

ACC

10000/142/596
(VOL. 1)

PETITIONS FOR CLEMENCY
MAR. - AUG. 1944

10000/142/596
(VOL. 1)

PETITIONS FOR CLEMENCY, ALLIED MILITARY COURT CASES
MAR. - AUG. 1944

1.	4 May 44	T/ RLO Region III			Arena, Franco, Canto Cassese, Cipollaro DeCarolis, Fabretti Gaeta, Libertino, Marino Spera, Terracciano, PMS Palmieri.
2.	4 May 44	T/ Minister of G. & J.	ETK/pv		Bizarro Nicolo Musella Gennaro Musella Gennaro
3.	4 May 44	T/ Minister of G. & J.			Di Florio Vincenzo
4.	4 May 44	T/ RLO Reg. III			Panungio Giuseppe
5.	4 May 44	T/ RLO Reg. II			D'Onofrio Antonio
6.	4 May 44	T/ RLO Reg. V			Barbati Francesco
7.	4 May 44	T/ RLO Reg. V			Barbati Francesco
8.	21 Apr. 44	T/ RLO Reg. III			Mariconda, Marino,
9.	4 May 44	T/ RLO Reg. III			Rodia, and Cirino.
10.	4 May 44	T/ RLO Reg. III			Anastasio Vincenzo
11.	4 May 44	T/ RLO Reg. III	CH/Legal/126		D'Aloisio Cosmo
12.	26 Apr 44	F/SLO 8th army			D'Aloisio Cosmo
13.	4 May 44	F/SLO 8th army			Cibelli Giovanni
14.	7 Apr. 44	F/RLO Reg. IV			Cibelli Giovanni
15.	4 May 44	T/ RLO Reg. V			Ottati Andrea
16.	5 May 44	T/ Minister of Grace			Ottati Andrea
17.	5 May 1944	F/RLO Reg. III			Nicastro Corrado
18.	5 May 44	T/ RLO Reg. I			Caporrino Giuseppe
19.	5 May 44	T/ RLO Reg. III			See list on (20)
20.	5 May 44	T/ Minister of Grace			Pannunzio Giuseppe
21.	5 May 44	F/ RLO Reg. 5			Invernese, Calenda
22.	21 Mar. 44	F/ RLO Reg. 5			and Silla.
23.	6 May 44	F/ RLO Reg. III	L/5040		Sans as 10 above
24.	30 Mar. 44	F/ Adm. Reg. III	3/6071/L		Nicastro Corrado
25.	11 May 44	F/ RLO Reg. I	013.03/RLV		Nicastro Corrado
26.	13 May 44	"			Transmission of pat.
27.	13 May 44	F/ adj. reg. 3	L/5040		transmission of pat.
28.	12 May 44	F/ adj. reg. 3	L/5070		"
29.	13 May 44	"			Gerardo prelo
30.	22 May 44	F/ PLO Salerno prov.			Caporrino
31.	2 June 44	Minister of Grace			Esposito Vincenzo
32.	26 June 44	RLO 3			lis. of pat.
33.	12 June 44	Minister			Gizzaelli
34.	12 June 44	"			lis. of pat.
35.	12 June 44	SLO 8th army			Angiucci Vincenzo
36.	12 June 44	RLO 3			See list
37.	12 June 44	SLO 8th			Cascone Salvatore
38.	13 June 44	T/ H.E. Minister of Grace and Justice			
39.	18 June 44	T. RLO Region 3			Crisuolo & Galgano
40.	18 June 44	T/ RLO			Salerno Giuseppe
41.	18 June 44	T/ RLO			Petitions for clemency
42.	21 June 44	T/ PLO salerno			Paeriod Salerno & Espos
43.	21 June 44	T/ plo Salerno			Manzo Sabato
44.	27 June 44	T/ Minister of G. & J			Petitions for clemency
45.	27 June 44	T/ rlo reg. 3			Giancospro antonio
46.	8 July 44	To Minister			list of petitioner
47.	12 July 44	RLO reg. 3			Reo Carmelo
48.	12 July 44	rlo reg. 3			Donnamanna
49.	12 July 44	t/ the minister			Andone
50.	12 July 44	T/ the minister			
51.	15 July 44	Rlo reg. 3			
52.	3 July 44	rlo reg. 5			

11	4 May 44	T/ RLO Reg. III	CH/Legal/126	Rodia, and Cirino.
12	26 Apr 44	E/SLO 8th army		Anastasio Vincenzo
13	4 May 44	E/SLO 8th army		D'Aloisio Cosmo
14	7 Apr. 44	E/RLO Reg. IV	RA/LE/Reg/A/2	D'Aloisio Cosmo
15	4 May 44	T/ RLO Reg. V		Cibelli Giovanni
16	5 May 44	T/Minister of Grace		Cibelli Giovanni
17	5 May 1944	E/RLO Reg. III		Ottati Andrea
18	5 May 44	T/ RLO Reg. I		Ottati Andrea
19	5 May 44	T/ RLO Reg. III		Nicastro Corrado
20	5 May 44	T/ Minister of Grace		Caporrino Giuseppe
21	5 May 44	E/ RLO Reg. 5		See list on (20)
22	21 Mar. 44	E/ RLO Reg. III		Pannunzio Giuseppe
23	6 May 44			Invernese, Calenda
24	30 Mar. 44	E/ Adm. Reg. III	L/5040	and Silla.
25	11 May 44	E/ RLO Reg. I	3/6071/L	Same as 10 above
26	13 May 44	" "	013.03/ELV	Nicastro Corrado
27	13 May 44	E/ adj. reg. 3	L/5040	Nicastro Corrado
28	12 May 44	E/ adj. reg. 3	L/5070	Transmission of pet.
29	13 May 44	" "		transmission of pet.
30	22 May 44	E/ PLO Salerno prov.		
31	2 June 44	Minister of Grace		Caporrino
32	26 June 44	RLO 3		Gararalo premo
33	12 June 44	Minister		Pattinatore
34	12 June 44	" "		Esposito Vincenzo
35	12 June 44	SLO 8th army		List. of pet.
36	12 June 44	RLO 3		Gizzealli
37	13 June 44	SLO 8th		List. of pet.
38	18 June 44	T/ H.L. Minister of Grace and Justice		Angiucci Vincenzo
39	18 June 44	T. RLO Region 3		See list
40	18 June 44	T/ RLO		Cascone Salvatore
41	21 June 44	T/ PLO Salerno		
42	21 June 44	T/ PLO Salerno		Criscuolo & Galgano
43	27 June 44	T/ Minister of G. & J		Salerno Giuseppe
44	27 June 44	T/ rlo reg. 3		Petitions for clemency
45	8 July 44	To Minister		Paerio & Salerno & Epos
46	12 July 44	RLO reg. 3		Manzo Sebato
47	12 July 44	rlo reg. 3		Petitions for clemency
48	12 July 44	t/ the minister		Giancospro antonio
49	12 July 44	T/ the minister		list of petitioner
50	15 July 44	Rlo reg. 3		Rao Carmelo
51	3 July 44	rlo reg. 5	RS/511/19	Donnamanna
52	25 July 44	rlo reg. 5		Donnamanna
53	26 July 44	3rd district	146/2a	Donnamanna
54	31 July 44	the minister		Donnamanna
55	31 July 44	to rlo reg. 3		Donnamanna
56	1 Aug. 44	From Chief ex off. to dist 3	166/83/CA	Donnamanna
57	30 July 44	from RAAC apo 794		Donnamanna
58	3 Aug. 44	to RAAC apo 794		Donnamanna
59	3 Aug. 44	rlo reg. 3		Donnamanna
60	3 Aug. 44	f/ rlo reg. 3		Donnamanna
61	12 Aug. 44	to rlo reg. 3		Donnamanna
62	18 July 44	to rlo reg. 3		Donnamanna
63	22 June 44	to rlo reg. 3		Donnamanna
64	15 July 44	Rlo reg. 3		Donnamanna
65	8 Aug. 44	plo avellino		Donnamanna

