some protective remedy under their procedure for dealing with dangerous criminals who for some reason or another have not been convicted.

RICHARD H. WILSON
Lt. Colonel, C.A.C.
Deputy Chief Legal Officer.

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ALLIED CONTROL COMMISSION
SICILY REGION HQ.
APC 394

245

File: RLE 013.043/HD

9 March 1944

SUBJECT: Case of CATANIA Giuseppe and others.

TO : C.I.O., A.C.C. HQ., (Salerno Detachment) APC 394.

1. The attached documents are returned as the Forms J-3 have not been signed.

2. It is particularly requested that the Case of Catania Giuseppe may be reconsidered in the light of the attached letter dated 3rd March from Major Campbell, who tried the case and is always most conscientious in weighing evidence.

3. It is well-known in Sicily that crimes of violence are frequently organized and directed by persons, who remain in the background and against whom it is difficult to obtain other evidence than the statements of ~~his~~ accomplices. The release of a person with Catania's record is discouraging to the police authorities and is unintelligible to the public who regard such action as weakness on the part of the Allied Military Government. While it is not suggested for a moment that these considerations justify the confirmation of a conviction, which is not properly supported by the evidence, they lead the writer to ask that the evidence be reviewed once again before any doubt is finally resolved in favor of this particular accused.

For Lt. Col. HANCOCK:

H. M. DICKIE
H. M. DICKIE,
Squadron Leader R.A.F.
Regional Legal Officer 109

jd

Incl: File

Ref: 1/182/1

ALLIED CONTROL COMMISSION

CATANIA

3 March 1944

TO : Regional Legal Officer (2 copies).-

I return herewith your letter and papers in connection with appeals by CATANIA Giuseppe and others.

I realise that I am out of order in querying the decision of the reviewing authority, and if you think fit, please return the papers and the existing decision will be ^{acted} upon forthwith.

I would, however, comment that at the time of trial I had in mind that to convict on the uncorroborated evidence of an accomplice is dangerous (see MML pp 85 and 86); but statements implicating CATANIA were made by DISTEFANO and FIGRE and these statements were corroborated by SAMBATINO and MANFROTTA - so there is some corroboration of each story: and the fundamental truth of these statements is confirmed first by the fact that they agree as to the events which were proved alibi and secondly by the fact that DISTEFANO admitted to me in Court (see p.22 of my note) that the story told by the Carabinieri ¹⁰⁰ was true except as to the carrying of arms.

Moreover, I think it is fair to comment at this stage that CATANIA is known to be a very dangerous character with a very bad record.

I. Campbell

I.G.H. CAMPBELL, Major
Provincial Legal Officer.

PEAR HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

GPO/jpi

19 Mar. 44

ACC/4383/1/L

Subject : MINTEROBIH RIOTS

To : SCAG, AMG, 5th Army.

1. The sentences in the above mentioned cases were originally reduced by the reviewing officer on behalf of the Chief Commissioner, on the recommendation of HQ, 5th Army, AMG.
2. I am instructed to say that the cases cannot be re-reviewed as no new circumstances have been disclosed which would justify such an unusual procedure.
3. The records in the five cases are returned herewith.

GERALD R. UPJOHN
Colonel
Chief Legal Officer.

ALLIED MILITARY GOVERNMENT

Monterotondo, Campobasso

18 Feb 44

SUBJECT: ANG V. Ferrelli, Michele; Tuzo, Antonio; Maccicola, Bernardino;
Berbone, Nicola; Bertone, Benedetto: APPEAL

TO: Chief Legal Officer concerned THRU SCAO CEP

1. Attached is a "Domanda di Grazia" from the Arciprete SCIOLI of this town in the above entitled proceedings, which, it is thought constitutes an appeal from the sentence, or more properly, a request for clemency or parole under existing regulations. It is transmitted with this end in view.

2. Following is an approximate translation thereof:
 "The undersigned, Arciprete of the Comune of Monterotondo, Province of Campobasso, impelled by conscientious duty, asks to expose to Your Lordships the pitiful circumstances in which the families of five peasants find themselves, (having been) concerned following proceedings here had for rebellion against local authority, and who presently are in jail. But before all else it is asked that it be noted that this town has been the most peaceful Comune of the Province and has never given trouble to the authorities, even while the victims of torture, violence and abuses of all sorts. And if on the 6th January of the current year certain of the poorest and most ignorant (citizens) wanted to manifest dissatisfaction this said not constitute rebellion, but resentment caused by several unjust oppressions committed by the arm of the Royal Carabinieri prejudicial to the most needy class of the town. And if they had wanted to so harm they would not have gone to the meeting unarmed or at least would have reacted in front of the carabinieri, who, using arms, caused three wounds of which one (is) quite serious. This being exposed the undersigned permits himself to bring to Your Lordships' attention the pitiful state in which the families of the five prisoners find themselves, (prisoners) presently in jail, in order to obtain from Your goodness and generosity an act of clemency in their favor with respect to the sentence or at least a reduction of the penalty:-

10
 10 Ferrelli, Michele fu Vincenzo age 53 condemned to 6 months jail. He is a mutilated (person) of the last war and has always manifested sympathetic sentiments toward the Anglo-Americans (sic); so much so that while the Germans were still here he risked his life harboring in a country house an American Colonel and ... accompanied him across the enemy lines crossing the Valturmo with a radio transmitting set on his

the undersigned, Precipite of the Comune of Montebelloni, Province of Campobasso, impelled by conscientious duty, asks to expose to Your Lordships the pitiful circumstances in which the families of five peasants find themselves, (having been) condemned following proceedings here had for rebellion against local authority, and who presently are in jail. But before all else it is asked that it be noted that this town has been the most peaceful Comune of the Province and has never given trouble to the authorities, even while the victims of torture, violence and abuses of all sorts. And if on the 6th January of the current year certain of the poorest and most ignorant (citizens) wanted to manifest dissatisfaction this did not constitute rebellion, but resentment caused by several unjust oppressions committed by the arm of the Royal Carabinieri prejudicial to the most needy class of the town. And if they had wanted to do harm they would not have gone to the meeting unarmed or at least would have reacted in front of the carabinieri, who, using arms, caused three wounds of which one (is) quite serious. This being exposed the undersigned permits himself to bring to Your Lordships' attention the pitiful state in which the families of the five prisoners find themselves, (prisoners) presently in jail, in order to obtain from Your goodness and generosity an act of clemency in their favor with respect to the sentence or at least a reduction of the penalty:-

1° Ferrelli, Michele fu Vincenzo age 53 condemned to 6 months ¹⁰⁰ jail. He is a mutilated (person) of the last war and has always manifested sympathetic sentiments toward the Anglo-Americans (sic); so much so that while the Germans were still here he risked his life harboring in a country house an American Colonel and ... accompanied him across the enemy lines, crossing the Volturno with a radio transmitting set on his back, which he had successfully concealed from (the Germans), and saved his life and that of the Colonel. ... he is the father of 6 children almost all minors and living in misery.

2° Tuzano, Antonio di Giuseppe, condemned to 6 months in jail. Was for several years in America, ~~where he rendered excellent services to the Americans~~ for whom he has rendered excellent services in their war operations. He was always proud to be with them and since he speaks English has always acted as interpreter. He is the father of 3 children and very poor

3° Macerola, Bernardino fu Pasquale condemned to one year in jail. His wife

over

wife is sick (and he has) three children, all little, who live in a miserable house in the most squalid misery.

4. Bertone, Nicodda age 50, condemned to 6 months in jail. He is an excellent workman who lived by the sweat of his brow having no means of his own, has a wife and three sons who live miserably.

5. Bertone, Benedetto di Nicola age 26, condemned to one year in jail. He is a mutilated (person) of this war with wife and two very small children and being extremely poor was constrained to be a goatherd.

As the Commander sees, the conditions of these unfortunates are extremely pitiful and it would appear that an act of clemency on the part of Your Lordships would restore tranquility and life to 5 poor families. The Moral, religious and political conduct of the aforementioned peasants is excellent, otherwise the undersigned would not have permitted himself to present their cases if they were not worthy.

With obsequies and esteem, believe me

Most devotedly

(signed) Arciprete Schola : (illegible)

(end of translation)

3. It is requested that the matter be transmitted to the proper authority.

Mary Richards
Mary Richards

Capt Inf AUS

CAO DIM

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACC/4083/1/L

GP/191
19 March 44

Subject : Case of PRACTICO Pasquale.

To : RLO (thru RC) Region II.

1. From the record in this case the trial appears to have been unsatisfactory for the following reasons:

- (a) There is no such proclamation offence as that charged. If it was intended to prefer a charge under Section 5 the charge should have read:

"Found in possession of firearms, to wit
....."

Section 5 does not refer to "military materials."

- (b) If it was intended to prefer a further charge concerning cigarettes this should have been expressly stated.
- (c) Evidence for the prosecution refers to the accused as having been "found in possession of arms; but from the record as a whole it seems clear that they were not found on his person but in his father's house.

The defendant and four other witnesses gave evidence which prima facie exculpates accused, who did not live in his father's house. It is therefore not clear from the record how the possession of the accused was proved.

- (d) Mention is made in the evidence of cigarettes but there is no sufficient indication whether these were Allied or Italian cigarettes.

2. Before dealing with this case I should like the Judge's observations on the matters set out above.

GEORGE POLLOCK
Colonel
Chief Judicial Officer

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 374

JH/jpl
18 Apr. 44

ACC/4083/1/L

Subject: Case of:

PICANO Giovanni (S/S/118)
MARTUCCI Maria (S/S/121)
Migliano Vincenzo
and three others (S/S/115)

To: AIC (thru HC) Region II.

1. PICANO Giovanni (S/S/118). This case is still under consideration.
2. Martucci Maria (S/S/121). Papers returned herewith, with decision to affirm.
3. Migliano Vincenzo etc (S/S/115). This appeal appears to have been attached to these papers in error. It related to Gottoli Vito aged 66, imprisoned for being in possession of clothing and tools. The only Gottoli in these proceedings is Gottoli GIACOMO, aged 35, accused of stealing wheat. The papers are accordingly returned to you.

GEORGE FORDOCK
Colonel
Chief Judicial Officer.

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HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

11 March 44.

Ref: 2201/55/G

SUBJECT:- Review of Cases

TO :- Chief Judicial Officer

PRATICO, Pasquale (C/76)
FRANCO, Domenico (C/110)
PALACINO, Giovanni (C/68)

Records with appeals annexed in the above cases are enclosed for review.

There appears to be a certain amount of irrelevant evidence in the case against Pratico, and it is observed that his mother and wife were called as witnesses for the prosecution. Enquiry has been made as to the offence for which Pratico was in prison at the time of his trial, but no reply has yet been received.

D.E.S. Cousins
D.E.S. COUSINS. Lt. Col.
R.L.O.
REGION II

Falco Carlo O.
5th Army

4083

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
LEGAL DIVISION
APO 394, U.S. ARMY

238

JWC/edg
3/5071/L

14 March 1944

Subject: Decisions on Review.

To : C.L.C. Legal Subcommittee, A.C.C.

1. The attached letter from the P.L.C., Naples Province is transmitted for your consideration.
2. Suggested forms of decisions on review adopted by this office are submitted for information.

John W. Chapman
JOHN W. CHAPMAN
Lt. Col., J.A.G.D.
Reg. Legal Officer.

PHRASES TO BE USED IN REVIEW
OF TRIALS BEFORE AMG COURTS.

oooooooooooo

1. Finding and sentence confirmed
2. Conviction set aside and new trial ordered
3. Conviction set aside and charge dismissed
4. Finding confirmed but sentence suspended
5. Finding confirmed but sentence reduced to -
6. Finding confirmed but sentence commuted to -

oooooooooooo

Conviction quashed + charge dismissed

Rev. 11-3-44

HEADQUARTERS

ARMED CONTROL COMMISSION

PROVINCE OF NAPLES

MUNICIPIO

10 March 1944

Memorandum: Col. Chapman:

In order that no misunderstanding may arise, it is requested that in cases on review, where conviction is set aside, that the order further state if ~~conviction~~ ^{charge} is to be retried or dismissed.

For example, in a review received to-day, it states "conviction and sentence and fine quashed". It is submitted that under such order, the setting aside of the conviction, sentence and fine, does not set aside the charge. If it is desired to set aside the charge, the order should so state. If the conviction only is set aside, the order should indicate that a retrial is desired.

The personnel to whom such orders are directed in many instances are not legally trained. Hence, there should not be left untouched in such order any premise for misunderstanding. Please communicate this request to your reviewing personnel and to the higher echelons as well.

John K. Weber
JOHN K. WEBER
Colonel, Infantry
S.L.O., Naples Province

that the order is not a conviction.

For example, in a review received to-day, it stated "conviction and sentence and fine quashed". It is submitted that under such order, the setting aside of the conviction, sentence and fine, does not set aside the charge. If it is desired to set aside the charge, the order should so state. If the conviction only is set aside, the order should indicate that a re-trial is desired.

The personnel to whom such orders are directed in many instances are not legally trained. Hence, there should not be left untouched in such order any premise for misunderstanding. Please communicate this request to your reviewing personnel and to the higher echelons as well.

John R. Weber
JOHN R. WEBER
Colonel, Infantry
S.L.O., Naples Province

TO CIG Legal Subcommission HQ ACC

FROM HQ Region 5 A.S.C.

SUBJECT Decisions on Review

REF D/5/511/15/A

1. CIG 8th Army has handed to this HQ certain court records for safe custody.
2. Included in those documents were the attached Form 5 A, some signed, some unsigned, which are forwarded to you. In all cases the Decisions have been received by the HLO concerned.

For Regional Commissioner


W.E. Behrens
Lt. Col
A.S.C.

TO
PROVINCIAL
COMMISSIONER
SALERNO

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission.

APC 394

17th March 1944

To R.C. (then R.C.) Region IV

From: C.J.O.

Subject: Case of FORNATO Andrea.

1. The sentence of death in this case has been commuted by the Chief Commissioner to one of imprisonment for twenty years.
2. As the case was tried in Salerno which is now in your area all the papers are sent herewith. A copy of this letter is being sent direct to the P.C. Salerno so that the decision may be communicated to the accused without delay.

George FORBES,
Colonel.
Chief Judicial Officer.

Copy to P.C. Salerno

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission.

APC 394

17th March 1944

To R.C. (then H.Q.) Region IV.

From C.J.O.

Subject: Case of FORTUNATO Andrea.

1. The sentence of death in the ca

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission

APD 394

17th March 1944

Subject: Decisions on Review of the
Chief Commissioner A.C.C. in the
cases of Palumbo Antonio.

To: H.Q. Region III

From: C.J.O.

1. Such papers as have been sent to us are herewith returned to you. Before considering this matter, ALL the papers must be collected and sent here including either the original or copies of 3 "the records in Benevento".
2. The Application for Review quite clearly states the sentence to have been three months. This application was forwarded to us by Major Elder who sat as Judge with a covering letter dated 20th January which gives no indication that the sentence was not in fact 3 months but three years ! On review it was observed that the sentence of 3 months appeared to be a very light one.
3. The matter should be treated as urgent as the three months term is about to expire.

George POLLOCK,
Colonel.

Chief Judicial Officer.

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION.

Legal Sub-Commission.

ARO 394

232

ACC/4083/1/L

17th March 1944.

Subject: Case of: 1. Iandolo Armando
2. Ferrino Alfonsina di Antonio
3. Doppina Maria
4. Adinolfi Natalino.

To: JLO (thru RC) Reg. III.

