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

ACC

10000/142/571
(VOL. 4)

2448

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

785016

REVIEW OF AMG CASES
APR, MAY 1944

2/571

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ACC/4082/1/L.vol. 4

2450

Declassified E.O. 12356 Section 3.3/HND No. 735016

SUBJECT : REVIEW OF A.M.G. CASES

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10000 142 571

483	18 Apr. 44	F/ RLO reg. 3	Guesco Vincenzo	2201/56/G
484				

Petitions for Review

Review under memo /

R5/511/14
RLE 013.

561 30 may 44 PLO Naples
 562 30 may 44 sio 3th army
 563 30 may 44 rlo reg. 5
 564 30 may 44 PLO Salerno
 565 30 may 44 HQMAG sec.
 566 30 may 44 PLO 3
 567 31 may 44 sio Salerno

return of papers.
 Lt. GARIGUE
 Mauro achille
 Pisani Giovanni
 U.S. court Marials
 Fortunato & Francolini
 Receipt of exhibits.

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

FROM No. 483

TO No. 567

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31 May 44

Received from Caporal Latella
exhibits in matter of Jantunato et al.,
as described in letter # ACC/4083/1/2, dd 30 May 44,
subject: "case of Jantunato, Paravventura and Marchini
Pomunisco."

Carl G. (Barnes)
1st Lt - A.C.
P.L.O., Salerno.

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HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 374

/jpl

AGC/A083/1/1

30 May 44

Subject: Case of FORTUATO Bonaventura
FRANCHINI Domenico

To : Regional Legal Officer, Region 3.

1. Herewith the record in the case of FORTUATO Bonaventura and FRANCHINI Domenico. The case has been reviewed and the convictions and sentences affirmed.

2. To save work the following exhibits.....P-7

P-7A

P-8

P-9

P-10

have been forwarded direct to your P.L.O. at Salerno for action in accordance with the order of the Court. (Copy Attached.)

Copy to:

Provincial Legal Officer,
Salerno.

Please acknowledge receipt of above named exhibits.

1c
GERALD R. UFFORD, Colonel
CHIEF LEGAL OFFICER

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1 1 HEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/JPL

AOC/4083/1/L

30 May 44

Subject: Case of PISANI Giovanni.

To : Provincial Legal Officer, Salerno.

1. The case of PISANI Giovanni was reviewed on 26 April 44.
2. Our records show that he was co-defendant with one LAMBIASE Lorenzo, having been charged with Damaging of wires.
3. On Review, the sentence imposed by the court was affirmed, namely:
 LAMBIASE..... 12 months imprisonment.
 PISANI..... 12 months probation, reporting weekly to D.A.P.C.
4. No Pet. for Pardon has been received: but see Consolidated Instructions

Att 33 (3)

GERALD R. UPTON
Colonel
Chief Legal Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 324

/jpl

ACC/4083/1/L

Subject: Case of M-20 Achille.

30 May 44.

To : Regional Legal Officer, Region 5.

In answer to RS/511/14, dated 26 May 44

1. The record of this case is not, and never has been, at this H. C.: nor is it known where the record is.
2. It is much regretted that it is not possible to give a more helpful answer.

lc
GERALD R. HUGHES
Colonel
Chief Legal Officer.

NEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/lpl

AGC/4023/1

Subject: Trial Judge.

To : Senior Legal Officer, APO 8th Army.

The records of cases tried by Lieut. P. GARRIGUE are not generally satisfactory. Would it not be better to have him relieved from trial work?

Copy to: 4089/1

RICHARD H. WILMER
Colonel
Deputy Chief Legal Officer.

action taken
see letter

OA/13 dated 4 June 44
file 4023/2

REAR HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 374

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ACG/4883/1/L

30 May 44

Subject: Return of Documents.

To : Provincial Legal Officer, Naples.