Bonza Giuseppe
 Baldi Matteo
 De Leonardi & Corato
 Iervolino Aniello
 petitions for clemency
 Iervolino Aniello
 De Leonardi Michele
 Commissio Vincenzo
 Versace Santo
 Di Gironimo & Ciricillo
 D'Ambrosio Raffaele
 D'Ambrosio Raffaele
 Toranica Maria
 Forte Luigi

1/1023

15/511/14

69	16 aug. 44	T/ rlo reg. 3
70	16 aug. 44	T/ the mnster
71	26 July 44	T/ rlo reg. 4
72	8 aug. 44	f/ rlo reg. 3
73	17 aug. 44	T/ mnster
74	17 aug. 44	rlo reg. 3
75	17 aug. 44	PLO reg. foggia
76	18 aug. 44	rlo reg. 3
77	19 aug. 44	rlo reg. 1.
78	19 aug. 44	rlo reg. 3
79	7 aug. 44	rlo reg. 3
80	10 aug. 44	rlo reg. 4
81	22 aug. 44	rlo reg. 3
82	23 aug. 44	rlo reg. 3
83	26 aug. 44	rlo reg. 3

from : 4 May 44
to : 26 August 44

85

8,083/23

SUBJECT : Appeals
TO : CLO HQ ACC
FROM : REGION V

Legal 1453
R5/511/14

26 Aug. 44. *83*

1. Ref. your ACC/4030/L dated 24 Aug. 44.
2. Herewith file and petition returned. The case has not been submitted to the competent Procuratore del Regno, as I am not aware that he has any jurisdiction in A.M.G. Cases.
3. The case was reviewed by the CTO on 17 Aug. 44. I recommend that the petition be denied.

For the Regional Commissioner

John Willis
J. L. WILLIS
Lt. Colonel,
RLO

80

ND



3220

4083/23
HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
A.P.O. 394, U.S. Army

(182)

23 August 44

Subject: Transmission of Enclosed Documents
relating to pardon (A.M.G. case)

To : Chief Legal Officer, Legal Sub-Com-
Mission, A.C.C. Rome.

81

1. There is submitted herewith in ac-
cordance with Executive Memo No.4, 7 February
1944, the following application for pardon:

1) FORTE Luigi

For the Regional Commissioner:

ETK/pv

G.A. Bamlet By E. T. H. capt.
G.A. BAMLET,
Major, G.L.,
Acting Reg. Legal Officer.

R-E-S-T-R-I-C-T-E-D.

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
REGION IV - LEGAL DIVISION
A.P.O. 394

D-4078

L/1023

22 August 1944.

SUBJECT : Re: Clemency Petition of TORCHIA MARIA GIUSEPPA.

TO : Chief Legal Officer, Legal Sub-Commission,
Headquarters, Allied Control Commission.1. A careful study of the enclosed petition
has been made. 82. From the facts, it seems to be a black-
market case which was tried in the Province of Catanzaro.3. Since it is a case which is not within my
jurisdiction, same is forwarded to you for transmission to the
proper Authorities for attention.

RCH/AC.


ROBERT C. HENDRICKSON
MAJOR, A.U.S.
REGIONAL LEGAL OFFICER.

ENCLOSURE :

1 Petition Re: above mentioned case.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/jpl

19 Aug. 44

ACC/4083/23/L

Subject: Petition on behalf of VERSACE Santo

To : Regional Legal Officer, Region I.

1. Attached letter from Vittorio Russo-VERSACE, via Torre No. 15, Nicastro is forwarded to you for investigation and action.

2. You will note the P. S. which alleges that a previous request to the Allied Authorities did not procure an answer.

C
RICHARD H. WILMER

Colonel, CAC

Acting Chief Legal Officer.

82

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/jpl

ACC/4083/23/L

19 Aug. 44

Subject: Petitions for clemency:

To : Regional Legal Officer, Region 5.

Ref. R5/511/14/C dated 17 Aug. 44

1. Returned herewith is the petition presented on behalf of CINCILLO Antonio di Michele and DI GERONIMO Ferdinando fu Domenico. These two were singled out by the Court as being the worst offenders, and were sentenced to 1 year and 9 months respectively as against the sentence of 6 months imposed on the others.

2. The petition shows no ground for interfering with the sentences: the other persons convicted served their sentences and these two must also serve theirs.

l.c.

RICHARD H. WILMER
Colonel, CAC
Acting Chief Legal Officer.

Enc: Petitions.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission

/jnl

18 Aug. 44

ACC/4033/23/L

Subject: Petition for Clemency:

To : Regional Legal Officer, Region 3.