1. A Summary Court cannot impose a sentence which would have the effect of extending the term of imprisonment beyond one year if a fine is not paid.
2. The sentence on Iandolo has accordingly been varied to read: Nine months' imprisonment and Lire 30,000 fine or in default an additional three months.
3. In view of the amount of property involved and the general circumstances, the case should have been sent for trial before a Superior Court. I assume that the sum of Lire 12,000 was confiscated. This should have appeared on the record.

George POLLOCK
Colonel

Chief Judicial Officer. 96

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REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission.

APO 394

ACC/4083/1/L

17th March 1944

Subject: Case of BELLISSARIO Gio vanni di Santo.

TO SLO ANG. 8th Army.

1. The above case has been considered and it has been decided to suspend one half of the prison term.
2. This decision has been taken because appellant in his petition claims to have given assistance to Allied Officers. His claim is corroborated by Italian witnesses and by the letters he has written to the Officers concerned. These letters have been produced to the Reviewing Officer.
3. The papers in connection with said appeal are returned herewith.

George POLLOCK,
Colonel.

Chief Judicial Officer

REAR HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ASW/1P1

16 Mar 44

ASG/A033/1/L

Subject : Case of:

1. ADINOLFI	Michele	quashed	26 Feb. 44
2. DISONDA	Vincenzo	affirmed	3 Mar. 44
3. SPESA	Police	affirmed	3 Mar. 44
4. SAVARDE	Catello	affirmed	27 Feb. 44
5. ARZANO	Giuseppe	affirmed	3 Mar. 44
6. ARZANO	Nicola	affirmed	3 Mar. 44
7. GIORDANO	Salvatore	affirmed	3 Mar. 44

TO : RLD (thru RC) Region III.

1. The above cases having been disposed of as shown, the enclosed papers are returned for filing.

GEORGE POLLOCK
Colonel
Chief Judicial Officer.

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PEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

AGO/4083/1/L

ACW/JPI
16 March 44

Subject : Case of:

1. CASTALDO Francesco
2. CASTALDO Raffaele
3. CANGIANO Giuseppe
4. CANGIANO Vincenzo

To : RIA (thru RG) Region III.

1. The record on Form 5 should always show whether the Court is a Superior or Summary Court. It is assumed that this case was tried by a Summary Court as stated on Form 11 (appeal form) although statements in such forms are not always reliable.

2. A Summary Court cannot impose a sentence which would have the effect of extending the term of imprisonment beyond one year if a fine is not paid.

3. The decision in the case of CASTALDO Raffaele has accordingly been varied to 6 months imprisonment and 50,000 lire fine, or in default of fine an additional 6 months.

4. In all cases where a fine is imposed, a reasonable term of imprisonment within the limits of the Court's jurisdiction should always be fixed in default of payment.

5. The decisions in the cases of CANGIANO Francesco
CANGIANO Giuseppe
CANGIANO Vincenzo, have been amended accordingly.

GEORGE POLLOCK
Colonel
Chief Judicial Officer.

REAR HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACG/jr1
16 March 44

ACG/4583/1/L

Subject : Case of:

1. DiSarno Felice
2. Tavorario Antonio

To : RLO (thru RC) Region III.

1. The Record (form 8) does not show if the Court was a Superior or Summary Court. This should always be stated. In the absence of any indication on the point it is assumed the judge sat as a Summary Court.

2. A Summary Court cannot impose a sentence which would have the effect of extending the term of imprisonment beyond one year if a fine is not paid.

3. The sentence on Di Sarno has accordingly been varied to read: 6 months' imprisonment and a fine of \$50.00 or in default to admit and six months.

4. In all cases where a fine is imposed a reasonable term of imprisonment within the limits of the Court's jurisdiction should ~~also~~ be fixed in default of payment.

5. The ~~sentence on~~ ^{penalty on} Tavorario ^{is, sent} has been completed accordingly.

GEORGE POLLOCK
Colonel
Chief Judicial Officer.

NEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACW/jpl

16 March 44

AGC/AGC/1/L

Subject : Case of :

1. PORCELLI Stanislas
2. PORCELLI Vincenzo
3. MARCONI Vincenzo

To : RLO (thru AG) Region III.

1. The Record (Form 8) does not show if the Court was a Superior or Summary Court. This should always be stated. In the absence of any indication on the point it is assumed the judge sat as a Summary Court.

2. A Summary Court cannot impose a sentence which would have the effect of extending the term of imprisonment beyond one year if a fine is not paid.

3. The sentence on Porcelli Stanislas has accordingly been varied to read: six months' imprisonment and fine 30,000 francs in default an additional six months.

4. In all cases where a fine is imposed, a reasonable term of imprisonment within the limits of the Court's jurisdiction should always be fixed in default of payment.

5. ~~It is pointed out that~~ if the facts of the case warranted the original sentence the case should have been sent for trial before a Superior Court.

6. It is observed that one of the defendants "MARCONI Vincenzo" pleaded Guilty, but the record does not show that any sentence was passed upon him. Information is requested on this point.

GEORGE POLLOCK
Colonel
Chief Judicial Officer.

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HEADQUARTERS
ALLIED MILITARY GOVERNMENT
REGION II

Ref: 2201/56/G

SUBJECT: Review of cases

TO : Chief Judicial Officer

Cinola Nicola

1. The record in this case was received at the beginning of February. A copy letter dated 5 Feb from this H.Q. is attached asking for certain particulars. The reply, which has just come to hand, and an appeal by the wife of the accused is also attached.
2. Despite the fact that the then L.O. at Salerno gave a lecture to all non-legal officers who were accustomed to conduct Summary Courts, the powers of such Courts are still not apparently appreciated. The same remarks apply to the question of the prompt submission of appeals.
3. As Salerno Province is no longer in this Region, it is unfortunately impossible for this H.Q. to reply to the letter of 15 Feb.

MacKinnon
D.E.S. COUSINS. Lt. Col.
H.L.O.
REGION II

DEAR HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACW/jpi
15 Mar. 44

ACC/4083/1/L

Subject : Case of CINOLA Nicolo

TO : RAO (thru RO) Region II.

1. A Summary Court cannot impose a sentence which would have the effect of extending the term of imprisonment beyond one year if a fine is not paid.

2. The sentence on CINOLA Nicolo has accordingly been varied to read: 6 months' imprisonment and \$10,000 fine or in default an additional six months.

GEORGE FORDON
Colonel
Chief Judicial Officer.

HEAD HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACW/3pl
16 March 44

MC/4083/L

Subject : Records.

To : SLS AMG, 5th Army.

1. Reference your letter MC/13, dated 6 Mar. 44, para # 4.
2. The reply is in the affirmative.
3. Records returned after review should therefore be sent to the NCIS for file.

GEORGE POLLOCK
Colonel
Chief Judicial Officer.

File
SUBJECT: Records where application
for review filed.

4083
4083
Rear AMG Eighth Army.

Ref: CA/13

C.L.O., Rear H.Q.,
A.C.C. Legal Sub-Commission,
A.P.O. 394.

6 Mar 44.
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1. Subject records are now being returned to this office with Decision on Review.
 2. In the past such records were retained in office of C.L.O., 15 Army Group.
 3. It is anticipated that a directive will be received by this office allowing the forwarding of all records of trial reviewed by S.L.O., Eighth Army to the R.C.L.O. for file.
 4. Should same disposition be made where review is made at H.Q. A.C.C.?
- yes*

Edwin J. Mercer
EDWIN J. MERCER,
Major OMD.,
Senior Legal Officer,
AMG Eighth Army.

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1
JAN HEADQUARTERS
ALLIED GENERAL COMMISSION
Legal SubCommission
APO 394

ACW/jpl
16 Mar. 48

ACC/4033/1/L

Subject : Case of Cogniano Grete di Pietro

To : RLD (thru RC) Region III.

1. It is observed from the appeal petition that the accused says she had to lodge a "cauzione di L. 5,000" with the Maresciallo del PR.OC. at the time of the occurrence, which cauzione has not yet been returned to her.

2. This amount should be appropriated to payment of the fine.

GEORGE POLLOCK
Colonel
Chief Judicial Officer.

FOR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO JFH

ACW/jpl
16 Mar. 44

ACC/4083/1/L

Subject : Case of Ogliaio Grazia di Pietro

TO : HEO (thru RC) Region III.

1. It is observed from the appeal petition that the accused says she had to lodge a "cauzione" of L. 5,000 with the Ufficialo del P.S. at the time of the occurrence, which cauzione has not yet been returned to her.

2. This amount should be appropriated to payment of the fine.

GEORGE POLLOCK
Colonel
Chief Judicial Officer.

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
A.P.O. 354, U.S. Army

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14 March 1944

Subject: Decisions on Review of the Chief Commissioner A.C.C., respecting the cases of Castero Francisco, Palumbo Antonio and Recchia Domenico.

To : Chief Commissioner, Allied Control Commission.

Reference is made to a letter received from Major G.S.T. Ainslie, respecting the above subject. We hand you herewith the files in said cases together with the letter of Major G.S.T. Ainslie for such action as you deem necessary in the premises.

For the Regional Commissioner:

Ned C. Baker
NED C. BAKER,
1st Lt., G.M.C. *JB*
Assistant Adjutant.

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4083/1

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

18 MAR 1944

1912

13 March 44

Ref: 2201/56/G

SUBJECT:- Review of Cases

TO :- Chief Judicial Officer

MONTONE, Ugo
TANCHEDI and 7 others (including Colangelo, Tufi,
and De Lucia)

Ref. your ACC/4083/1/L dated 1 March, the
Records with decisions on review to which you refer,
do not appear ever to have reached this H.Q.

Were the convictions and sentences affirmed
in these cases? The records were sent to you on 26 Jan.

D.E.S. Cousins
D.E.S. COUSINS, Lt. Col.
R.L.O.
REGION II

ALLIED CONTROL COMMISSION
ALLIED MILITARY GOVERNMENT
SALERNO PROVINCE
LEGAL OFFICE

15 March 1944

Subject: Forms J 4

M.C.I.O., Region 2 HQ.

To:

1) Herewith the following executed form J 4:

Number	Case
620	Di Landro, Filippo
622	1) Sabino, Demetrio
	2) Di Florio, Vincenzo
	3) Di Battista, Antonio
625	Ortati, Andrea
649	Cappano, Fraiden
648	Matola, Salvatore
649	Plaitano, Giovanni
650	Catino, Alessandro

Di Landro, Filippo

1) Sabino, Domenico

2) Di Florio, Vincenzo

3) Di Battista, Antonio

Ottati, Andrea

Capuano, Francesco

Matola, Salvatore

Platano, Giovanni

Catino, Alessandro

8

Edmond N. Arvet

Edmond N. Arvet, 2nd Lt.

A.P.C., Label

620

622

625

649

648

649

650

0

Legal

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HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
A.P.O. 394, U.S. Army

13 March 1944

Subject: Transmission of Enclosed Documents relating
Review of Sentences.

To : Military Governor (thru Chief Commissioner,
Allied Control Commission).

1. There is submitted herewith in accordance with Executive Memo No. 4, A.C.C., 7 Feb. 44, the following applications for pardon:

- 1) Lazzarone Felice ✓
- 2) Francese Concetta ✓
- 3) Ciano Raffaele ✓
- 4) Bruno Otto ✓

For the Regional Commissioner:

Neil C. Baker
NEIL C. BAKER,
1st Lt., U.S.A.,
Assistant Adjutant.

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HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
A.P.O. 394, U.S. Army

14 March 1944

Subject: Transmission of Enclosed Documents relating Review of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to appropriate order, I enclose herewith documents listed below relating to applications for Review of Sentences.

Regal File No.	Name	Court	Date of Trial	Docu- ment
900	Amoroso Angelo	Torre Annun- ziata	9 March 44	Appl., Form 8
902	La Rocca Francesco	Torre Annun- ziata	6 " 44	Appl., Form 8
647	Esposito Vincenzo	Roma	8 Feb 44	Appl., Form 8
899	Berti Antonio	Portici	4 March 44	Appl., Form 8
895	Martone Giuseppe	Speranise	16 Feb 44	Appl.
	(We are unable to obtain further Records in this case.)			
88	Mengillo Angelo,	Sup. Court	14 Jan 44	Appl.
	(This case was sent to A.C.C. 10 March 1944 and this instrument was received in this office 13 March 1944.)			
833	Borriello Mattia	Torre del Graco	28 Feb 44	Appl.
	(This case was sent to A.C.C. 8 March 44 and the accused wishes that this instrument be considered in his appeal.)			

For the Regional Commissioner:

Neil C. Baker
NEIL C. BAKER,
1st Lt., U.S.A., JG
Assistant Adjutant.

HEADQUARTERS
 HETTON 3, ALLIED CONTROL COMMISSION
 A.P.C. 394, U.S. ARMY

12 March 1944

SUBJECT: Transmission of Enclosed Documents relating Reviews of Sentences.

TO : Chief Commissioner, Allied Control Commission.

1. Pursuant to appropriate order, I enclose herewith the documents listed below relating to applications for Review of Sentence.

Legal File No.	Name	Court	Date of Trial	Docu ment
✓ 655	Principe Luigi	Col. Willis Ct. (Curfew)	11 Feb 44	44 Appl. Form 8
✓ 655	Principe Cirro	" "	" 11 "	44 Appl. Form 8
✓ 655	Angelone Giuseppe	" "	" 11 "	44 Appl. Form 8
✓ 655	Zabaroni Renato	" "	" 11 "	44 Appl. Form 8
✓ 646	Castellano Armando	Sup. Court Benevento	28 "	44 Appl. Form 8
✓ 646	Cortegallina Genaro	Sup. Court Benevento	28 "	44 Appl. Form 8
✓ 686	Merenda Antonio	Mondragone	24 "	44 Appl. Form 8
✓ 687	Di Lorenzo Francesco	"	4 "	44 Appl. Form 8
✓ 689	Goglio Vittorio	S. Andrea del Picerno	21 "	44 Appl. Form 8
✓ 690	Vitiello Paolo	S. Maria C.V.	4 March 44	44 Appl. Form 8

✓ 635	Principe Indagi	Col. William St.	11 Feb	44 Appl., Form 8
✓ 635	Principe Cairo	" "	"	44 Appl., Form 8
✓ 635	Angelone Giuseppe	" "	11	44 Appl., Form 8
✓ 635	Zaccaroni Renato	" "	11	44 Appl., Form 8
✓ 846	Castellano Armando	Sup. Court Benevento	23	44 Appl., Form 8
✓ 846	Costagliola Gennaro	Sup. Court Benevento	23	44 Appl., Form 8
✓ 886	Merenda Antonio	Monfalcone	24	44 Appl., Form 8
✓ 887	Di Lorenzo Francesco	"	4	44 Appl., Form 8
✓ 889	Gaglia Vittorio	S. Andrea del Bisone	21	44 Appl., Form 8
✓ 890	Vitiello Paolo	S. Maria C.V.	4 March 44	44 Appl., Form 8
✓ 893	Scognamiglio Andrea	Sperandea	11 Feb 44	44 Appl., Form 8
✓ 880	Mancini Benedetto	S. Maria C.V.	23	44 Appl., Form 8

For the Regional Commissioner:

Walter G. Baker
 1st Lt., Q.M.C.,
 Assistant Adjutant.

HEADQUARTERS
REGION 3, ALLIED SUPPLY COMMISSION
A.P.O. 124, U.S. Army

10 March 1944

Subject: Transmission of Enclosed Documents relating Review of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to Directive, there are enclosed herewith the documents listed below relating to Petitions of Appeal. In cases where no Form 8 is enclosed, the plea, was guilty according to A.M.C. Court Records furnished this office.