I "borrowed" the enclosed papers, relating to RUBIO Clotilde and
ALEZANO Murgia, from the "Evening Court" some weeks ago at the time I was in
Naples and when you showed me around the Tribunali. I return them so that they
may be returned to keep your records complete. When you return them, will you
please destroy the signed receipt I gave for them.

R
I.G.M. CAMBRIA
Major
Chief Judicial Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/jpl

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AGC/4083/1/L

30 May 44

Subject: Case of FABOZZI Antonio fu Ferdinando

To : Regional Legal Officer, Region 3.

The record of the proceedings against FABOZZI Antonio are returned herewith. Before giving any Decision on Review it is required to know whether or not the Court believed the accused when he said "The pistol did not belong to me: I know nothing of the pistol," or whether the Court was of opinion that the accused himself had put the pistol on the top of the cupboard or at least was a part to its being there.

/c
GERALD R. DEJOHN
Colonel
Chief Legal Officer.

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ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

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ACC/4083/1/L

30 May 44

Subject: MDRACOBrunno in Ernesto.

To : Regional Legal Officer, Region 3.

1. The Chief Legal Officer has personally reviewed this case and requests that the trial judge be instructed to give information on the following points:

- (a) Was the defendant warned that he need not testify unless he chose to?
- (b) Did the defendant refuse to testify?
- (c) Was the defence counsel permitted to continue after the interruption of his 2nd witness' testimony, or was that all the evidence he had to offer.

2. Please return the record with the information requested and any other particulars which will aid in the review of the case

12.
GERALD H. UPTON
Colonel
Chief Legal Officer.

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HEADQUARTERS
REGION 3, ARMED FORCES COMMISSION
A.F.C. 334, U.S. Army

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ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

GRU/pa

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APO 394

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ACC/4053/1/L

28 May 44

Subject: Case of PIZZENZA Giuseppe and MASCA Cristina

To : Senior Legal Officer, AMI 8th Army.

The conviction in this case was quashed only with reluctance. The reason for the conviction is as pointed out by Major WELSFORD: namely that PIZZENZA and MASCA were charged with assisting two other Italians in their attempt to cross the R. Sangro. However, the Court (erroneously) acquitted the two other Italians on the ground that there had been no attempt: it follows that PIZZENZA & MASCA could not have assisted in an attempt which never took place.

G. H. W.
GERALD R. WELFORD
Colonel
Chief Legal Officer

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ACC/2083/1/L

27 May 44

Subject: Case of BUCCINO Federico

To : Regional Legal Officer, (thru RC) Region V.

1. Record in the above proceedings returned herewith.
2. It is noticed that on the annexure to form 8 the sentence imposed on Buccino is 1 year of imprisonment while the form 11 shows that the sentence is 1 year and 20,000 lire fine. Please check and make any necessary amendment.

Encl: 1 Record.

A. H. G.
GERARD H. UPTON
Colonel
Chief Legal Officer

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4083/1

HEADQUARTERS
REGION 3

TO : C.I.C. Rear H.Q.A.C.C.
 FROM : H.Q. Region 5 A.I.C.
 SUBJECT: MAJZO ACHILLE

Court in Campobasso town and on 3 December 1943 he was sentenced to 1 year in prison for the wrongful possession of firearms. This information was obtained from the man and it is not known whether there were other charges or not. He advises that this sentence was reduced to 1 year on review.

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8. As to the proceedings against PIGNALOSA Gennaro, the charge is that he did "assist in or procure the commission of an act constituting an offence under Proc 2 particularly Art. 2 sec. 40 thereof

Rear Headquarters
Allied Control Commission
Legal Sub-Commission
APO 394

/jpl

ACC/4083/L/L

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ALLIED CONTROL COMMISSION
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ARMED CONTROL COMMISSION
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APO 374

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HEADQUARTERS
REGION 3, ALLIED CONTROL COM

REAR HEADQUARTERS
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APO 54

IC/jpl
21 May 44

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