1. Reference the attached letter enclosing an appeal on behalf of
COMISSO Vincenzo.

2. Please inform the "PARTITO COMUNISTA ITALIANO" that the case has been
already been reviewed and it is not proposed to interfere with the sentence as
imposed by the Court and affirmed on Review.

1.C.
RICHARD H. WILMER
Colonel, CAC
Acting Chief Legal Officer.

Enc: 1 petition
1 letter.

80

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/jpl

75

ACC/4083/23/L

17 Aug. 44

Subject: Petition on behalf of DE LEONARDIS Michele.

To : Provincial Legal Officer, Foggia.

1. The enclosed petition was inadvertently sent to Rome Region,
who in turn forwarded it to this H. Q.

2. The petition does not disclose any ground for varying the decision
of the court and is accordingly denied clemency.

/c

79

Enc: 1 petition.

RICHARD M. WILSON
Colonel, CAC
Acting Chief Legal Officer.

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HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/jpl

74

ACC/4083/23/L

17 Aug. 44

Subject: Petitions for Clemency

To : Regional Legal Officer, Region III.

1. Returned herewith are two petitions on behalf of IERVOLINO Aniello.
2. The petitions disclose no ground for varying the sentence of the Court.

Enc: 2 Petitions.

78

RICHARD H. WILDAER
Colonel, CAG
Acting Chief Legal Officer.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/jpl

ACC/4083/23/L

17 Aug. 44

Subject: Petitions for Clemency.

To : His Excellency the MINISTER of GRACE and JUSTICE.

1. I have the honour to return the petitions on behalf of the following:

ARIANI	Giuseppina ✓	De MARTINO	Giovanni ✓
BRICCOLA	Emilia ✓	De SIMONE	Giovanni ✓
CREALU	Salvatore ✓	GRANDI	Angelo ✓
CINILANI	Raffaele ✓	PAONE	Aldo ✓
CAFFARO	Vincenzo ✓	VINCIGROVA	Francesco ✓
COTENA	Vincenzo ✓	SANZANI	Ernesto ✓

ZUGGARDI Luciano ✓

2. For the reasons set out in my previous letters in regard to similar appeals, these appeals are rejected.

Enc: 12 petitions.

1c.
RICHARD H. WILSON
Colonel, CAC
Acting Chief Legal Officer

File

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
AFO 394

/JPL

16 Aug. 44

ACC/4083/23/L

Subject: Petition on behalf of BALDI Matteo.

To : H. E. THE MINISTER of GRACE and JUSTICE.

1. I have the honour to return the petition on behalf of BALDI Matteo
2. For reasons set out in my previous letters in regard to similar appeals, this appeal is rejected.

RICHARD H. WILMER
Colonel, CAC
Acting Chief Legal Officer.

Enc: 1 Petition.

76

File

HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/jpl

16 Aug. 44

69

ACC/4083/23/L

Subject: Petition on behalf of RONZI, Giuseppe.

To : Regional Legal Officer, Region III.

1. No pardon will be granted.
2. If appropriate, action will be taken under Consolidated Instructions, Article 36. (4).

le

75

Enc: 1 Petition.

RICHARD H. WILMER
Colonel, CAC
Acting Chief Legal Officer.

file

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/JEL

ACC/4083/23/L

12 Aug. 44

Subject: Petition on behalf of IMPROTA Giuseppe.

To : Regional Legal Officer, Region III.

1. Returned herewith is the record in the case against IMPROTA Giuseppe and various letters addressed to the CLO by name.

2. This case was a particularly bad one. It is certainly not intended in any way to vary the sentence as affirmed on review.

3. If he really is sick and about to be operated on, the Consolidated Instructions, Art. 36, apply: but it appears that he is already in the "Clinica Igea" at Naples.

10 *71*

RICHARD H. WILMER
Colonel, OAC
Acting Chief Legal Officer.

Enc: Record,
letters
Petition.

4083/23
✓HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
APO 394, U.S. Army

40

L-5070

10 August 1944.

Subject : Petition on behalf of D'AMBROSIO Raffaele.

To : C.L.C. Legal Sub-Commission, A.C.C. ←

1. Reference your AOC/4083/23/L of 7 August 44.
2. The accused admitted the gun was his. Otherwise the facts given in the petition agree with the testimony.
3. On review the finding has been confirmed but the sentence reduced to 12 months imprisonment.

fa. Sam. at

73

G.A. BAILEY,
Major, C.L.,
Actg. Reg. Legal Officer.

GAB/cn

Copy to:

Regional Judicial Officer (with file & for action).

file

10

4083/23

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

10/72

8 August 44

Subject: Transmission of Enclosed Documents
relating to pardon (A.M.G. case)

To : Chief Legal Officer, Legal Sub-Commission,
A.C.C., ROME.

1. There is submitted herewith in accordance
with Executive Memo No.4, 7 February 1944, the fol-
lowing application for pardon:

1) Iervolino Aniello.

For the Regional Commissioner:

72
G.A. Barnet By E.J. L. *capt*
G.A. BARNET,
Major, G.I.,
Acting Reg. Legal Officer.

ETK/pv

110

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

8 August 1944.

SUBJECT: Petition for Pardon on behalf of Ronza Giuseppe.
TO : Regional Legal Officer, Region 3, ACC, APO 394.

1. Enclosed is a Petition for Pardon on behalf of the above named.

2. The accused was convicted after trial, Superior Military Court, Avellino, 3 June 1944, of issuing and circulating forged permits purportedly issued by the Allied Military Government (Proc.2, Art.2, Sec.20), and was sentenced to 7 years imprisonment and to pay a fine of 100,000 lire or in default of payment, to serve 3 additional years imprisonment.

a. The conviction and sentence were affirmed on appeal on 6 July 1944 (incorrectly stated as 6 June), ref. ACC/4083/1/L, Cases of Manzo Sabato and Ronza Giuseppe.

3. Also enclosed is copy of Remarks of Trial Judge, filed with the Petition for Review.

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

AREG/AT

HQ. REGION 3 ACC.

9 JUL 1944

Time in
Dispatched

No Region 3
① No pardon will be granted
② If appropriate, action will
be taken under Cons. Inst.
Out 36 (4)

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 994

/jpl

7 Aug. 44

AGC/4083/23/L

Subject: Petition on behalf of D'AMEROSIO Raffaele

To : Regional Legal Officer, Region III.