Legal File No.	Name	Court	Date of Trial	Decu-ment
756	Adinolfi Natalino	Sum. Court No. 2	17 Feb 44	Appl., Form 8
875	Cacciano Angelo	Col. Willis Court Sum. Court No. 3	23 " 44	Appl., Form 8
33	Errico Giovanni	Sum. Court No. 1	19 Jan 44	Appl., Form 8
668	De Filippo Salvatore	" " No. 3	4 March 44	Appl., Form 8
876	Vivi Giuseppe	No record of Ct.	22 Jan 44	Appl.
877	Aceta Gennaro	" " "	22 " 44	"
878	Calazzo Salvatore	" " "	22 " 44	"
879	Silvestro Guido	Sum. Court No. 2	17 Dec 43	"
788	Brigo Francesco	S. Maria C.V.	15 Feb 44	"
787	Punzetti Anna	" "	21 " 44	"
697	Terracciano Salvatore	Nois	27 Jan 44	"

This case is now pending before A.C.C.

the documents listed below relating to Petitions of Appeal. In cases where no Form 8 is enclosed, the file, was suitably according to A.S.S. Court Records furnished this office.

Legal File No.	Name	Court	Date of Trial	Docu- ment
758	Adinolfi Natalino	Sum. Court No. 2	17 Feb 44	Appl., Form 8
875	Cacciano Angelo	Col. Willis Court Sum. Court No. 3	23 " 44	Appl., Form 8
33	Errico Giovanni	Sum. Court No. 1	19 Jan 44	Appl., Form 8
868	De Filippo Salvatore	" " No. 3	4 March 44	Appl., Form 8
876	Vivi Giuseppe	No record of 3d.	22 Jan 44	Appl.
877	Agata Gennaro	" " "	22 " 44	"
878	Salvatore Salvatore	" " "	22 " 44	"
879	Silvestro Guido	Sum. Court No. 2	17 Dec 43	"
788	Brigo Francesco	C. Maria C.V.	15 Feb 44	" 80
787	Punzetti Anna	" " "	21 " 44	"
697	Terracciano Salvatore	Nola	27 Jan 44	"
	This case is now pending before A.S.C.			
773	Grippa Alfredo	Sup. Mil. Court	29 Dec 43	"
	This case is now pending before A.S.C.			

For the Regional Commissioner:

P. J. Long
C.W. SALPESCA,
Capt., A.U.S.,
Adjutant.

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394 U. S. Army

8 March 1944.

Ref
11-3-44
214

SUBJECT : Petitions for Conditional Liberty by Lazazzera Felice,
Francone Concetta, Ciano Raffaele, Bruno Oto.

TO : Headquarters Region 3, Regional Legal Officer.

Enclosed are Petition for Conditional Liberty on behalf of
the above named, received by this office 7 March 1944.

fulwell
A.E. Gold,
Captain AUS,
Provincial Legal Officer,
Avellino.

AEG/AT

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HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
A.T.C. 394, U.S. Army

8 March 1944

Subject: Transmission of Enclosed Documents relating Review of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to Directive, there are enclosed herewith the documents listed below relating to Petitions of Appeal. In cases where no Form 5 is enclosed, the plea, was guilty according to A.M.S. Court Records furnished this office.

Legal File No.	Name	Court	Date of Trial	Docu- ment
838	Bottiglieri Ciro	Portici	25 Feb 44	Appl., Form 5
839	Berriello Mattia	Torre del Greco 28	" 44	Appl., Form 5
840	Albano Donato	Sup. Court Benevento	28 " 44	Appl., Form 5
30	Raffaele Ciano This case is now pending before A.C.C.	Nola		Appl.
836	Tulio Menduto	Castellammare	25 " 44	Appl.
837	De Gregorio Maria	"	25 " 44	Appl.
834	Tencino Sabino	Berna	15 Jan 44	Appl.
835	Giovanni Cosmolino	Torre del Greco 31	" 44	Appl.
833	Scognamiglio Andrea	Spauranise	11 Feb 44	Appl.

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File No.

838	Bottigliari Ciro	Portici	28 Feb 44	Appl. Form 8
839	Horriello Battia	Torre del Greco	28 " 44	Appl. Form 8
840	Albano Donato	Sul. Court Benevento	28 " 44	Appl. Form 8
30	Edificalo Ciano	Nole		Appl.
	This case is now pending before A.C.C.			
836	Luigi Menduto	Castellammare	25 " 44	Appl.
837	De Gregorio Mario	"	25 " 44	Appl.
834	Cesario Sabino	Barric	15 Jan 44	Appl.
835	Giovanni Cosolino	Torre del Greco	31 " 44	Appl.
833	Scognamiglio Andrea	Spauriniae	11 Feb 44	Appl.
856	Di Porzio Mario	Superior Court Naples	8 Jan 44	Appl. Form 8
871	Gennaro Capasso	Sant'Antonio	14 Dec 43	Appl. Form 8
832	Pagano Secundino	Caserta	5 Feb 44	Appl.
	This may be considered a request for a Pardon. We have no other file in this office concerning this matter.			
689	Cuccace Giuseppe	Portici	11 Dec 43	Appl.
	This may be considered a request for a Pardon. We have no other file in this office concerning this matter.			

For the Regional Commissioner
William Campbell Apt.
 DUGLAS B. WESLEY,
 Asst. Dir., C.I.D.,
 Assistant Adjutant.

HEADQUARTERS

REGION 3, ALLIED CONTROL COMMISSION
A.P.O. 124, U.S. Army

7 March 1944

Subject: Transmission of Enclosed Documents relating Review of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to Directive, there are enclosed herewith the documents listed below relating to Petitions of Appeal. In cases where no Form 8 is enclosed, the plea, was guilty according to A.C.C. Court Records furnished this office.

Legal File No.	Name	Court	Date of Trial	Docu- ment
830	Cyrenza Pasquale	2. Maria C.V.	15 Feb 44	Appl.
831	Vitturelli Riccardo	" "	31 Jan 44	"
836	Golino Giuseppe	Baronianise	31 " 44	"
829	Golino Germaine	"	10 Feb 44	Appl.
406	Cangiano Giuseppe	Sum.Ct.No.3	12 " 44	Appl., Form 8
406	Cangiano Vincenzo	" "	12 " 44	Appl., Form 8
406	Castaldo Francesco	" "	12 " 44	Appl., Form 8
406	Castaldo Raffaele	" "	12 " 44	Appl., Form 8
728	Mario Alfonso	" "	21 " 44	Appl., Form 8
754	Celsorese Giovanni	Torre Annunziata	3 " 44	Appl.
753	Cervolino Pietro	Regina	25 " 44	Appl.

This case is now pending before A.C.C.

831	Vitturelli Riccardo	"	"	31 Jan 44	"
828	Golino Giuseppe	Marulanise	31	"	44
829	Golino Carmine	"	10 Feb	44	Appl.
406	Caugiano Giuseppe	Sum.Ct.No.3	12	"	44 Appl., Form 8
406	Caugiano Vincenzo	"	12	"	44 Appl., Form 8
406	Castaldo Francesco	"	12	"	44 Appl., Form 8
406	Castaldo Raffaele	"	12	"	44 Appl., Form 8
735	Mario Alfonso	"	21	"	44 Appl., Form 8
754	Celebrese Giovanni	Torre Annunziata	3	"	44 Appl.
753	Cozzolino Pietro	Resina	26	"	44 Appl. Form 8

For the Regional Commissioner:

Dub
 DUGLAI R. BARN,
 1st Lt., C.M.I.,
 Assistant Adjutant.

RECEIVED
MAY 1, 1944
U.S. ARMY

5 March 1944

Subject: Transmission of Enclosed Documents relating Review of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to Directive, there are enclosed herewith the documents listed below relating to petitions of appeal. In cases where no Para B is enclosed, the plea, was guilty according to A.C.C. Court Records furnished this office.

Legal File No.	Name	Court	Date of Trial	Date of Document sent
820	Enella Pasquale	Andrea del Rio- 11 Feb 44	11 Feb 44	Appl.
821	Romano Genaro	" "	11 Feb 44	Appl.
822	Colangelo Francesco	Sprenine	11 Feb 44	Appl.
823	Coppola Pietro	Nola	1 " 44	Appl., Para B
824	Rosa Vincenzo	"	1 " 44	Appl., Para B
725	Di Biase Vincenzo et al	Curia S.F.	1 " 44	Appl.
51	Arsano Nicola	Curia Sup. Ct.	9 " 44	Appl.
511	Arsano Giuseppe	Curia Sup. Ct.	9 " 44	Appl.
512	Arsano Salvatore	Curia Sup. Ct.	9 " 44	Appl.

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File No.	Case No.	Case Name	Case Description	Date	Applicant
610		Manella Pasquale	Manella Pasquale	11 Feb 44	Appl.
611		Renato Gennaro	Renato Gennaro	11 Feb 44	Appl.
612		Colangelo Francesco	Colangelo Francesco	11 Feb 44	Appl.
657		Coppola Pietro	Coppola Pietro	1 " 44	Appl.
693		Rego Vincenzo	Rego Vincenzo	1 " 44	Appl.
715		Di Biase Vincenzo	Di Biase Vincenzo	11 Feb 44	Appl.
72		Armano Niccolò	Armano Niccolò	9 " 44	Appl.
911		Armano Giuseppe	Armano Giuseppe	9 " 44	Appl.
913		Giordano Salvatore	Giordano Salvatore	9 " 44	Appl.
954		Spera Felice	Spera Felice	7 " 44	Appl.

For the Regional Commissioner:

Dub
 Dubois, B. B. B. B.
 1st Lt., C. B. B. B.
 Assistant Adjutant.

Legal Sub Comm.

(Per 140)

V-1112

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HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
A.P.O. 394, U.S. Army

4 March 1944

Subject: Transmission of Enclosed Documents relating
Review of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to Directive, there are enclosed
herewith the documents listed below relating to Petitions
of Appeal.

Legal File No.	Name	Court	Date of Trial	Docu- ment
809	Masi Domenico	Pietramelara	26 Dec 43	Appl.
808	Cogliano Grazia	Avellino	30 " 43	Appl., Form 3.

For the Regional Commissioner:

Douglas H. Batson
by Chas. Campbell, Capt.

DOUGLAS H. BATSON, 73
1st Lt., C.M.P.,
Assistant Adjutant.

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
A.P.O. 394, U.S. Army

3 March 1944

Subject: Transmission of Enclosed Documents relating Review of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to Directive, there are enclosed herewith the documents listed below relating to Petitions of Appeal. In cases where no Form 8 is enclosed, the plea was guilty according to A.M.C. Court Records furnished this office.

Legal File No.	Name	Court	Date of Trial	Docu- ment
732	Longobardi Carmine	Sum.Court No.3	23 Feb 44	Appl., Form 8
310	Silvestrino Ignazio Nola		25 Jan 44	Appl.
733	Esposito Carmine	Sum.Court No.3	23 Feb 44	Appl., Form 8



For the Regional Commissioner:

Douglas H. Batson
DOUGLAS H. BATSON,
1st Lt., G.M.F.,
Assistant Adjutant.

HEADQUARTERS REGION 3
AVELLINO PROVINCE

15 January 1944.

908

R
Review
208

SUBJECT: Petition for Review by Cogliano Grazia di Pietro.
TO: Headquarters, Region 3 (Legal Officer).

1. There is enclosed a Petition for Review on behalf of the above named who was convicted at Frigento, this Province, 30 December 1943, of violation of Proclamation No. 2, Sections 21 and 32; Form 8 is also enclosed.

2. It is requested that when a decision has been reached, the enclosed papers be returned to this office for re-filing.

A. E. Gold
A.E. Gold,
Captain AUS,
Legal Officer,
Avellino Province.

HEADQUARTERS
ARMED SERVICES COMMISSION
Legal Sub-Commission
APO 394

JW/jpl

13 March 48

ACC/ADBS/1/L

Subject : Appeal by Palma Raffaele

To : SLD AMG, 5th Army.

It is observed from the appeal forwarded in this case that in addition to the confiscation of wine and of the 3,000 lire offered as a bribe the accused was deprived of the sum of 13,000 lire on his person at the time of the arrest. No note confirming the confiscation of this sum has been endorsed on the record. Accordingly, if the statement in the appeal is correct, the 13,000 lire should either be refunded to the accused, or if the fine imposed has not already been paid, be applied towards satisfaction of the fine.

RICHARD H. MILNER
Lt. Col. C.A.C.
Deputy Chief Legal Officer.

ARMY REPRESENTATIVE
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 374

JW/jnl

13 March 44

ACC/4083/1/2

Subject : Appeal by Palma Raffaele

To : SLD AMO, 5th Army.

It is observed from the appeal forwarded in this case that in addition to the confiscation of wine and of the 3,000 lire offered as a bribe the accused has deprived of the sum of 13,000 lire on his person at the time of the arrest. No note confirming the confiscation of this sum has been endorsed on the record. Accordingly, if the statement in the appeal is correct, the 13,000 lire should either be refunded to the accused, or if the fine imposed has not already been paid, be applied towards satisfaction of the fine.

RICHARD H. WILSON
Lt. Col. C.A.C.
Deputy Chief Legal Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394.

206
13 March 1944.

REFERENCE : ACO/4083/1/L.
SUBJECT : Case of ILARI, Sante of Capri.
TO : R.L.O. (thru Regional Commissioner) Region 3.

Reference your 3/6071/L dated 9 March 1944.

2. The action of the C.A.O. CAPRI seems most unfortunate, particularly at a time when we are asking for all possible co-operation of the Italian Ministry of Justice to see that cases involving thefts of Allied property are promptly tried and adequate sentences are imposed. I hope you will make this clearly understood to all personnel in your Region.

3. As to ILARI I agree that the fine should now be reduced to 7000 lire in order to give credit for the 5000 lire paid and that he should be compelled to serve the balance of his sentence.

4. As to the other five Italians released and referred to in para. 5 of your letter I feel that they should serve all their sentences unless you find that upon investigation there is some particular reason for their not doing so. The papers show that they too were convicted for thefts of Allied property.

... 5. I am returning herewith the papers which you sent to me.

RICHARD H. WILMER.
Lieut-Colonel CAC. [1]
Deputy Chief Legal Officer.

RHW/wcw.

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
LEGAL DIVISION
APO 394, U.S. Army

JWG/cm
3/6071/L

9 March 1944.

Subject: Case of ILARI, Sante of Capri.

To : C.A.C. Legal Subcommittee , A.C.C.

1. Reference is to Report of C.A.C. for Capri, 27 February, 1944, and attached documents.

2. Ilari, Sante was convicted by the Pretura on 22 January, 1944 and sentenced to seven months imprisonment and L. 12,000 fine on a charge of theft of American rations. On 16 February, 1944, Captain I.D. Hannon, then C.A.C. of Capri endorsed on an application for clemency a recommendation that Ilari be released on payment of L. 5,000 to the poor fund of the city. On the same day Corporal Hugo Velona purporting to act for the C.A.C., signed an order that Ilari be released from prison immediately. Ilari was released on that order. Captain Hannon was transferred from Capri and Captain Robert M. Hill was assigned to take over as C.A.C. Captain Hill then ordered that Ilari be re-imprisoned to serve out the sentence of the court.

3. The action of ordering the release of a prisoner convicted of theft by an Italian was clearly unauthorized. However, the situation now is that the prisoner, having paid L. 5,000 into the poor fund supposedly in law of the sentence which was being executed against him and having now been required to submit to the original sentence, is in the unfortunate position of having had, from a practical standpoint, his sentence increased through the unauthorized action of an A.C.C. Officer.

4. It is recommended that the sentence of Ilari be modified by reducing the amount of the fine to L. 7.000. //

5. It also appears from Captain Hill's report that 5 other Italians convicted by Italian Court were released on the order of Captain Lummus, another C.A.C. who preceded Captain Hill at Capri. These are still at liberty, on what conditions, the report does not state.

John W. Chapman

JOHN W. CHAPMAN,
Lt. Col., J.A.G.D.,
Reg. Legal Officer.

HEADQUARTERS
Allied Control Commission
Legal Sub-Commission
APO 394

ACW/jpl

ACG/4083/1/L

13 March 44

Subject : Case of:

Travaglione	Maria
Mazi	Domenico
Lazzazzera	Felice
Ciani	Raffaele
DeGregorio	Mario
Cacace	Giuseppe
Genoino	Sabino
Pagano	Secondino

To : RIO (thru RC) Region III.

1. Herewith petitions by or on behalf of the above mentioned accused together with sundry documents attached.

2. It is requested that the relevant forms 8 or other available record of the trials be sent to this Headquarters to enable the said petitions to be considered.

3. Where the only record available is an entry in the Summary Court docket, an extract of such docket should be sent.

4. Request is also made for any remarks or comments which might be useful on review.

GEORGE POLLOCK
Colonel
Chief Judicial Officer.

HEAD HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACC/4083/1/E

ACW/jpl
13 March 44

Subject : Case of Della Cave Antonio
DiDato Giuseppe
Esposito Pasquale
Esposito Carmine

To. : RLO (thru RC) Region III.

1. It is understood that the above defendants were all tried together.
2. An appeal by Esposito Carmine was considered and the decision in his case was affirmed on the 26th February 1944.
3. Further appeals having now been received from the other defendants, it is requested that form 8 and relevant papers be returned to this office to enable the Reviewing Officer to consider the appeals lodged by the other defendants.

GEORGE POLLOCK
Colonel

Chief Judicial Officer.

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HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACW/Mpl
13 March 44

ACC/4083/1/L

Subject : Case of DiOristo Salvatore.
To : RLO (thru R.C.) Region III.

1. The petition by Giuseppina DiOristo wife of the accused and other papers are returned herewith.

2. It is noted that the R.C.L.C. has already reduced the sentence of imprisonment to three months and accordingly no further action on the petition appears to be necessary.

GEORGE POLLOCK
Colonel
Chief Judicial Officer.

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REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACC/4093/1/L

GP/jpl
11 March 44

Subject : Case of:

Toma Luigi, Micheletti Giuseppe, Migliardi Luigi and
Solazzi Giuseppe.

To : SLO, AMG 8th Army.

This case cannot be reviewed on this record. Of what
offence were the accused convicted and on what evidence?

GEORGE POLLOCK

Colonel
Chief Judicial Officer.

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

AGC/4083/1/L

AGC/jpl
11 March 44

Subject : Case of Del Carro Pasquale.
Cantarella Vincenzo and Gisoifi Domenico.
To : RMO (thru RC) Region II.

1. All I can do is to affirm the case of Del Carro Pasquale from Salerno now before me.

2. The decisions in the cases of Gisoifi Domenico and Cantarella Vincenzo cannot be reviewed on the mere appeal petitions. Of what offence were the accused convicted and on what evidence?

GEORGE POLLOCK

Colonel
Chief Judicial Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

ACW/jpl

11 Mar. 44

ACC/4083/1/L

Subject : ACCOLIA Michele

To : RLD (thru RC) Region I.

1. Reference your letter RLE 013.046/HD dated 6 March 1944.
2. The decision in this case has been quashed as the accused turns out to be a Prisoner of War.
3. It is *noted* that the accused has been provisionally released and the recommendation in para No. 2 of the above mentioned letter that no further action be taken is hereby approved.

RICHARD H. WILMER

Lt. Col. C.A.C.
Deputy Chief Legal Officer.

NEAR HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

GP/394
11 March 44

197

ACC/4083/1/L

Subject : FORTUNATO Andrea.

To : The Chief Commissioner, A.C.C.

With reference to your decision to substitute a sentence of 20 years imprisonment for the sentence of death in this case. Will you please sign and return to me the enclosed form.

GERALD R. UPFORD

Colonel
Chief Judicial Officer.

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REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

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RHW/jpl
11 March 44

ACC/4083/1/L

Subject : ROSSI Attilio and COLBITTI Vittorio

To : SLD, AMG, 8th Army.

1. Your letter of 20 February 1944 stamped also 9 March 1944, together with a communication dated 29 Dec. 1943, have been received.

2. The record as originally submitted contained no synopsis of any real evidence whatever, hence the charges were quashed. This decision will have to be adhered to. Reviews can be had only on the records submitted and not on the basis of extraneous communications.

3. If the above named persons continue their annoying operations they should certainly be warned to desist and if they persist in their activities to the extent of violating any pertinent section of any proclamation they can be tried for such fresh violations.

4. The papers submitted by you are returned herewith.

RICHARD H. WILMER

Lt. Col. G.A.C.
Deputy Chief Legal Officer.

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

5 MARCH 44

Ref. 2201/51/G

SUBJECT:- Review of Cases

TO :- Chief Judicial Officer

ZUMINO and 15 Others

1. Ref yom ACC/4083/1/L dated 22 Feb., Solari, Savino, is one of the persons who failed to appear at the trial. He has since been arrested as the result of issuing a warrant.
2. It seems probable that he was included in the list in error by the person drawing up the appeal. At any rate he has not yet appeared before the Court.

MacRhona Capt
D.E.S. COUSINS. Lt. Col.
R. I. C.
REGION II

Ref. F/P 3067
2 March 1944

Legal Sub Con

U-1277

SUBJECT: Case of Sportelli Giuseppe.
TO : C.L.O., Hqs. A.C.C.
FROM : A.M.G., Foggia Province.

Reference your letter ACC/4083/1/L, 22 Febr. 44.
Returned herewith is Form No. 34 (No. 538) duly
executed.

The accused has been notified of the decision on
review, and the CAO Cerignola has been instructed to
return the mentioned articles to the accused.

The ownership of the bail money will be determined,
and if that of the accused, he will be asked if he desires
it used to pay the fine.

Wm H. Lunt
Major, J.A.G.D.
Provincial Legal Officer.
Foggia Province.

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HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

3 MARCH 44.

Ref: 2201/56/G

SUBJECT:- Review of Case

TO :- Chief Judicial Officer

Nashicola, Nicola

1. The Record in this case has only just been received at this H.Q., and is enclosed, with appeal and Medical Certificate annexed.
2. The Court appears from its questions to witnesses to have some knowledge of matters which do not appear in the Record.

Markham (alt)

for D.E.S. COUSINS. Lt. Col.
R.L.O.
REGION II

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
A.P.O. 394

192

ACC/4083/1/1

SUBJECT: FORTUNATO, Andrea

9 March 1944

TO : The Chief Commissioner, ACC.

1. Since sending to you yesterday certain papers in connection with the confirmation of death sentence in the above case (under cover of letter ACC/4083/1/1 dated 8 March 1944) the inclosed papers have been received.

2. The principal papers consist of a petition for review by the accused; briefs or petitions by the attorneys for the accused with plat. documents showing family status, petition of the wife of the accused. All petitions except the first have translations attached and did not delay the transmission of these papers to have a translation made.

3. The petition of the accused appears to add little to the papers already transmitted. The briefs or petitions of the lawyers appear to be copies of papers already transmitted to you except that they include a plat which was referred to in the papers already transmitted was then missing. The wife's petition is for clemency and mercy.

RICHARD H. WILMER.
Lieut. Colonel, C.A.G.
Deputy Chief Legal Officer.

RHW/nw.

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

5 MAR 1944

1 March 44

Ref: 2201/56/G

SUBJECT:- Review of Sentence.

TO :- Chief Legal Officer,
Legal Sub-Commission ACC - SALERNO -

FORTUNATO, ANDREA.

Ref 2201/56/G dated 8 Feb enclosing the Record is
this case, the following petitions are now sent
herewith:-

- (i) Statement dated 24 Jan by accused.
- (ii) Petition dated 13 Feb and 24 Feb signed by Avv.
Cilento, Adolfo, and another with translation and
maps and Family certificates attached.
- (iii) Petition by wife of accused dated 25 Feb with
translation and family certificate attached.

B.K. Cousins
D.E.S. COUSINS. Lt.Col.
R.L.O.
REGION II

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 374.

GRU/gmf

ACC/408/1/L

SUBJECT: FORTUNATO Andren.

TO : The Chief Commissioner, ACC.

8 March 1944.

1. The record in the case of the a/m accused is submitted to you for confirmation of the death sentence.
2. The principal charge against the accused is that contrary to Proclamation 2 Art. 1 Sec. 17 he shot with intent to kill or inflict serious bodily harm upon three British soldiers. There is a subsidiary charge of being in possession of firearms (which need not trouble you further). The accused was found guilty on both charges and sentenced to death on the first charge.

It is admitted that the accused fired the shots and wounded the three soldiers and the Court unanimously found as a fact that such shots were fired with intent to cause bodily injury (See statements by President at conclusion of case). There can be no doubt that there was evidence on which the Court could so find and therefore, notwithstanding the careful arguments in the petition of appeal contending that the accused did not intend to commit bodily harm, as a matter of law I advise you that the verdict of guilty on the first charge is correct and should be affirmed.

3. Greater difficulty arises on the question of the death sentence.

4. The facts were briefly that 7 soldiers had supper at the house of the accused, and during the supper there was some trouble over a clock which it was alleged was stolen by 2 other soldiers who had originally entered the house with the others but left before supper.

At the end of supper which included a bottle of cognac some of the soldiers were undoubtedly drunk and there was admittedly a dispute about the payment for the supper. The soldiers say and the Court found as a fact that there was no scuffle or fight as the soldiers left and the accused fired after them, wounding three of them. It is to be observed that the opening statement of the prosecution that one of the soldiers (S. 144)

It is admitted that the accused fired the shots and wounded the three soldiers and the Court unanimously found as a fact that such shots were fired with intent to cause bodily injury (see statements by President at conclusion of case). There can be no doubt that there was evidence on which the Court could so find and therefore, notwithstanding the careful arguments in the petition of appeal contending that the accused did not intend to commit bodily harm, as a matter of law I advise you that the verdict of guilty on the first charge is correct and should be affirmed.

3. Greater difficulty arises on the question of the death sentence.

4. The facts were briefly that 7 soldiers had supper at the house of the accused, and during the supper there was some trouble over a clock which it was alleged was stolen by 2 other soldiers who had originally entered the house with the others but left before supper.

At the end of supper which included a bottle of cognac some of the soldiers were undoubtedly drunk and there was admittedly a dispute about the payment for the supper. The soldiers say and the Court found as a fact that there was no scuffle or fight as the soldiers left and the accused fired after them, wounding three of them. It is to be observed that the opening statement of the prosecution that one of the soldiers (Smith) was seriously wounded is nowhere proved in evidence and it may be that this statement improperly influenced the minds of the Court.

On the other hand the evidence of the accused and his witnesses (which was not accepted by the Court) is to the effect that there was a scuffle or fight after dinner on the question of removal of a radio set belonging to the accused and that the accused armed himself with a pistol because he was frightened and he fired the pistol either to scare the soldiers or because he was involved in a struggle.

5. It is drawn to your attention that one member of the Court dissented from the sentence of death on the ground that there was provocation in the behaviour of the soldiers and that the crime was not premeditated.

6. Both the Deputy Chief Legal Officer and myself have considered this case very carefully and independently. The DCLC on the whole has come to the conclusion that in view of the fact that there is no evidence of

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serious wounding of the soldiers and that there was something in the nature of a drunken scene lasting for about two hours before the shooting the Chief Commissioner should reduce the sentence to a long period of imprisonment.

My own opinion is that there is no ground in law for reducing the sentence and though I think the case is a most difficult one, indeed a borderline case, the circumstances are insufficient to warrant the Chief Commissioner in reducing the sentence except as a matter of pure clemency.

7. The case is really one for the Chief Commissioner to decide in the light of all the facts of the case.

8. Attached with the petition of appeal are 3 applications for pardon from the accused, one received through the Minister of Justice, and an application for pardon from the Archbishop of Salerno.

Attached:

Proceedings of Allied Military Court

Foglio d'accusa

Opening statement and evidence

Finding of fact and sentence by the Court

List of Exhibits and Exhibits A.P.G.H.

Petition for review and translation

Four further petitions for pardon or review.

2/10/42
C. H. WILKINSON

Colonel

Chief Legal Officer.

Attached:

Proceedings of Allied Military Court

Folio d'accuse

Opening statement and evidence

Finding of fact and sentence by the Court

List of Exhibits and Exhibits A,B,C,H.

Petition for review and translation

Four further petitions for pardon or review.

Colonel

Chief Legal Officer.

REAR HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

GP/JP2
9 March 44

AGC/4693/1/1

Subject : Case of DeSimone Vincenzo di Luigi.

To : RIO (thru RC) Region III.

This case has already been affirmed. There is nothing in the petition to warrant changing the decision in review.

GEORGE POLLOCK.

Colonel
Chief Judicial Officer.

HEADQUARTERS
REGION 3, ARMED MILITARY GOVERNMENT
A.P.O. 394, U.S. ARMY

187
22 February 1944

SUBJECT: Transmission of Enclosed Documents relating Reviews of Sentences.

TO : Chief Commissioner, Allied Control Commission.

1. Pursuant to appropriate order, I enclose herewith the documents listed below relating to applications for Review of Sentences. In the case where only a Form 8 is listed the appropriate application has already been forwarded to you.

Legal File No.	Name	Court	Date of	Docu- ment
209	Tagliamento Raffaele	Ct.No.4 Naples	17 Jan 44	Form 8
220	Romano Salvatore	Castelcapuano	6 Jan 44	Appl. (add'l)
393	Giannasca Antonio	Sup.Ct.	20 Jan 44	Appl. Form 8
593	Giannasca Michele	"	20 Jan 44	Appl. Form 8
593	Tamuro Domenico	"	20 Jan 44	Appl. Form 8
593	Pepe Alessandro	"	20 Jan 44	Appl. Form 8
311	Botta Pasqualina	Sum.Ct.No.1	19 Jan 44	Appl.
411	Crialesse Carmine	Benevento	4 Feb.44	"

Legal File No.	Name	Court	Date of	Docu- ment
209	Tagliamento Raffaele	Ct.No.4 Naples	17 Jan 44	Form 8
220	Bomano Salvatore	Castelcapuano	6 Jan 44	Appl. (add'l)
593	Giannasca Antonio	Sup.Ct.	20 Jan 44	Appl. Form 8
593	Giannasca Michele	" "	20 Jan 44	Appl. Form 8
593	Tammaro Domenico	" "	20 Jan 44	Appl. Form 8
593	Pepe Alessandro	" "	20 Jan 44	Appl. Form 8
321	Botte Pasqualina	Sum.Ct.No.1	19 Jan 44	Appl.
411	Crisiense Carmine	Benevento	4 Feb.44	"
412	Ciniccio Antonio	Benevento	4 Feb.44	"
413	Lupo Ferdinando	Benevento	4 Feb.44	"
414	Zannunzio Lucio	Benevento	4 Feb.44	"
415	Pacifico Salvatore	Benevento	4 Feb.44	"
269	Lubrano Federico	Afragola	20 Dec.44	Form 8
595	Salvillo Giuseppe	Madufioni	3 Oct.43	Appl.
613	Saverese Catello	Castellammare	7 Feb.44	Appl.
607	Rodia Caroline	Avellino	19 Jan.44	Appl. Form 8
606	Mariconda Filomena	Avellino	19 Jan 44	Appl. Form 8
609	Martino Maria Assunta	Avellino	19 Jan 44	Appl. Form 8
605	Cirino Giovanna	Avellino	19 Jan 44	Appl. Form 8

- 2 -

Legal File No.	Name	Court	Date of	Document
611	Deposito Carmine	Nola	19 Jan 44	Appl. and Form 8
610	Piccolo Michele	Nola	1 Feb. 44	Appl. and Form 8
606	Cervone Tommaso	Nola	15 Jan 44	Appl. and Form 8
596	Stulliano Giuseppe	Nola	19 Jan 44	Appl. and Form 8
193	Adinolfi Michele	Pompei	22 Dec 44	Form 8 and Appl.
614	Sodano Luigi	Sant'Anastasia	1 Feb. 44	Appeal
615	Izzo Domenico	Torre Annunziata	27 Jan 44	Appeal
616	Sticcardi Biagio	Avellino	19 Jan 44	Appl. and Form 8
610	Cantone Giovanni	Nola	1 Feb 44	Appl. and Form 8

For the Regional Commissioner:

Douglas M. Batson
 DOUGLAS M. BATSON,
 1st Lt., C.M.P.,
 Actg Asst Adj Gen.