Ref attached petition on behalf of D'AMEROSIO Raffaele di Luigi.

Will you please take such action as you think fit. This petition, like so many others may be quite untrue. Prima facie, two years for having a sporting gun seems somewhat high.

Enc: 1 letter
1 petition.

File

1C
RICHARD H. WILMER
Colonel, CAG
Acting Chief Legal Officer.

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4083/23

C O N F I D E N T I A L

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

61

L-9080 C

5 August 1944

SUBJECT: Case of BONHARUMMA Felice.

TO : CLO, Legal Sub-Commission, ACC.

1. Reference ACC/4083/23/L dated 31 July 44.
2. The above named woman was released on 4 August 44.
3. The question of the bribe money is being enquired into.

For the Regional Commissioner:

G. A. Baniet

G. A. BANDET,
Major, G.L.,
Actg Reg Legal Officer.

69

GAB/mo

DOWN GRADED
TO
UNCLASSIFIED

(10)

Col. Inf.
Chief Judicial Officer,
for Chief Civil Affairs Officer.

C O N F I D E N T I A L

HEADQUARTERS
ALLIED CONTROL COMMISSION
LEGAL SUB-COMMISSION
APO 394

/jpl

(60)

3 Aug. 44

ACC/4089/23/L

Subject: Petition on behalf of CAPUTO Antimo and CAPUTO Giuseppe.

To : Regional Legal Officer, Region III.

1. Record of the proceedings against CAPUTO Antimo and CAPUTO Giuseppe is returned herewith.

2. Please inform the brothers Caputo that, as a matter of grace only, their "Application for Pardon" has been considered; but that it has been decided not to accede to their application for a pardon.

RICHARD H. WILMER
Col. CAG
Acting Chief Legal Officer.

Enc: Record of Proceedings.

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HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/jpl

AOC/4083/23/L

3 Aug. 44

Subject: CAPUTO Antimo and CAPUTO Giuseppe.

To : Home Area Allied Command
Italian Liaison Section.

In reply to your memorandum of 30th July 44.

1. The situation is as follows:

The case was concluded on 20th March, both the above named being sentenced to 7 years imprisonment and a fine of 1,000,000 lire.

The proceedings were duly reviewed, the Reviewing Officer having before him the memorandum submitted by the avvocati for the accused.

The convictions and sentences were affirmed. Normally, once a case has been reviewed it is closed: no further right to present any further petition exists. However, the brothers Caputo presented a further document dated the 7th July and called "Application for Pardon." I have studied this document: it discloses no grounds for varying the sentence of the Court as already affirmed on review: indeed it raises no considerations which were not before the Court at the trial and before the Reviewing Authority at the time of review.

2. The Caputo Brothers are being informed that this "Application for Pardon" has been considered but that it is not proposed to accede to their application for a pardon.

RICHARD H. WILMER
Col. GAC
Acting Chief Legal Officer.

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4083/23
✓

CONFIDENTIAL

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

(51)

Ref/165/63/CA

1 August 1944

SUBJECT: Complaint by DOMINICANA Felicia.

TO : Hq. No. 3 District.

1. Thank you for your prompt investigation of the case of the above and in view of your remarks that the complaint of the woman may well be justified we have directed,

- a. that the woman be released from prison immediately
- b. that the money forming the alleged bribe, if forfeited, be restored.

2. Copies of the reports on the case are returned herewith as requested.

Copy to:

Admin. Sect. (for Legal Sub-Comm.)

WILLIAM E. FINE

Colonel

County Executive
Commissioner

66

Seen
No action
66

CONFIDENTIAL

HEADQUARTERS
ALLIED CONTROL SERVICE IOM
Legal Sub-Commission
APO 934

/jpl

56

ACC/4083/23/L

31 July 44

Subject: Case of DOMINICANA Felicia.

To : Regional Legal Officer, Region III.

Ref ACC/4083/23/L dated 15 July 44.

1. An investigation into the allegations made by DOMINICANA Felicia has been made by the Special Investigation Branch, and as a result of that report HQ No. 3 District state that "the complaint of this woman may well be justified."

2. In the circumstances, it is directed

- (a) that this woman be released from prison immediately; and
- (b) that the money forming the alleged bribe, forfeited, be restored.

RICHARD B. WILDER
Colonel, OAC
Acting Chief Legal Officer

Copy to: H.C. & M.C. Sec:
Report attached. HQ. 3 District asks
particularly for return of this report.
Please acknowledge receipt of report.

63

DOWN GRADED
TO
UNCLASSIFIED

Col. Inf.
Chief Judicial Officer
for Chief Civil Affairs Officer.

CONFIDENTIAL

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/jpl

55

Tel. No. 302

ACQ/4083/23/L

31 July 44

Subject: "Ricorso di DONNARUMMA Felicia."

To : H. E. The Minister of Grace and Justice.

Ref your "ufficio 20358" dated "Salerno 7 Lug 1944."

1. I have the honour to return to your excellency the petition submitted to you by DONNARUMMA Felicia.
2. Upon receipt of this petition this Sub-Commission caused an investigation to be made into the accusations made by DONNARUMMA Felicia.
3. Preliminary investigations show that there may be some basis of truth behind the allegations. Further investigations continue and, if appropriate, disciplinary action will be taken against the soldier concerned.
4. In the meanwhile, the immediate release of DONNARUMMA Felicia from prison has been ordered with restitution of any money confiscated by the Court.

Enc: 1 Petition.

10
RICHARD H. WILMER
Colonel, CAC
Acting Chief Legal Officer.

6

file

✓
4083/23

ROME ALLIED AREA COMMAND
APO # 794 US ARMY
ITALIAN LIAISON SECTION

(58)

Memorandum for Colonel Wilmore
A.C.C. - ROME

CAPUTO ANTIMO AND GIUSEPPE (Naples)

Application for pardon

Sentenced by the Military Court for illegal possession of arms.

Also charged with blackmarket activities but fully acquitted.

Col. Shryock, Chief of Staff, would be greatly obliged if you would let us know at what stage the matter rests, if possible. If it is still pending the C.G. would appreciate it, if particular attention could be given to the matter to reach a decision as soon as possible.