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610 Cantone Giovanni Note
610 For the Regional Commissioner:

Douglas W. Bates
DOUGLAS W. BATES,
1st Lt., U.S.M.P.,
Actg Asst Adj Gen.

Legal Sub. Comm.
Mar 44HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
A.P.O. 394, U.S. Army

U-920

(186)

2 March 1944

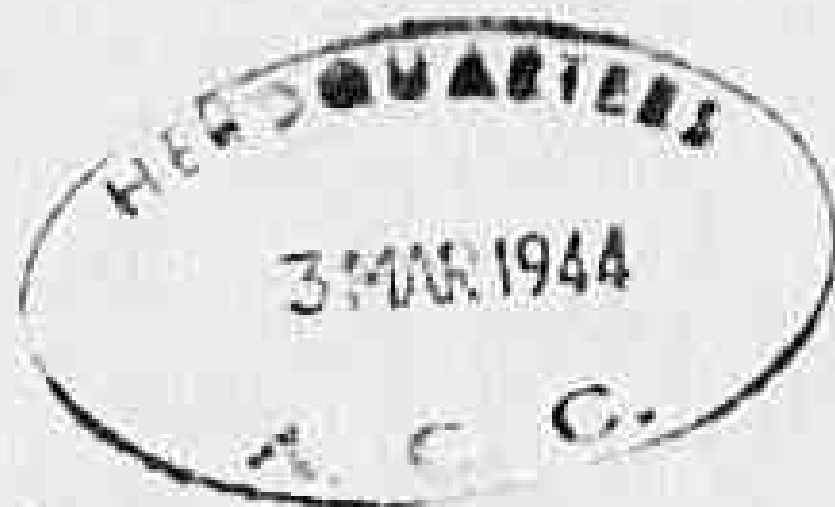
Subject: Transmission of Enclosed Documents relating Review
of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to Directive, there are enclosed herewith the documents listed below relating to Petitions of Appeal. In cases where no Form 8 is enclosed, the plea was guilty according to A.M.S. Court Records furnished this office.

Legal File No.	Name	Court	Date of Trial	Docu- ment
404	Lombardi Arturo	Sum. Court No. 3	12 Feb 44	Appl., Form 8
747	Fiore Antonio	Sup. Mil. Ct.	23 " 44	Appl., Form 8
776	Marenghi Francesco	Avellino	3 " 44	Appl.
777	Cioffi Nicola	"	1 " 44	Appl.

For the Regional Commissioner:



Douglas N. Batson
DOUGLAS N. BATSON,
1st Lt., C.M.F.,
Assistant Adjutant.

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HEADQUARTERS
REGION 3, ALLIED MILITARY GOVERNMENT
A.P.O. 394, U.S. Army

29 February 1944

Subject: Transmission of Enclosed Documents relating
Review of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to Directive, there are enclosed herewith the documents listed below relating to Petitions of Appeal. In cases where no Form 8 is enclosed, the plea was guilty according to A.M.G. Court Records furnished this office.

Legal File No.	Name	Court	Date of Trial	Docu- ment
674	Valle Pasquale	Sparanise	7 Feb 44	Appl.
673	Martino Antonio	"	7 " 44	Appl.
672	Bovenzi Giorgio	"	7 " 44	Appl.
625	Carrera Giuseppe	Portici	11 " 44	Appl.
675	D'Angelo Raffaele	Carinola	4 " 44	Appl.
623	Onorato Francesco	Torre del Greco	17 Jan 44	Appl.
532	Porcelli Stanislao	Avellino	12 " 44	Appl.

For the Regional Commissioner:

Douglas N. Barton
DOUGLAS N. BARTON,
1st Lt., C.M.P.,
Actg Asst Adj Gen.

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HEADQUARTERS

REAR 3, ALLIED MILITARY GOVERNMENT

A.F.O. 394 U.S. ARMY

1 MAR 1944

A. C. C.

23 February 1944

O-723

(184)

Subject: Transmission of Enclosed Documents relating Review of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to Directive, there are enclosed here- with the documents listed below relating to Petitions of Appeal. In cases where no Form 8 is enclosed, the plan was guilty ac- cording to A.M.C. Court Records furnished this office.

Legal File No.	Name	Court	Date of Trial	Docu- ment
232	De Simone Vincenzo	Afragola	11 Jan 44	Appl.
717	Romani Andrea	"	1 Feb 44	Appl.
604	Puopolo Michele	Sup. Court Benevento	12 " 44	Appl. Form 8
310	Silvestrino Maria	Nola	25 Jan 44	Appl. Form 8
310	Maignano Roberto	"	25 " 44	Form 8
310	Silvestrino Ignazio	"	25 " 44	Form 8
598	Gerracciano Raffaele	"	27 " 44	Appl.
697	Gerracciano Salvatore	"	27 " 44	Appl.
706	Mingione Felice	"	1 Feb 44	Appl.
692	Colletta Giuseppe	"	27 Jan 44	Appl.
221	Piccolo Vincenzo	Afragola	20 Dec 43	Appl. 48

Commissioner:

1. Pursuant to Directive, there are enclosed herewith the documents listed below relating to Petitions of Appeal. In cases where no Form 8 is enclosed, the plea was guilty according to A.M.F. Court Records furnished this office.

Legal File No.	Name	Court	Date of Trial	Docu- ment
222	De Simone Vincenzo	Afragola	11 Jan 44	Appl.
717	Rosmini Andrea	"	1 Feb 44	Appl.
604	Puopolo Michele	Sup. Court Renevento	12 " 44	Appl. Form 8
310	Silvestrino Maria	Nola	29 Jan 44	Appl., Form 8
310	Bisignano Roberto	"	25 " 44	Form 8
310	Silvestrino Ignazio	"	25 " 44	Form 8
696	Terracciano Raffaele	"	27 " 44	Appl.
697	Terracciano Salvatore	"	27 " 44	Appl.
706	Mingione Palice	"	1 Feb 44	Appl.
699	Celolla Giuseppe	"	27 Jan 44	Appl.
221	Piscopo Vincenzo	Afragola	20 Dec 43	Appl. 43

For the Regional Commissioner:

Douglas N. Batson
 DOUGLAS N. BATSON,
 1st Lt., C.M.P.,
 Actg. Asst. Adj. Gen.

HEADQUARTERS

REGION 3, ALLIED CONTROL COMMISSION

A.P.O. 394, U.S. Army

4 March 1944

Subject: Transmission of Enclosed Documents relating Review of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to Directive, there are enclosed herewith the documents listed below relating to Petitions of Appeal.

Legal File No.	Name	Court	Date of Trial	Document
722	Alterio Gaetano	Aversa	11 Feb 44	Appl., Form 8
785	Ferraro Domenico	"	7 " 44	Appl., Form 8
783	Di Foglia Angelo	"	25 " 44	Appl., Form 8
783	Belardo Tommaso	"	25 " 44	Appl., Form 8
784	Caposito Federico	"	3 " 44	Appl., Form 8
234	Dell'Aversano Francesco	"	5 " 44	Appl., Form 8
397	Mattonzi Ciro	"	9 " 44	Appl., Form 8
786	Febboni Addolorata	"	15 " 44	Appl., Form 8
715	Di Rienzo Vincenzo	S. Maria C.V. 21	44	Appl., Form 8
715	Di Rienzo Salvatore	"	" 21 " 44	Appl., Form 8

With the documents listed below, the following is being
 legal.

Legal File No.	Name	Court	Date of Trial	Docu- ment
722	Alterio Gaetano	Aversa	11 Feb 44	Appl., Form 8
735	Ferraro Domenico	"	7 "	Appl., Form 8
783	Di Foggia Angelo	"	25 "	Appl., Form 8
783	Belardo Tommaso	"	25 "	Appl., Form 8
784	Esposito Federico	"	8 "	Appl., Form 8
234	Dell'Aversano Francesco	"	5 "	Appl., Form 8
397	Mattozzi Ciro	"	9 "	Appl., Form 8
786	Patroni Addolorato	"	15 "	Appl., Form 8
725	Di Rienzo Vincenzo	S. Maria C.V. 21	44	Appl., Form 8
715	Di Rienzo Salvatore	"	21 "	Appl., Form 8
401	Ponticelli Concetta	Aversa	7 "	Appl., Form 8

48

For the Regional Commissioner:

Douglas N. Batson
 DOUGLAS N. BATSON,
 1st Lt., C.M.P.,
 Assistant Adjutant.

HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACW/jpl

9 March 44

ACW/jpl

Subject: Case of Arricelo Antonio

Via (Area AC) Region I.

This case has already been affirmed (2nd March 1944).

7-1-44 (25) and the further papers are returned herewith.

GEORGE POLLOCK

Colonel
Chief Judicial Officer.

NEAR HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACW/jpl

9 March 44

AGC/4083/1/1

Subject : Case of Birriolo Antonio

To : KLO (thru RC) Region I.

This case has already been affirmed (2nd March 1944,
J 3, No. 715) and the further papers are returned herewith.

GEORGE POLLOCK

Colonel
Chief Judicial Officer.

47

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACW/jpl

9 March 44

ACC/4083/1/L

SUBJECT : Case Of;

1. CHAMBERNO David, affirmed on 23 January 1944.
2. CAPUANO Fraison, Affirmed 28 February 1944.
3. LEGA Gaetano, Affirmed 1 March 1944.

TO : RLO (thru RC) Region II.

1. Reference your letter 2201/53/G dated 2 March 1944, and your two letters 2201/55/G dated 3 March 1944.

2. The decisions in the above cases having already been affirmed on dates respectively shown above, the further appeals and petitions are returned herewith.

3. No further action is necessary.

GEORGE POLLOCK

Colonel
Chief Judicial Officer.

46

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACK/jpl
9 March 44

ACC/1083/1/L

Subject : Case of LAVERNA Alberto.

TO : RLO (thru PC) Region II.

1. Reference your letter 2201/54/G dated 2 March 1944.
2. The papers in the above mentioned case are returned herewith.
3. No review is necessary as the sentence is not in excess of two years and no appeal has been lodged.

GEORGE FOLLOCA

Colonel
Chief Judicial Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACC/4083/1/L

GP/jpl
9 March 44.

179

Subject : Case of MESTROCOLA Nicola

To : RLO (thru RC) Region III.

1. This case was tried in Salerno which then formed part of Region II, on 11 Jan. 44, but was not received in this office for review until 7 March 44.

2. The case must be retried for the following reasons:

- (a) There is no such offense as that indicated on the record. The charge under Section 40 should read "wrongfully.....has in his possession property of the Allied Forces."
- (b) Certain questions asked by the Court before conviction are improper and seem to suggest prior knowledge of matters not relevant to the charge.

3. As Salerno now forms part of Region III the case is sent to you for action. It should, of course, be heard before a different judge.

GEORGE POLLOCK
Colonel
Chief Judicial Officer.

COPY To, RLO (thru RC) Region II.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

GSP/jpl

9 March 44

ACG/4083/1/L

Subject : Case of; 1. PONTICELLA Concetta
2. FURCO Maria.

TO : RLO (thru RC) Region III.

1. Reference your memorandum dated 4 March 1944.
2. Legal file No. 401 is returned herewith.

3. The accused were convicted of violating Section 12, Article I of Proclamation 2 in damaging war material with intent to interfere with military operations of the Allied Forces by breaking open ammunition boxes. They were each sentenced to four months imprisonment.

4. If the accused were guilty of the charge, the sentences would be wholly inadequate. Normally the penalty would be death or long term imprisonment for such a case ought not to be tried in a Summary Court.

5. There is however no evidence that the boxes were damaged with intent to interfere with military operations.

6. The accused should, therefore, be granted a new trial on a charge of violating Section 2 of Article III and Section 27 of Article II, in attempting to steal property of the Allied Forces of a value not in excess of 10,000 lire.

GEORGE POLLOCK

Colonel
Chief Judicial Officer.

Legal Sub Comm

HEADQUARTERS REGION IV
ALLIED MILITARY GOVERNMENT
APC 394

U-1287

(171)

TO : G.I.C., A.G.C. HQ.
FROM : R.I.C., Region 4
SUBJECT: Provincial & Army Boundaries
REF : 84/Lc/Reg/E/7.
DATE : 8 March 1944.

1. Reference our letters to you of 28 February 1944 and 4 March 1944 regarding delay through misdirection of documents.
2. Yesterday there were received at this HQ. from you papers in the case of Diamelio Luigi, Atessa Summary Court, 8th Army A.M.I.
3. From the papers it is clear that they were dispatched direct to you by S.I.C. A.M.I. 8th Army and refer to a case arising solely within his jurisdiction.
4. Your covering letter, Ref A.C..../4053/1/I. returning them is addressed as follows:-

"To R.S.I.C. (through R.I.C. A.M.I. 8th Army) Region 4".

H.L. Binner
Colonel,
R.I.C., Reg. 4

*Col Pollak to see
Presented to Col. Pollak.*

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

176
8 March 1944

AGC/ACB3/1/L .

SUBJECT : Cases of FORTUNATO Andrea and
DI LANTRO Filippo .

TO : R.L.O. (Pers. AC) Region II

Receipt is acknowledge of application for
pardon in respect of the above forwarded with your 2201/56/3 dated 3 March
1944 .

The Chief Commissioner sees no new reason to
alter his decision in the case of DI LANTRO .

RICHARD H. WISNER
Lt. Col. S.M.C.
Deputy Chief Legal Officer

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

3 MARCH 44.

Ref: 2201/56/G

SUBJECT:- Review of Cases

TO :- Chief Legal Officer
Legal Sub-Commission A.C.C. SALERNO

FORTUNATO, ANDREA.

DI LANDRO, FILIPPO

Further petitions are enclosed in these two cases, the records of which were sent to you on 8 Feb.

D.E.S. Cousins
D.E.S. COUSINS. Lt. Col.
R.L.O.
REGION II

Gpl Pypps

Formal letter of acknowledgment.

Order of the day

CC ~~not yet~~ at 10:00

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Subcommittee
APO 394.

17+

7 March 1944.

ACC/4083/1/L

SUBJECT: Death Sentences.
Case of La Monica and Di Noto.

TO : RLO Region 1.

1. Ref. FILE 013.04/HD dated 28 Feb 44.

2. The Military Governor was not disposed to alter his confirmation of the death sentence in this case, hence it was unnecessary for me to communicate with you by more expeditious means.

G. R. UPJOHN, Colonel
Chief Legal Officer.

HEADQUARTERS
ALLIED CONTROL COMMISSION
REGION II

2 MARCH 44.

Ref: 2201/56/G

SUBJECT:- Review of Case

TO :- Chief Judicial Officer
Legal Sub-Commission ACC
- SALERNO -

DI LANDRO, FILIPPO (S/S/112)

Your letter of 27 Feb (ref GP/jpl) with its enclosures is hereby acknowledged. All the papers in this matter have been dispatched to R.C.L.O. Region 3.

file

[Signature]
D.E.S. COUSINS. Lt. Col.
R.L.O.
REGION II

4083/1
ALLIED CONTROL COMMISSION
SICILY REGION HQ.
APO 394

28 February 1944

File: RLE 013.04/HD

SUBJECT: Death Sentences.
Case of La Monica and Di Noto.

TO : C.L.O., A.C.C. HQ., (Salerno Detachment) APO 394.

1. Following upon the confirmation of the death sentences imposed on the above, arrangements have been made for the execution to be carried out at Caltanissetta on Wednesday 8th March 1944, in accordance with Italian procedure.

2. It is thought proper in the circumstances to forward the enclosed appeal for mercy, but having regard to the terms of the Proclamation and to the fact that the sentence has been duly confirmed by the Military Governor, it is not proposed to grant any postponement of arrangements already made pending an answer to the appeal, unless direct instructions are received to this effect.

For Lt. Col. HANCOCK:

H. M. Dickie
H. M. DICKIE,
Squadron Leader R.A.F.,
Regional Legal Officer.

jd

1 Incl.

HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACW/jpl
7 March 44

ACC/4083/1/L

Subject : Cases of: Sodano Luigi, Princip et al, and Botte Pasquellino.

TO : RLC (thru RC) Region III.

1. Enclosed are the appeal petitions of the above said cases.
2. It is requested that the relevant forms 8 or other records of the trials be forwarded in order to permit of consideration and disposition of said appeals.

GEORGE POLLOCK
Colonel
Chief Judicial Officer.

WAR HEADQUARTERS
ADMIN. CONTROL COMMISSION
Legal Sub-Commission
APO 384

GDP/ipl
7 March 44

ACC/4083/W/L

Subject : Case of SILVESTRI Ignazio

To : Provincial Legal Officer, Naples

1. Reference the attached memorandum.
2. Please arrange to have SILVESTRI Ignazio examined by a disinterested physician and forward his report to me together with your recommendation.

GEORGE POLLOCK
Colonel
Chief Judicial Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

GP/jpl

7 March 44

AOC/4083/L/L

Subject : PASHOI Antonio

To : RLC (thru RC) Region I.

1. It is quite impossible to substitute a fine for the sentence of imprisonment, (a very moderate one) in a case of this gravity.

2. The money which the neighbors have contributed might well be devoted to the maintenance of the 3 dependents if they think fit so to use it.

GEORGE FOLLOON
Colonel
Chief Judicial Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

GP/jpl

7 March 44

ACU/4083/1/L

Subject : Insufficient record.

To : RLD (thru RC) Region III.

1. Cases have been received from your office in which the accused has pleaded guilty but has subsequently appealed. In a large number of these cases the only information before the reviewer is the statement that the accused has pleaded guilty and the petition of appeal. This is not always sufficient. Though only the briefest record is necessary where the accused has pleaded guilty there must be some indication of the facts upon which the judge based his sentence. (see my letter on the case of MINUIONE Police, dated 6 March 44, ACU/4083/1/L).

2. The following cases are therefore returned to you for a proper record to be furnished:-

- (a) Pistone, No. 310; what was the charge and on what facts was it based? A penalty should have been specified in default of payment of the fine.
- (b) Pasquariello, No. 573; what did he attempt to steal? A sentence in default of payment of fine should have been imposed.
- (c) Travaglione, No. 706; what were the goods?
- (d) Cinque, No. 666; no indication of facts.
- (e) Rondolo, No. 703; how many cigarettes?
- (f) Bega, No. 667; no indication of facts.
- (g) Ceryo, No. 704; how much macaroni?
- (h) Gannino, No. 705; " " "

3. The case of LAVAZZANO is also returned herewith as there is no indication of the offence of which this man was convicted.

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GEORGE POLLOCK
Colonel
Chief Judicial Officer.

RECEIVED
SECTION 1, ALLIED MILITARY GOVERNMENT
A.G.C. 194, D.C. ARMY

22 February 1944

SUBJECT: Transmission of enclosed documents relating Revision of sentence.

TO : Chief Commissioner, Allied Control Commission.

1. Pursuant to appropriate order, I enclose herewith the documents listed below relating to applications for Review of sentence. In the case where only a Form 8 is listed the appropriate application has already been forwarded to you.

Legal File No.	Name	Court	Date of	Document
209	Tagliamento Raffaele	Ct.No. 4 Naples	17 Jan 44	Form 8
210	Rosario Salvatore	Castelcervino	6 Jan 44	Appl. (add'l)
293	Giannasca Antonio	Sup.Ct.	20 Jan 44	Appl. Form 8
293	Giannasca Michele	"	20 Jan 44	Appl. Form 8
293	Manaro Domenico	"	20 Jan 44	Appl. Form 8
293	Pape Alessandro	"	20 Jan 44	Appl. Form 8
311	Botta Pasqualina	Sum.Ct.No. 2	19 Jan 44	Appl.
411	Crialese Carmine	Benevento	4 Feb. 44	"
412	Cinicoale Antonio	Benevento	4 Feb. 44	"
413	Lupo Ferdinando	Benevento	4 Feb. 44	"
414	Jannantuno Lucia	Benevento	4 Feb. 44	"

appropriate application has already been forwarded to you.

Legal File No.	Name	Court	Date of	Docu- ment
209	Tagliamento Raffaele	Ct. No. 1 Naples	17 Jan 44	Form B
210	Romano Salvatore	Castelcrespiano	6 Jan 44	Appl. (add'l.)
593	Giannasoa Antonio	Sup. Ct.	20 Jan 44	Appl. Form B
593	Giannasoa Michele	" "	20 Jan 44	Appl. Form B
593	Tommaso Domenico	" "	20 Jan 44	Appl. Form B
593	Vepe Alessandro	" "	20 Jan 44	Appl. Form B
311	Botta Pasquale	Sum. Ct. No. 1	19 Jan 44	Appl.
411	Grimalese Carmine	Benevento	4 Feb. 44	"
412	Ciniloccolo Antonio	Benevento	4 Feb. 44	"
413	Lupe Ferdinando	Benevento	4 Feb. 44	"
414	Jannunantuono Lucio	Benevento	4 Feb. 44	"
415	Pacifico Salvatore	Benevento	4 Feb. 44	"
269	Lubrano Federico	Afragola	20 Dec. 44	Form B
395	Mellello Giuseppe	Medulinoni	8 Oct. 43	Appl.
613	Mavarese Cataldo	Castellammare	7 Feb. 44	Appl.
607	Medda Carolina	Avellino	19 Jan. 44	Appl. Form B
608	Mericonda Filomena	Avellino	19 Jan 44	Appl. Form B
609	Martino Maria Assunta	Avellino	19 Jan 44	Appl. Form B
609	Cirino Giovanni	Avellino	19 Jan 44	Appl. Form B

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Legal File No.	Name	Court	Date of	Document
611	Deposito Carmine	Nola	19 Jan 44	Appl. and Form 8
612	Viccolo Michele	Nola	1 Feb. 44	Appl. and Form 8
606	Cervone Tommaso	Nola	15 Jan 44	Appl. and Form 8
596	Stigliano Giuseppe	Nola	19 Jan 44	Appl. and Form 8
193	Adinolfi Michele	Pompei	22 Dec 44	Form 8 Appl.
614	Scodano Luigi	Mont'Arancato	1 Feb. 44	Appeal
619	Tasso Domenico	Terre Ausunziato	17 Jan 44	Appeal
616	Niccardi Biagio	Avellino	19 Jan 44	Appl. and Form 8
610	Cantone Giovanni	Nola	1 Feb. 44	Appl. and Form 8

For the Regional Commissioner:

End
 D. UOLAS R. BARTON,
 1st Lt., O.S.D.,
 Actg Asst Adj Gen.

2227

Declassified E.O. 12356 Section 3.3/HND No.

785016

1 Feb. 44
Appl. and
Form 8

1 Feb. 44

Nota

Cantone Giovanni

GLO

For the Regional Commissioner:

Info

Douglas H. Batten,
1st Lt., O.S.P.,
Actg Asst Adj Gen.

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HEADQUARTERS

REGION 3, ALLIED MILITARY GOVERNMENT

A.P.O. 394, U.S. Army

HEADQUARTERS

3 MAR 1944

A. C. C.

U-871

3 MAR 1944

1 March 1944

Subject: Transmission of Enclosed Documents relating Review of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to Directive, there are enclosed herewith the documents listed below relating to Petitions of Appeal. In cases where no Form 8 is enclosed, the plea was guilty according to A.M.S. Court Records furnished this office.

Legal File No.	Name	Court	Date of Docu- Trial ment
754	Celabrese Giovanni	Torre Annunziata	3 Feb 44 Form 8, Appl.
756	Ferricchio Maria	S. Maria C.V.	22 " 44 Appl.
682	Spinosa Cosimo	" "	15 " 44 Appl., Form 8
759	Plomitallo Raffaele	" "	17 " 44 Appl.
642	Vitrone Mario	Sua. Court No. 2	17 " 44 Appl., Form 8
641	Paolillo Gennaro	" "	17 " 44 Appl., Form 8
757	Gallucci Luigi	" "	22 " 44 Appl., Form 8
706	Traveglione Maria	" "	28 Jan 44 Appl.
623	This case sent to A.C.C. on 27 Feb 44. Antonio Magliulo Torre del Greco		31 " 44 Appl.
356	This case sent to A.C.C. on 27 Feb 44. Di Monda Vincenza S. Maria C.V.		31 " 44 Appl.

1. Pursuant to Directive, there are enclosed herewith the documents listed below relating to Petitions of Appeal. In cases where no Form 8 is enclosed, the plea was guilty according to A.M.C. Court Records furnished this office.

Legal File No.	Name	Court	Date of Trial	Docu- ment
754	Calabrese Giovanni	Torre Annunziata	3 Feb 44	Form 8, Appl.
796	Perricchio Maria	S. Maria C.V.	22 "	44 Appl.
682	Spinosa Cosimo	"	15 "	44 Appl., Form 8
759	Plomitallo Raffaele	"	17 "	44 Appl.
642	Vitrone Mario	Sud. Court No. 2	17 "	44 Appl., Form 8
641	Pacillo Gennaro	"	17 "	44 Appl., Form 8
757	Gallucci Luigi	"	22 "	44 Appl., Form 8
706	Trevaglione Maria	"	28 Jan 44	44 Appl.
622	This case sent to A.C.C. on 27 Feb 44. Antonio Magliulo	Torre del Greco	31 "	44 Appl.
356	This case sent to A.C.C. on 27 Feb 44. Di Monda Vincenza	S. Maria C.V.	31 "	44 Appl.
716	This case sent to A.C.C. on 18 Feb 44. Guida Giuseppe	S. Maria C.V.	21 Feb 44	44 Appl., Form 8
755	Punzo Giuseppe	Torre del Greco	14 "	44 Appl.

We have no additional records in this case.

For the Regional Commissioner:

Douglas N. Batson
DOUGLAS N. BATSON,
1st Lt., C.M.P.,
Actg Asst Adj Gen.

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
A.S.C. 394, U.S. Army

2 March 1944

Subject: Transmission of Enclosed Documents relating Review of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to Directive, there are enclosed herewith the documents listed below relating to Petitions of Appeal. In cases where no Form 8 is enclosed, the plea was guilty according to A.S.C. Court Records furnished this office.

Legal File No.	Name	Court	Date of Trial	Document
404	Lombardi Arturo	Sum. Court	No. 1 10 Feb 44	Appl., Form 8
747	Piere Antonio	Sup. Mil. Ct.	23 "	44 Appl., Form 8
776	Marenghi Francesco	Avellino	2 "	44 Appl.
777	Giorfi Nicola	"	1 "	44 Appl.

For the Regional Commissioner:

Rob
DOUGLAS M. BARTON, 30
1st Lt., C.M.F.,
Assistant Adjutant.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to Directive, there are enclosed herewith the documents listed below relating to Petitions of Appeal. In cases where no Form 8 is enclosed, the plea was guilty according to A.C.C. Court Records furnished this office.

Legal File No.	Name	Court	Date of Trial	Docu- ment
404	Lombardi Arturo	Sum. Court No. 3	12 Feb 44	Appl., Form 8
747	Pierre Antonio	Sup. Mil. Ct.	23 "	44 Appl., Form 8
776	Marenghi Francesco	Avellino	2 "	44 Appl.
777	Cioffi Nicola	"	1 "	44 Appl.

For the Regional Commissioner:

Sub
DOUGLAS H. BATESON, 30
1st Lt., C.M.P.,
Assistant Adjutant.

REAR HEADQUARTERS
MILITARY CONTROL COMMISSION
Legal Sub-Commission
APO 394

GP/jpl
6 March 44

AGC/4083/1/L

Subject : Case of Mangione Felice.

To : RLO (through HQ) Region III.

It is impossible to review this case as the documents before me do not even state, except by inference, what penalty was imposed. Nor is there any indication of the circumstances which induced the judge to impose a penalty of (apparently) two months imprisonment and 10,000 Lire fine.

GEORGE POLLOCK
Colonel
Chief Judicial Officer

Near Headquarters
Allied Control Commission
Legal Sub-Commission
APO 39A

GP/pl

6 March 44

ACC/4083/1/L

Subject : Case of DiBenedetto Giuseppe

TO : Provincial Commissioner, Salerno.

This case is sent to you direct to avoid delay as I
am not aware whether you are now communicating direct with Region III
P.Q., or still with Region II.

GEORGE POLLOCK
Colonel
Chief Judicial Officer.

HEADQUARTERS
REGION 3, ALLIED MILITARY GOVERNMENT
A.P.O. 194, U.S. Army

27 February 1944

Subject: Transmission of Enclosed Documents relating Review
of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to Directive, there are enclosed here-
with the documents listed below relating to Petitions of Appeal.
In cases where no Form 8 is enclosed, the plea was guilty ac-
cording to A.M.G. Court Records furnished this office.

Legal File No.	Name	Court	Date of Trial	Docu- ment
665	Pellecchia Giuseppe	Avellino	15 Feb 44	Form 8, Appl.
658	Liguori Nicola	Barre	1 Feb 44	Form 8
390	Pistillo Emilio	Mondragone	1 " 44	Form 8, Appl.
622	Antonio Magliulo	Torre del Greco	31 Jan 44	Form 8, Appl.
687	Di Sarno Felice	Nola	20 Jan 44	Form 8, Appl.
687	Iavolaro Aniello	Nola	20 " 44	Form 8
687	Grillo Giuseppe	"	20 " 44	Form 8
687	Canonico Salvatore	"	20 " 44	Form 8
687	Cavone Angelo	"	20 " 44	Form 8
659	Schiano Antonio	Mondragone	4 Feb 44	Appl.
659	Filagrossi Francesco	"	4 " 44	Appl.
659	Scotto di Neco Antonio	"	4 " 44	Appl.
667	Rilosa Domenico	"	1 " 44	Appl.