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LEGAL SUBCOMMITTEE	
CIO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
Tel. 683011 - Duplex 55	

G. Della Rocca
Lt. Col. G. Della Rocca
Senior Italian Officer RAAC

Rome July 30, 1944

4083/230
✓

R-E-S-T-R-I-C-T-E-D

Legal

U-

6960

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
ROME REGION
LEGAL DIVISION
A.P.O. 394

26 July 1944

SUBJECT : Case of De Leonardis Michele, CORATO

THRU : Regional Commissioner,

TO : Chief Commissioner, A.C.C.

1. Herewith please find documents in the nature of an application for pardon in respect of the above case, which reached my office through some inadvertance or mistake.

2. Obviously Rome Region has no jurisdiction in the matter since the offence was committed in the Province of Bari which is now a part of the Kingdom of Italy.



Robert C. Hendrickson
Major, A.U.S.
Regional Legal Officer.

62

RCH/PA.

ENCLOSURE

Documents Re. the above case.

R-E-S-T-R-I-C-T-E-D

4083/23

HQ Allied Control Commission
RC and MG Sec. APO 394

Legal Subcommittee, HQ ACC
JAG
PRO

CONFIDENTIAL

3 District
Tel Ext 18
11/6/2A

26 Jul 44

54

nothing enclosed

Ref your A/CC250 of 1 Jul and this HQ reply of 4 Jul, and
ref your 166/79/CA of 18 Jul 44.

1. Attached herewith is a copy of a report by SID on this complaint. It is the only copy available at this HQ. May it please be returned after perusal.
2. A summary of evidence is being taken against Sjt HONEYBALL who, it will be observed, is not a CMP but only a regimental policeman.
3. After taking the summary of evidence very careful consideration will be given whether it is possible to try Sjt Honeyball by FGM for rape. It will be observed that the evidence of DOMINARUMA, Felicia is not very well corroborated, if at all.
4. However, from careful consideration of the SID report, this HQ is of opinion that the complaint of this woman may well be justified even if sufficient evidence to convict the Sjt is not obtainable.

HBT/MH

4083/23

Mani G.
Maj Gen
Comd

DOWN GRADED
TO
UNCLASSIFIED

LEGAL SUBCOMMISSION

PRO

1210

Chief Counsel

CIC

Legal Section

Q. RKS

Col. Inf.

Chief Judicial Officer.
for Chief Civil Affairs Officer.

Spoke to R.C. 11/6/2A
29 7.00 AM
11/6/2A

Re: M.C. G.
have no copy

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/jpl

53

25 July 44

ACC/4083/23/L

Subject: Petition of BINDONE Francesco

To : Regional Legal Officer, Region 5.

Ref your letter R5/511/19 dated 3 July 1944.

1. The difficulty about this case is that the allegation of being a "confinato politico" is almost common form: whereas a large number of "members" of the colony were there for quite other reasons.

2. However, one thing is clear: that almost invariably "confinati" were put away without any trial.

3. In view of the fact that many ex confinati who were found in Sicily were released by AMG, it seems only reasonable to treat this man the same. It is suggested that you advise the Regional Commissioner to order his release.

Enc: Bindone's petition
Maj. BoydCarpenter's
Report.

12
RICHARD H. WILMER
Colonel, CAC
Acting Chief Legal Officer.

60

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-commission
APO 394

JM/jpl

ACC/4083/23/L

18 July 44

Subject: Case of CASTALDO Mario and 4 others.

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

1. The fresh petition submitted by the mother of the three accused CASTALDO brothers had been considered and I have decided that the decision on review already given shall stand.

2. The papers are returned to you accordingly.

Encs: Record of Proceedings.
Mother's petition.

RICHARD H. WILSON
Colonel, CAG
Acting Chief Legal Officer.

C.D.N. / 1370
 HEADQUARTERS
 ALLIED CONTROL COMMISSION
 Legal Sub-Commission
 APO 394

/jpl

2130

67
3000

ACC/4083/23/L

15 July 44 Re. 18-7

Subject: Complaint by DONNARUMMA Felicia, of Nola.

To : Regional Legal Officer, Region 3. ✓

1. I enclose 2 copies of a petition by DONNARUMMA Felicia which has been forwarded to the Legal Sub-Commission by the Ministry of Grace and Justice.

2. It is requested that you call for and forward to this Sub-Commission (with your comments) the record in this case, together with a report by the Officer who tried the case and any other AMG officer who may have been concerned in it.

3. It may be that the petition (like so many others) is unfounded; on the other hand it may be that the Court was deliberately misled by the policeman. Therefore, it is requested that the matter be treated as a matter of urgency.

4. If, on enquiry, there are substantial grounds for thinking that the allegations in the petition may be true, the petitioner should be released pending investigation upon terms which will ensure that she will be available if and when required; and, as her petition is addressed to the Chief Commissioner, her attention might well be drawn to Proc 2 Art II (38)

1. *Ca. 1000* *USA*
 RICHARD H. WILMER
 Colonel, OAC
 Acting Chief Legal Officer.

58

Enc: 2 Petitions.

Copy to: RC & MG Sec.

The petition (2 copies attached) contains allegations of utmost gravity against an English Military (Regimental) Policeman. It is requested that you ask the appropriate military H. Q. for an immediate enquiry into these allegations and that a copy be supplied to this Sub-Commission to help us decide whether the conviction is just or was obtained by false evidence.

1st Ind.

We have checked our files and failed to find that this case was ever sent to the office of the Regional Legal Officer. Many of the cases tried at Nola during the month of February and March were received only a few days ago. This case, however, was not among the cases received.

H.A. Bamlett by E.T.L.
 G.A. BAMLETT,
 Major; G.L.,
 Acting Reg. Legal Officer.

1.C.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
AFO 394

/jpl

15 July 44

ACC/4083/23/L

Subject: Complaint by DONNAHUMMA Felicia of Nola

To : Regional Legal Officer, Region 3.

1. I enclose 2 copies of a petition by DONNAHUMMA Felicia which has been forwarded to the Legal Sub-Commission by the Ministry of Grace and Justice.

2. It is requested that you call for and forward to this Sub-Commission (with your comments) the record in this case, together with a report by the Officer who tried the case and any other AMG officer who may have been concerned in it.