Legal File No.	Name	Trial	ment
665	Felleccchia Giuseppe	13 Feb 44	Form 8, Appl.
658	Liguori Nicola	1 Feb 44	Form 8
390	Pistillo Emilio	1 " 44	Form 8, Appl.
622	Antonio Magliulo	Torre del Greco 31 Jan 44	Form 8, Appl.
607	Di Sarno Felice	Nola 20 Jan 44	Form 8, Appl.
687	Iavolaro Aniello	Nola 20 " 44	Form 8
687	Grillo Giuseppe	" 20 " 44	Form 3
687	Canonico Salvatore	" 20 " 44	Form 8
687	Cavone Angelo	" 20 " 44	Form 8
659	Schiano Antonio	Mondragone 4 Feb 44	Appl.
659	Filagrossi Francesco	" 4 " 44	Appl.
659	Scotto di Nicio Antonio	" 4 " 44	Appl.
661	Filosa Domenico	" 1 " 44	Appl.
660	Caramonte Gennaro	" 4 " 44	Appl.
660	Esposito Pierino	" 4 " 44	Appl.
660	Scotto Armando	" 4 " 44	Appl.
662	Mammola Emilio	" 1 " 44	Appl.
663	Neri Antonio	" 1 " 44	Appl.

- 2 -

Legal File No.	Name	Court	Date of Docu- Trial ment
664	Pagliaro Nicola	Mondragone	1 Feb 44 Appl.
621	Giordano Bruno	Avellino	1 " 44 Appl.
621	Gelasso Vincenzo	Avellino	1 " 44 Appl.
228	Di Cristo Salvatore	Torre del Greco	27 Dec 43 Appl.
289	Baldassarre Salvatore	Sum. Court No.1	27 " 43 Appl. Form 8
670	Della Cave Antonio	Nola	15 Jan 44 Appl.
611	Esposito Carmine	"	19 Jan 44 Appl., Form 8
518	Esposito Pasquale	"	19 Jan 44 Appl.
527	Pelosi Pietro	Sup. Court	13 " 44 Form 8, Appl.
597	Milone Gennaro	"	13 " 44 Form 8, Appl.
305	Caffaro Gaetano	Sum. Court No.3	17 " 44 Form 8, Appl.
517	Graziadei Corrado	Sparanise	9 Feb 44 Appl., Form 8
686	Aievoli Vincenzo	Nola	22 Jan 44 Appl., Form 8
686	Graziadei Nicola	"	22 " 44 Form 8
686	Nocerino Pietro	"	22 " 44 Form 8
686	Dario Angelo	"	22 " 44 Form 8
686	De Sana Arcangelo	"	22 " 44 Form 8
686	Coliendo Amedeo	"	22 " 44 Form 8
686	Parisi Ciro	"	22 " 44 Form 8
686	Coppedo Carmine	"	22 " 44 Form 8
193	Adinolfi Michele	Pompei	22 Dec 43 Appl.
532	Porcelli Stanislao	Avellino	11 Jan 44 Form 8, Appl.

305	Cafiero Gaetano	Sum. Court No. 3	17	"	44 Form 8, Appl.
517	Graziadei Corrado	Sparanise	9	Feb 44	Appl., Form 8
686	Alevoli Vincenzo	Nola	23	Jan 44	Appl., Form 8
686	Graziano Nicola	"	22	"	44 Form 8
686	Mocerino Pietro	"	22	"	44 Form 8
686	Dario Angelo	"	22	"	44 Form 8
686	De Gene Arcangelo	"	22	"	44 Form 8
686	Calliendo Amedeo	"	22	"	44 Form 8
686	Parisi Ciro	"	22	"	44 Form 8
686	Coppedo Carmine	"	22	"	44 Form 8
193	Adinolfi Michele	Pompei	22	Dec 43	Appl.
532	Porcelli Stanislao	Avellino	11	Jan 44	Form 8, Appl.
691	Nicola Riccardo	Benevento	8	Feb 44	Appl.
627	Oto Agnaro	"	18	Feb 44	Appl.
688	Pasquariello Angelo	Sum. Mil. Ct. No. 3	11	Jan 44	Appl.
123	Testa Gennaro	Nola	19	Jan 44	Form 8
66	Serpico Sebastiano	Nola	25	Jan 44	Form 8
667	Rege Vincenzo	"	1	Feb 44	Appl.
41	Di Dato Giuseppe	"	19	Feb 44	Appl.
212	Catello Savarese	Castellammare	7	Jan 44	Form 8, Appl.
367	De Nicola Ferdinando	Sum. Ct. No. 2	7	Feb 44	Form 8, Appl.

- 3 -

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Legal File No.	Name	Court	Date of Trial	Docu- ment
761	Mezzera Martino	S. Maria C.V.	17 Jan 44	Appl.
676	Valentino Maria	"	15 Feb 44	Appl.
702	De Simone Vincenzo	Nola	10 Feb 44	Appl.
703	Iandolo Antonio	Sum. Court No. 1	19 Jan 44	Appl.
704	Carvo Gennaro	"	18 "	44 Appl.
705	Gennino Gennaro	"	18 "	44 Appl.
666	Cinque Giuseppe	Nola	1	44 Appl.
295	Lubrano Enrico	Sum. Court No. 2	5	44 Appl., Form 3
706	Travaglione Maria	"	28 Jan 44	Appl.

For the Regional Commissioner:

15263
DOUGLAS H. BATESON,
1st Lt., O.M.P.,
Actg Asst Adj Gen.

For the Regional Commissioner:

1526
DOUGLAS E. BATSON,
1st Lt., C.M.F.,
Actg Asst Adj Gen.

HEADQUARTERS
REGION 3, ALLIED MILITARY GOVERNMENT
APO 394, U. S. Army

Legal Sub. Comm.
4011

156

3/6/56/L

19 February 1944

SUBJECT: Transmission of Enclosed Applications for Review
of Sentence and Related Documents:

TO: Chief Commissioner, Allied Control Commission.

1. Pursuant to Executive Memorandum Number 16 and Proclamation Number 14, I enclose herewith all Applications for Review of Sentence heretofore filed with the Regional Chief Legal Officer of this Region.

2. The cases enclosed are as follows:

Legal File No.	Name	Court	Date of Trial	Form 8
9	Ramacciotti Mario Testi Mario Caleo Egidio and 11 others	Naples Sup Ct	11 Jan 44	Yes
25	Capobianco Michele	Sum: Ct. 2	9 Jan 44	Yes
25	Malinconico Luigi	Sum Ct 2	19 Jan 44	Yes
27-D	Esposito Tobia	Sum Ct 2	8 & 14 Jan 44	Yes
27-D	Uccello Vincenzo	Sum Ct 2	8 & 14 Jan 44	Yes
27-D	Bellini Francesco	Sum Ct 2	8 & 14 Jan 44	Yes
30	Saviano Giuseppe di Michele	Nola. We have no record of case	22 Nov 43	
30	Ferrara Luca	Nola: We have no record of case	22 Nov 43	
30	Raffaele Ciano	Nola. We have no record of case		
31	Nicotera Giovanni of Gaetano	Afragola	24 -26 Nov 43	24
32	Pastore Giuseppe Fu Giuseppe	Sum Mil Ct 2	27 Nov 43	
34	Ciariello Antonio Fu Aniello	Sum Ct 1	20 Dec 43	
34	Ciaramella Carmine	Sum Ct 1	20 Dec 43	

Legal File No	Name	Court	Date of Trial	Form 8
34	Guadagnuolo Ciro	Sum Ct 1	20 Dec 43	157
35	Petillo Aniello Di Michele	Nola	16 Dec 43	
36	Falco Luigi di Umberto	Afragola	18 Jan 44	
38	Dario Agostino fu Paolino	Nola		
39	Dattillo Aldo	Sum Mil Ct 2	24 Dec 43	
40	Aversano Francesco	Sum Mil Ct	17 Jan 44	
		Santa Maria C.V.		
41	Di Dato Giuseppe fu Giovanni	Nola	19 Jan 44	Yes
47	Marigliano Gennaro	Sum Ct 1	16 Dec 43	
48	Barbero Luigi	Sum Ct 1	16 Dec 43	
49	Ferroni Giacomo di Salvatore	Afragola	24-26 Nov 43	
50	Ruggiero Luigi fu Michele	Afragola	24-26 Nov 43	
51	Campano Antonio Giacomo	Afragola	24-26 Nov 43	
52	Antonio Procentese	Unknown	22 Dec 43	
53	Gennaro Frezza	Afragola	24-26 Nov 43	
54	Giovanni Doni	Afragola	24-26 Nov 43	
55	Stefanone Ezio di Luigi	Sum Ct 1	6 Dec 43	
56	Leopoldo Chiavarone	Afragola	24-26 Nov 43	
56	Serpico Sebastiano fu Andrea	Nola	25 Jan 44	
68	Monnillo Angelo	Benevento	14 Jan 44	Yes
69	Giovanni Raim	Afragola	3 Jan 44	Yes
75	Pabrette Enrico	Sup Avellino	12 Jan 44	Yes
79	Giovanni Balletta fu Felice	Nola	23 Dec 43	
80	De Fiore Gennaro fu Gennaro	Nola	4 Jan 44	Yes
80	Ciri lo Giovanni Di Francesco	Nola	4 Jan 44	Yes
89	Aporso Diro Di Nunziante	Sum Ct 1	15 Jan 44	

Legal File No:	Name	Court	Date of Trial	Form 8
117	Marino Alfredo fu Prospero	Aversa	24 Nov 43	Yes
94	Raffaella Maddalini	Bari	10 Jan 44	
121	Piore Antonio	Naples	21 Jan 44	Yes
121	Barbati Francesco	Naples	21 Jan 44	Yes
*123	Testa Gennaro fu Salvatore	Nola	19 Jan 44	
*124	Aievoli Vincenzo	Nola	22 Jan 44	
132	Amodie di Perna	St: Anastosis	25 Jan 44	Yes
135	Coppola Pasquale fu Pasquale	Aversa	28 Jan 44	Yes
151	De Matteo Pasquale (age 17)	Sup Ct 1	20 Jan 44	
151-B	Gallo Ciro	Sup Ct 1	21 Jan 44	
152	Antiello Bonifacio di Antiello	Pompei	18 Jan 44	
153	Spano Giuseppe	Torre An- nunziata	27 Jan 44	
155	Diana Carmine Di Domenico	Aversa	11 Jan 44	
156	Basile Pasquale fu Michele	Aversa	11 Jan 44	
157	Papa Gaetano di Giuseppe	Aversa	15 Jan 44	
159	Pignata Ruggiero fu Giuliano	Aversa	11 Jan 44	
*209	Tagliamento Raffaele	Sum Mil Ct 4	15 Jan 44	
212	Catello Sabarese Di Vincenzo	Castellammare	7 Jan 44	Yes
*219	Baldo Di Lorenzo	No Ct		
*220	Romano Salvatore		6 Jan 44	
*221	Piscopo Vincenzo	Afragola	20 Dec 43	
226	Ambrosino Antonio	Nola	18 & 20 Jan 43	Yes
227	Sepe Carmine Di Antonio	Nola	11 Jan 44	
228	Buonsiuto Vincenzo	Nola	23 Dec 43	
235	Mallardo Nino	Avellino	4 & 18 Jan 44	Yes
254	Punzo Luigi	Sm Ct 3	7 Dec 43	Yes
254	Pagano Mario	Sum Ct 3	7 Dec 43	Yes
267	Ciaravalo Giuseppe fu Antonio	Torre Del Greco	10 Jan 44	
274	Gaetano Simonetti	Sup. John W: Chapman Lt:Col	14 Jan 44	Yes
274	Mario Simonetti	Sup. Lt.Col. Chapman	14 Jan 44	22 Yes
*307	Sarnelli Enrico fu Giovanni			
*311	Botto Pasqualina fu Giovanni	Sum Ct 1	19 Jan 44	
312	Di Sapio Attilio	Avellino	25 Jan 44	Yes
*318	Emmanuele Bottillo		said to be 18 Jan 44	

Legal File No.	Name	Court	Date of Trial	Form 8
319-A	Gino Gini D'Ignote	Resina	15 Jan 44	
320-A	Giorgio Ascione di Giuseppe	Resina	15 Jan 44	
322-E	Visconti Amedeo fu Luigi	Aversa	3 Feb 44	
353	Russo Alfonso fu Giuseppe	St. Maria C.V.	31 Jan 44	
354	Spera Felice fu Pasquale	S. Maria C.V.	7 Feb 44	
500	Cirella Michele fu Pasquale	S. Anastasia	21 Dec 43	
501	Borelli Antonio Di Eduardo	S. Anastasia	21 Dec 43	
355	Buonincanti Giovanni fu Giovanni	S. Maria C.V.	5 Feb 44	
356	Di Monda Vincenza di Vincenza	S. Maria C.V.	32 Jan 44	
357	Marescano Roberto fu Giovanni Battista	S. Maria C.V.	19 Jan 43	
400	Ruggiero Gennaro fu Salvatore	Aversa	8 Feb 44	Yes
500	Perna Tommaso di Salvatore	S. Anastasia	21 Dec 43	
500	Russo Domenico Di Pasquale	S. Anastasia	21 Dec 43	
500	Borrelli Biagio di Nicola	S. Anastasia	21 Dec 43	
501	Coppola Biagio Di Tommaso	S. Anastasia	21 Dec 43	
501	Favetta Grancesco di Giuseppe	S. Anastasia	21 Dec 43	
501	Comanzo Domenico fu Salvatore	S. Anastasia	21 Dec 43	
501	Romano Domenico di Paolo	S. Anastasia	21 Dec 43	
501	Barone Salvatore Di Gennaro	S. Anastasia	21 Dec 43	
502	Romano Gennaro Di Gennaro	Sola		
503	Raffaele Stefano	Sum Ct 3	28 Dec 43	
504	Franco Michele Di Domenico	S. Maria C.V.	19 Dec 43	
505	Traise Bernardo fu Agostino	Sup. Naples	24 Dec 43	
506	Foglia Vittorio			
507	Danzelli Vincenzo di Ciro	Sum Ct 2	24 Dec 43	
508	Di Natale Raffaele	Sum Ct 2	18 Jan 44	Yes
508	Fanuti Carmela	Sum Ct 2	18 Jan 44	Yes
508	Auriola Carmine	Sum Ct 2	18 Jan 44	Yes
508	Scofino Gennaro	Sum Ct 2	18 Jan 44	Yes
508	Arti Salvatore	Sum Ct 2	18 Jan 44	Yes
508	Camardella, Raffaele	Sum Ct 2	18 Jan 44	Yes

For the Regional Commissioner:

Douglas W. Batson
DOUGLAS BATSON
1st Lt., C.M.P.
Actg. Asst. Adj. Gen.

HEADQUARTERS

REGION 3, ALLIED MILITARY GOVERNMENT

A.P.O. 394, U.S. ARMY

27 February 1947

154

SUBJECT: Transmission of Enclosed Documents relating Reviews of Sentences.

TO : Chief Commissioner, Allied Control Commission.

1. Pursuant to Directive, there are enclosed herewith the documents listed below relating to cases tried by A.M.G. Courts where the sentence imposed exceed imprisonment for 2 years or a fine of 50,000 Lire.

Legal File No.	Name	Court	Date of Trial	Document
516	Raffaele Palumbo	Torre Annunziata Sup. Court	7 Feb 44	Form 8, Appl.
619	Buccia Vincenzo	Sup. Mil. Court	28 Feb 44	Form 8
510	Muzzo Domenico	Caserta Sup. Ct.	9 Feb 44	Form 8
511	Arzano Giuseppe	"	9 "	44 Form 8
512	Arzano Nicola	"	9 "	44 Form 8
513	Giordano Salvatore	"	9 "	44 Form 8
514	Giovanni Guerriero	Torre Annunziata Sup. Court	7 "	44 Form 8
515	Saverio Gallo	Torre Annunziata Sup. Court	7 "	44 Form 8
671	Parlato Giuseppe	General Court	12 "	44 Form 8
692	Ottuso Carlo	"	12 "	44 Form 8
656	Tuccillo Domenico	Sup. Mil. Court	19 Jan 44	Form 8, Appl.
656	Chieralanza Pasquale	"	19 "	44 Form 8

Legal File No.	Name	Trial	ment
516	Raffaele Palumbo	Torre Annunziata Sup. Court	7 Feb 44 Form 3, Appl.
619	Buccis Vincenzo	Sup. Mil. Court	15 Feb 44 Form 3
518	Marzo Domenico	Caserta Sup. Ct.	9 Feb 44 Form 3
511	Arzano Giuseppe	" " "	9 " 44 Form 3
512	Arzano Nicola	" " "	9 " 44 Form 3
513	Giordano Salvatore	" " "	9 " 44 Form 3
514	Giovanni Guarriero	Torre Annunziata Sup. Court	7 " 44 Form 3
515	Saverio Gello	Torre Annunziata Sup. Court	7 " 44 Form 3
671	Parlato Giuseppe	General Court	12 " 44 Form 3
692	Ottuso Carlo	" " "	12 " 44 Form 3
656	Tuocillo Domenico	Sup. Mil. Court	19 Jan 44 Form 3, Appl.
656	Chieralanza Pasquale	" " "	19 " 44 Form 3
656	Vetere Franco	" " "	19 " 44 Form 3
656	Nunziato Giuseppe	" " "	19 " 44 Form 3
656	Di Porzio Mario	" " "	19 " 44 Form 3

For the Regional Commissioner:

* Returned for completion.
WJP

Douglas N. Batson
DOUGLAS N. BATSON,
1st Lt., C.M.P.,
Actg Asst. Adj. Gen.

167
 sent to CJO, ACC
 Palazzo, etc. / *[illegible]*

A. M. G.

GOVERNO MILITARE ALLEATO
 POTENZA PROVINCE

153

ref: 15/8-5

To *[illegible]* Basone

[illegible]

SUBJECT: *[illegible]* OF *[illegible]*

TO: *[illegible]* (SIAI)

ref. A.S.C.

SALUBRO 200/102

1. The following information is furnished in accordance with para 4 (a) of the Principal Commissioner's letter ref: 2201/48/2.

14 Jan. 44:

↑

Sal: Unpaid

NAME	TYPE	DATE
Manila	100	100
Manila	50	100
Manila	1000	1000
Manila	2000	2000
Manila	1500	1500
Manila	1000	1000
Manila	400	400
Manila	500	500
Manila	1000	1000
Manila	200	200

x Approved pending

2. All of the above data were filed at Manila.

13

FORWARDED, 20 Jan. 1944.

[illegible]

Legal-Sub Com

HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
A.P.O. 394, U.S. Army

U-1058

3 March 1944

152

Subject: Transmission of Enclosed Documents relating Review of Sentences.

To : Chief Commissioner, Allied Control Commission.

1. Pursuant to Directive, there are enclosed herewith the documents listed below relating to Petitions of Appeal. In cases where no Form 8 is enclosed, the plea was guilty according to A.M.C. Court Records furnished this office.

Legal File No.	Name	Court	Date of Trial	Docu- ment
773	Grippa Alfredo	Sup. Mil. Court	29 Dec 43	Appl., Form 8
656	Vetere Francesco	" " "	19 Jan 44	Appl.
274	Pisacane Michele	" " "	14 " 44	Appl.
656	Di Porzio Mario	" " "	19 " 44	Appl.

In all of the above cases Records have previously been sent to A.C.C.

For the Regional Commissioner:



Douglas N. Batson
DOUGLAS N. BATSON,
1st Lt., C.M.P.,
Assistant Adjutant.

18

REAR HEADQUARTERS
ALLIANCE CONTROL COMMISSION
Legal Sub-Commission
APC 394

ACC/4083/1/L

GP/jpl
5 March 44.

Subject : GRAZIADEI Corrado

To : RCLO, Region III

1. In a case of this kind a record kept in this narrative form which does not indicate what was or was not proved is unsatisfactory.

2. The judge should have kept his record in the form:-

Capt. G.W. Brooke, sworn said: "On the 20 Dec. 43 I was present at the Summary Court at S----- and so on in the first person for the whole of his evidence in chief. There should follow (if applicable) "Cross-examined; the defendant told me he had done so and so."

3. There appears to have been evidence from which the judge could properly have come to his decision and the conviction and sentence are therefore affirmed.

GEORGE POLLOCK

Colonel
Chief Judicial Officer.

AR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACC/4083/1/L

146 GSP/jpl

5 March 44 149

Subject : Case of DiPorzio Mario.

To : RLD (thru RC) Region III.

1. Reference letter of this Sub-Commission, dated 3 March 44.
ACC/4083/1/L

2. The record of the trial has been received. It was separated from the appeal papers.

3. Please return the appeal papers for review. The record is being held here.

GEORGE POLLOCK
Colonel
Chief Judicial Officer.

RE HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 3/4

GP/jpl
5 March 44

ACU/1083/1/1

SUBJECT : Case of GARGAN Nicole.

TO : RLO (thru HQ) Region I.

1. The further application by GARGAN for provisional liberty has been forwarded to M.C.C... A.F.H.Q.

2. No action may be taken without authorization from A.F.H.Q.

GEORGE FOLLOCH
Colonel
Chief Judicial Officer

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

GP/jpl

5 March 44

AGC/4082/1/L

SUBJECT : Case of CUTALA Giuseppe Salvatore, and
DELL'ARIA Arcangelo di Michele.

TO : RLO (thru RC) Region I.

Conviction in the above cases have been quashed on the record
does not contain any evidence that the men were inside the prohibited area.
The men's wives seem to be under the impression that they were sentenced for
theft.



GEORGE POLLOCK
Colonel
Chief Judicial Officer.

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

OSP/jpl

3 March 44

ACC/4083/1/L

Subject : Case of DiPierzio Mario.

TO : RLO (thru RC) Region III.

1. The papers in the above named case were forwarded with your memo of 27 Feb. 44.

2. The record appears incomplete in the following particulars:

- (a) Form 8 has not been completed.
- (b) There is no authenticated statement of the pleas or sentences.
- (c) There is no proof that the sworn statements were offered in evidence except that they are marked as Prosecution exhibits.
- (d) There is no indication that a trial was held except that a date of trial is stated in your memorandum (19 Jan. 44) and in the applications for review (26 Jan. 44).

3. Apparently the record of the trial was inadvertently omitted. The file is accordingly returned for completion.

GEORGE POLLOCK

Colonel
Chief Judicial Officer.

PEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACC/4083/1/L

ACC/jpi

145

3 March 44

SUBJECT : Case of D'AMALIO Enigi.

TO : P.S.C.O. (thru SIO AND 5th Army) Region IV.

1. Reference your letter ch/legal/15 dated 27 Feb. 44. The papers are returned herewith.

2. Your views in regard to the genuineness of the two documents referred to will be appreciated.

GEORGE POLLOCK

Colonel
Chief Judicial Officer.

NEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

144
MJG/jpl

2 March 41

ACC/4083/1/L

SUBJECT : GRIPPO Saverio fu Loretto.

TO : SLD AMG 5th Army.

1. The record in the above case is returned herewith.
2. The decision on review is that the conviction and sentence are quashed.
3. The reasons for the decision are as follows:

The accused is charged with "Clandestine Transport of Food Commodities." No such offense exists either under Italian or Allied Military Government law. It is no answer to say that under the facts as proved the accused committed some other and different offense. He can be convicted only for the offense with which he was charged and of which he had due notice.

RICHARD H. WILDER

Lt. Col. C.A.C.
Deputy Chief Legal Officer.

11

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 994

MTG/jpl

2 March 44

143

ACC/4883/1/L

SUBJECT : Case of SABATINI Michele di Gaiseppe.

TO : SLD AMG, 5th Army

1. The record in the above case is returned herewith.
2. The decision on review is that the conviction and sentence are quashed.
3. The reasons for the decision are as follows:

The accused is charged with "Clandestine Transport of Live Stock." No such offense exists either under Italian or Allied Military Government law. It is no answer to say that under the facts as proved the accused committed some other and different offense. He can be convicted only for the offense with which he was charged and of which he had due notice.

RICHARD H. WILSON
Lt. Col. C.A.C.
Deputy Chief Legal Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

HJG/jpi

2 March 44

142

ACC/4083/1/L

SUBJECT : Case of ROSSI Luigi fu Michele.

To : SLO 5th Army AMG.

1. The record in the above case is returned herewith.
2. The decision on review is that the conviction and sentence are quashed.
3. The reasons for the decision are as follows:
 - (a) The accused is charged with "Selling Livestock in excess of maximum price." The charge is insufficiently set forth in that it fails to disclose what Italian or Allied Military Government legislation, regulation, or order is claimed to have been violated; or the date or place of the offense.
 - (b) The evidence likewise fails to identify any law, regulation or order establishing the legal price which it is claimed was exceeded. The mere testimony of the Carabinieri that the price charged was more than the legal price is a legal conclusion only and of no probative force or effect. Moreover his testimony had principally to do with the price of dressed pork whereas the sale was of a live hog. Only by very remote implication could it be said that there was any testimony whatever as to the legal price of live hogs. A criminal conviction cannot be sustained on testimony so incompetent and so feeble. Since the accused was not represented by counsel, no importance can be attached to the circumstance that reason for the application is limited to the severity of the sentence.

RICHARD H. WILMER

Lt. Col. C.A.C.
Deputy Chief Legal Officer.

Subject: Review of Sentence

CH/legal 69.

To: C.I.O. HQ A.C.C.
(Palermo Detachment)

File

BORSCH Herbert
BENDA Hans

141

Forms 11 on behalf of the 2 a/m were passed to C.I.O. Am.B. 8th Army early in February. They were each of them sentenced to 9 months by the C.A.O. Alena for travelling over 10 Km. & in contravention of a local order - date of sentence 18 Jan - Ref No: in Form 8(a) "A/16."

In the absence of Major Mercer, who will be away for about 1 week, I am writing to enquire if it would be possible for their application to be dealt with soon, as there is merit in it & it is recommended for favourable consideration by the C.A.O. who tried the case. I appreciate that these cases would normally be dealt with in rotation according to date of arrival in your office & that there must be a very large number to deal with, but the majority of those which I have had to forward have little if any merit in them & I hope that it may be possible to accelerate the review of the case of these 2 men.

Vastu.
23 Feb: 44

J. M. Kelsford
Major
P.S. I.O. Chieti. 8

PEAR HEADQUARTERS.
ARMY CONTROL COMMISSION
Legal Sub-Commission
APO 374

140

GSP/jpl

2 mar 44

ACC/4083/1/L

SUBJECT : Return of applications for review for further information.

TO : RLS (thru RC) Region III.

1. Returned herewith are the following applications for review which you enclosed with your memorandum of 19 Feb. 44:

NAME	LEGAL FILE NO.
SAVIANO Giuseppe	30 30
PERUZZI Giano	30
PASTORE Giuseppe	32
OPRANDELLI ANTONIO	34
CIARAMELLA Carmine	34
GRADAGNOLI Ciro	34
PETILLO Aniello	35
Falco Luigi	36
DAN. O. Agostino	38
DATTILO Aldo	39
CARBANO Luigi	45
ANTONIO Procentese	52
SEMPICO Sebastiano	66
GIUVANNI Galetta	79
TESTA Gennaro	123
ATEVOLI Vincenzo	124
TARILAMANTO Raffaele	209
BALLO Ed Lorenzo	215
ROMANO Salvatore	220
PISCARO Vincenzo	221
SARINELLI Enrico	307
BOTTO Pasquale	311
ESCAPOLETTI Sottile	318
GIRO GINI D'ignote	319-A
GIORGIO Ascione	320-A
VISCONTI Amadeo	322-B
RAFFAELLI Stefano	503
FOGLIA Vittorio	506
DANIELI Vincenzo	507

2. The records forwarded are not sufficient to permit the cases to be reviewed. Please return the applications with any additional statements or information you can obtain.

GEORGE POLLOCK

Colonel

Chief Judicial Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACW/jpi
2 March 44

ACC 1053/1/L

SUBJECT : Case of ZAPPARDO Pietro.

TO : RLO (thru RC) Region I.

1. The letter from Avv. SACCO dated 1 Feb. 44 is returned herewith.
2. On 2 Feb. 44 a sentence of 2 years imposed on a certain ZAPPARDO Pietro was reduced to one year. I assume this is the same man.

GEORGE POLLOCK

Colonel
Chief Judicial Officer.

139

REAR HEADQUARTERS.
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APC 394

ACW/jpl
1 March 41

138

ACC/4083/1/L

SUBJECT : Case of Montone Ugo, COLANGELO Carmine, Ruffo Gaetano, DE LUZIA Gabriele.

TO : RLC (THRU RC) Region II.

1. The above named cases ~~appear to~~ have been already reviewed.
2. ~~No further action is necessary and~~ the petitions are returned herewith.

GEORGE PERLOCK

Colonel
Chief Judicial Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACC/4083/1/L

ACW/jpl
1 March 44

137

SUBJECT : Case of SALVAGGIO Salvatore.

TO : RLD (thru RC) Region I.

1. It is requested that the status of the above named be ascertained.

2. If he is really a Prisoner of War he should be sent to a Prisoner of War Camp and the Camp Military Authorities should be informed of the offence committed by him.

3. If he is NOT a Prisoner of War the papers should be returned to this H.Q. for Affirmation of conviction and sentence.

GEORGE POLLOCK

Colonel
Chief Judicial Officer.

REAR HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

RHM/jpl
1 March 44

136

ACC/4083/1/L

SUBJECT : Case of (1) DI MARZO Giuseppe
(2) ANICITO Antonio

TO : RLD (thru RC) Region I.

1. It is impossible to review these cases without the record. Please return the enclosed papers with the records.

2. If there are no further records please return the enclosed papers for final disposition.

RICHARD H. WILSON

Lt. Col. C.A.C.
Deputy Chief Legal Officer.

REAR HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACC/4083/1/L

AGW/jpl
1 March 44

SUBJECT : Case of DOTT. TOTAND Raffaele

TO : SLO AMG, 8th Army.

This case cannot be reviewed as there is no sufficient record of evidence on which the judge acted. A proper record must be supplied for each case.

GEORGE POLLOCK

Colonel
Chief Judicial Officer.

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HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

OF/301

1 March 1944

ACC/1003/1/L

SUBJECT : Case of BRINALLI Salvatore fu Gaetano.
TO : RLD (thru RC) Region I.

1. The sentence in this case was a very moderate one and was confirmed on review.

2. It is not the practice of this H.Q. to alter such a sentence without special grounds for so doing and no such grounds are specified in this application. On what new facts does the RLD believe base his recommendation for clemency?

GEORGE PELLOS

Colonel
Chief Legal Officer.

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