3. It may be that the petition (like so many others) is unfounded; on the other hand it may be that the Court was deliberately misled by the policeman. Therefore, it is requested that the matter be treated as a matter of urgency.

4. If, on enquiry, there are substantial grounds for thinking that the allegations in the petition may be true, the petitioner should be released pending investigation upon terms which will ensure that she will be available if and when required; and, as her petition is addressed to the Chief Commissioner, her attention might well be drawn to Proc 2 Art II (38)

RICHARD H. WILSON
Colonel, CAG

Acting Chief Legal Officer.

Enc: 2 Petitions.

Copy to: RC & MG Sec.

The petition (2 copies attached) contains allegations of utmost gravity against an English Military (Regimental) Policeman. It is requested that you ask the appropriate military H. Q. for an immediate enquiry into these allegations and that a copy be supplied to this Sub-Commission to help us decide whether the conviction is just or was obtained by false evidence.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/JPL

12 July 44

ACC/4083/23/L

Subject: Petition for Clemency.

To : His Excellency the MINISTER of GRACE and JUSTICE

1. I have the honour of returning the petition on behalf of RAO Carmelo.
2. It is noted that the petitioner was sentenced to 6 months imprisonment, commencing 3 Jan 44.
3. No action is necessary on the enclosed petition as the sentence has been served.

56

RICHARD H. WILMER
Colonel, CAG
Acting Chief Legal Officer.

Enc: 1 Petition.

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/jpl

AGO/4083/23/L

12 July 44

Subject: Petitions for Clemency.

To : His Excellency the MINISTER of GRACE and JUSTICE.

1. I have the honour to return the petitions on behalf of persons on the attached list.

2. For the reasons set out in my previous letters in regard to similar appeals, these appeals are rejected.

Enc: Petitions for Clemency.

R
RICHARD H. WILDER
Colonel, CAG
Acting Chief Legal Officer

55

12 July 44

PETITIONS ON BEHALF OF THE POLIC DE

ARIANA	Giuseppina
BARBERA	Calogero
TEDONE	Giulio
CEALU	Salvatore
CRISCUOLO	Celestino
DE SIO	Salvatore
GRANDI	Angela
ISMA	GASTANO
INDICA	Francesco
INDICA	Salvatore
PERSPICACE	Francesco
PETRIZZELLI	Michele
SALME	Carlo
SCORICONE	Pietro
ZUCCARDI	Luciano

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/jpl

ACC/4083/23

12 July 44

Subject: PETITION ON BEHALF OF GIANCOSPPO Antonio

To : Regional Legal Officer, Region V.

1. The attached petition, addressed to Gen. ALEXANDER, is forwarded to you for your consideration, and such action, if any, as you may think fit.

12

RICHARD H. WILMER
Colonel, CAC

Acting Chief Legal Officer.

Enc: 1 petition.

53

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/jpl

ACC/4083/23/L

12 July 44

47

Subject: Disposition of petitions for clemency.

To : Regional Legal Officer (thru R.C.) Region III.

1. Your letter L/5070 of 7 July is acknowledged with thanks.
2. Because this Sub-Commission asked for a report in one particular case, it is not to be implied that it is wished to interfere with the discretion vested in Regional Commissioners.
3. The suggestion in para 5 of your letter would really amount to such an interference and, for that reason only, is not agreed.
4. The position is this. Under A.M. Courts procedure no official machinery for pardon, grace etc. exists. From a practical point of view, it must be recognized that cases do arise when some ex gratia intervention is desirable or necessary to prevent injustice. The decision whether or not to intervene will be made in accordance with Consolidated Instructions for Allied Military Courts Art. 33 (3) ie petitions will normally be disposed of by Regional Commissioners. Petitions will only be forwarded in cases where review is reserved to this H. Q. and where the R.C. thinks that there is some point of law or fact which should be considered by the Chief Commissioner.
5. As to similar petitions received here. It is a more than common practice for persons convicted by Allied Military Courts to make some application through Italian channels on one of various grounds-harshness served half of the sentence etc. These petitions arrive at the Ministry of Grace and Justice, whence they are passed to the Legal Sub-Commission. It is considered that to sort these out and send them to the respective Regions would be waste of time and work. Therefore, the Chief Judicial Officer scrutinizes them all. In 99 per cent of cases the petitions are rejected; but if there appears to be any reasonable ground (having always in mind our rule of no interference with sentence after review) for investigating any particular case, the Chief Judicial Officer takes up the question with the Region Concerned.

52

RICHARD H. WILMER
Colonel, CAC
Acting Chief Legal Officer.

ADVANCE HEADQUARTERS
ARMED SERVICES COMMISSION
Legal Sub-Committee
APO 994

1382

(46)

8 July 44

AOS/1083/29/1

Subject: Petition on behalf of MARIO Sabato.

To: His Excellency the MINISTER OF GRACE and JUSTICE.

1. I have the honor to return the enclosed petition submitted on behalf of MARIO Sabato.
2. Its proceedings against the above mentioned accused were reviewed by this Headquarters on 5 July 44 and the conviction was quashed.

51

10
RICHARD H. WISNER
Lt. Colonel, GAO
acting Chief Legal Officer.

Enc: 1 Petition.

TO C.T.O. Main H.Q.A.C.C.
FROM H.Q. Region 5 A.M.G.
SUBJECT Case of RINDONE Francesco
REF R5/511/19.

Legal S.C. 8263
44608



3 July 1944.

The attached report, which is self explanatory, concerns the prisoner from USTICA interviewed by C.J.O. in Campobasso Gaol and is forwarded for usuch action as is considered appropriate.

W. E. Behrens - 50

W. E. BEHRENS
Colonel
R.L.O.

WEB/EP

9243

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/jpl

AOC/8083/23/L

27 June 44

Subject: Petitions for Clemency.

To : Regional Legal Officer, Region III.

1. Returned herewith are the petitions on behalf of

(a) PARRIS' Luigi (b) SALENTO Paolo (c) BROSINO Giuseppe.

2. None of the above petitions disclose any ground for varying the sentence of the Court and they are accordingly dismissed.

Enc: Petitions.

CE
GERALD R. UPJOHN
Colonel
Chief Legal Officer.

49

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/3pl

AGC/4033/23/L

27 June 44

Subject: Petitions for Clemency.

To : His Excellency the MINISTER of GRACE and JUSTICE.

1. I have the honour to return the petitions on behalf of the following persons:

(a) GOLIARDO Antonio	(e) GAMBARDONE Eugenio. ("in dilecti merito.")
(b) DI LEONE Vincenzo	(f) GINARDI Nicolo'
(c) MASINI Giovanni	(g) TOMASELLI Carmelo
(d) BARLETTA Donato	(h) RAO Carmelo
(i) DE LIO Antonio	

2. For the reasons set out in my previous letters in regard to similar appeals, these appeals are rejected.

Enc: Petitions.

GERALD R. UPJOHN
Colonel
Chief Legal Officer.

A Nola addì 22 Giugno 1944

COPY

A signor Generale Mac-Ferlane Capo della Commissione di Controllo Alleato

Salerno

e per conoscenza

A S. Ecc. Il Ministro di Grazia e Giustizia

Salerno

A S. Ecc. Il Ministro Dell'Interno

Salerno

La presente lettera non vuole avere carattere di esposto o di reclamo, ma serve a rappresentarvi una particolare situazione in cui sono venute a trovarmi senza colpa alcuna.

Per non tediarvi con inutili lungaggini entro subito in argomento con la preghiera di un benevolo interessamento da parte Vostra.

Ecco i Fatti con assoluta obiettività:

Lunedì 12 corrente mese il mio fidanzato venne arrestato dalla Polizia Regimentale Inglese, di stanza a Nola, perché nella sua stanza tenuta in fitto mibiliata venne rinvenuta una pistola. Tenendo conto della buona condotta sempre serbata dal mio fidanzato e per uno spirito di naturale affetto mi sono adoperata perché egli venisse posto in libertà dall'organo giudicante competente dietro versamento di una cauzione.

Il giovedì successivo, cioè il 15 giugno 1944, mi sono recata in compagnia di certa Mariagratina a Mariglianese dal maggiore Americano perché stabilisse l'importo per la cauzione offerta. Costui, sentito il mio dire, mi fece attendere del tempo e indi mi suggerì di ritornarvi dovendo egli interpellare al riguardo il Town Major.

Ritornai nel pomeriggio senza nulla concludere per l'atteggiamento ostile nei miei riguardi del suddetto ufficiale.

Senonché il sabato seguente, 17 Giugno, si presentò nel mio domicilio sito in Vico Principessa Margherita in Nola, il sergente della polizia Regimentale, cioè quello che aveva proceduto all'arresto del mio fidanzato, il quale chiestomi un bicchier di vino, avanzò prima in forma reticente e indi più più decisa profferte di amore, avvertendomi che nel caso in cui esse fossero state da me accolte egli si sarebbe adoperato per agevolare la escarcerazione del mio fidanzato.

Non si recisamente a feci capire al sottufficiale che io intendevo venire incontro alla disgrazia capitata al mio fidanzato con lo sborsare una somma adeguata a titolo di cauzione. Il sergente accettò la proposta e chiese la somma di lire SEIMILA che sborsai rimettendo il mio piccolo, modesto capitale, nelle sue mani.

La discussione avvenne più che a parole a gesti ignorando io qualsiasi parola in lingua inglese e sconoscendo il sottufficiale la lingua italiana.

Ricevuta la somma, il mio interlocutore continuò nelle primitive insistenze al punto tale che io fui costretta a gridare perché la smettesse. Intervenne nei miei riguardi mia madre la quale cercò di convincere il sottufficiale della mia buona moralità. Questi indispettito del non gradito intervento scaccio in malo modo la mia genitrice riversando la oltre la porta d'ingresso. All'arrivo di vicini, attirati dall'animata discussione e dalla preghiera di mio fratello che invitava il sergente a lasciarmi in pace, il sottufficiale estrasse la pistola di ordinanza di cui era munito ed esplose, probabilmente per intimidire i presenti, un colpo.

Al rumore dell'esplosione tutti si diedero alla fuga ed io rimasta sola e privata di qualsiasi aiuto divenni preda del sottufficiale. Cercai di avvincolarmi ma stretta di forze caddi svenuta.

Dopo qualche tempo che non posso precisare per le condizioni psichiche in cui mi trovavo, mi trovai stesa per terra senza vestaglia e con la mutandina strappata nella parte anteriore ed inferiore e con la sottana sporca di sostanze umidice che Voi facilmente riuscite a comprenderne l'origine.

Vicino a me il sottufficiale mi lanciava sul viso con le mani spruzzate di acqua per farmi rinvenire.

Dopo poco tempo intervenne un militare della polizia reggimentale invitato da mia sorella ed il militare mi commentò l'operato del suo superiore. Questi richiamo il suo dipendente col quale ebbe una lunga discussione in lingua inglese che io non riuscì a comprendere. Discussione che ebbe termine con la riappacificazione dei due camerati.

Alle mie lamentele e giuste rimostranze indignerono probabilmente il sottufficiale il quale anziché pentirsi del mal fatto mi dichiarò in arresto e mi invitò a seguirlo al comando della polizia reggimentale. Cola' giunta, con minaccia a mano armata e con percosse mi costrinsero ad affermare cose non vere. Era quello che posso ricordare e' che mi obbligarono a dichiarare che io avevo offerto la somma al titolo di corruzione ed altre accuse che la mia povera mente non riesce a ricordare. Non volevo firmare ma le minacce, lo stra-

sio fisico, l'abbattimento morale, la continua perdita di
consigliare ad ubbidire alle loro richieste ingiuste e pro-
testo. Tale martirio durò tutta la notte e nel giorno il
mattino del giorno successivo venne condotta alla Caserma dei
carabinieri di Roma con l'obbligo di non dover parlare con nes-
suno e di essere trattenuto in lontano carcere.

Il mercoledì successivo, cioè il 21 giugno, seppi di essere sta-
to denunciato per corruzione ed il 22, cioè oggi, si è esclusa
la causa presso la Corte Sommaria di Roma. La procedura ese-
guita che ha mortificato ulteriormente il mio pudore ed ha serra-
to il mio cuore si è conclusa in modo a me sfavorevole. Il
Giudice è rimasto convinto della mia colpevolezza nonostante
avessi dimostrato a quale titolo io avevo allegato la somma e
nonostante che in pubblico dibattimento il mio difensore avesse
mostrato al giudice di quale strage io ero stato fatto segno
come risultava in modo evidente dalla giacchetta lacerata e dalla
sofferta sponda.

Il susseguirsi dei fatti, così come si erano svolti, non potevano
creare equivoci né dubbi. La notorietà dell'episodio era tale
che bastava richiederne ad un qualsiasi cittadino la narrazione
perché la montatura creata dall'agente verbalizzante cadde.
La Giustizia umana, purtroppo amministrata talvolta con una
certa partigianeria, ha stroncato qualsiasi mia contestazione
che poteva essere stata per me infamante. Per me il carcere è sta-
to il verdetto vero di me che già avevo sofferto nel vivo delle
mie pene.

Non so a chi rivolgermi; mi affido a Voi perché assistete tutti i
Vostri mezzi per far luce su di un fatto che a Roma ha fatto
spion.

Non indegno testimoniando evitare di dover essere soggettiva, co-
me Vi prego di non tener conto della mia dichiarazione.

Facile soltanto la pazienza di ordinare un'inchiesta accurata
e la luce della verità verrà fuori per redimere un'innocente;

In attesa di un Vostro benevolo e giusto intervento Vi
prego gradire i miei devoti ringraziamenti.

45

(signed) Annunzio Felice

Annunzio Felice - detenuto nelle carceri
di Roma.

REAR HEADQUARTERS
MILITARY CONTROL COMMISSION
Legal Sub-Commission
APO 394

/s/

21 June 48

ACC/4085/23/L

Subject: Salerno Giuseppe

To : Provincial Legal Officer.

1. In a recent petition for clemency submitted through the offices of "CARCERE GIU: CENTRALE-SALERNO" on behalf of DI LEONE VINCENZO, it is alleged that SALERNO Giuseppe (in the same prison) was recently granted clemency-"che recentamento e' stata concessa la grazia a SALERNO Giuseppe."

2. Will you please investigate from the Prison Director and ascertain if SALERNO Giuseppe was actually granted clemency, and if so, by whom.

3. This communication is being sent direct to you, and not through Region III to save time, no question of policy being involved.

12
GERALD R. OPTON
Colonel
Chief Legal Officer.

44 file

HEAD HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

13pl

AOC/4983/23/L

21 June 44

42

Subject: Petitions on behalf of CRISCUOLO Cosentino and
GALORNO Giovanni.

To: 1. Provincial Legal Officer, Salerno Province.

1. Attached petitions by CRISCUOLO and GALORNO forwarded to you
for action.

2. As to the former, I suggest you ask your Public Safety Officer to
inform the Prison Director that, in default of a Court Order to the contrary,
a term of imprisonment runs from date of pronouncement of sentence.

3. As to the latter, I think your Public Safety Officer should be asked
to look into it, in case by any chance there is anything in it.

12

GERALD R. UPJOHN
Colonel
Chief Legal Officer.

Enc: 2 Petitions.

File

NEAR HEADQUARTERS
ACTED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/JPL

(41)

ACC/4033/23/L

18 June 44

Subject: Petitions for Clemency.

To : Regional Legal Officer, Region III.

1. Returned here with are the petitions on behalf of CARO' Carmine,
and CASSONE Salvatore.

2. None of the above petitions disclose any ground for varying the
sentence of the Court and they are accordingly dismissed.

1. *Carbone* *Caro*.

GEORGE E. HUNTON
Colonel
Chief Legal Officer.

Enc: 2 Petitions.

file

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/JPL

ACC/4083/23/L

18 June 44

(39)

Subject: Petitions for Clemency.

To : His Excellency the MINISTER of GRACE and JUSTICE.

1. I have the honour to return the petitions on behalf of persons on the attached list.

2. For the reasons set out in my previous letters in regard to similar appeals, these appeals are rejected.

Enc: Petitions for Clemency.

I. Campbell
for GERALD R. UPTON
Colonel
Chief Legal Officer.

42

7
NEAR HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/321

40

AGC/4033/23/L

18 June 44

Subject: Petitions for Clemency.

To : Regional Legal Officer, Region III.

1. Returned here with are the petitions on behalf of CARO Carmine,
and CASCORE Salvatore.

2. None of the above petitions disclose any ground for varying the
sentence of the Court and they are accordingly dismissed.

GERALD R. HITCHCOCK
Colonel
Chief Legal Officer.

Enc: 2 Petitions.

41

PETITIONERS ON BEHALF OF THE FOLLOWING:

BARBATI	Francesco
CARNAZZA	Leonardo
CASCONI	Salvatore
ORILLIA	Francesco
GIOLIELLO	Francesco
DOMENICA	Francesca
VILLANO	Mario
GUASCO	Vincenzo
VERONA	Salvatore
ZERMO	Alfio
FRANCHINI	Domenico &
FORTUNATO	Bonaventuro
LONGO	Amilcare
SAMPOGHIARO	Alberto
GUARINO	Maria
BARBERA	Calogero
PELLEGRINI	Corrado
PUOPOLO	Michele
LIONINO	Vincenzo
TOMASELLI	Giovanni
VITALE	Carmine
MAFFIA	Cosualdo
PERSPICACE	Francesco
INTERNOVA	Rosa
FONTANA	Iafet
FAMIGLIETTI	Maria
MAGLIA	Grazia
NAPOLI	Giuseppe

Attachment to ACC/4083/23/L of 18 June 1944.

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

/jpl

38

AOC/4083/23/L

13 June 44

Subject: Petition by ANGELOCCI Vincenzo

To : Senior Legal Officer, AMG, 8th Army (2 copies)

Ref GA/13 of 10 June 44.

Any modification of sentence would be an act of clemency: and having regard to the observations of Major WELSFORD on the application for review - "he (the accused) is reported as being a well known racketeer and black marketer...." and his note accompanying this second petition it does not appear to be a suitable case for departing from the rule that sentences are not varied after Review.

be.
GERALD R. UPJOHN
Colonel
Chief Legal Officer.

Enc: Record & Petition.

Copy to: Regional Legal Officer,
Region 5. (ref RG/511/11/CH
of 19 May which has reached
this H.Q. via PLO CHINEL and
SLO 8th Army.

HEADQUARTERS
ALLIANCE CONTROL COMMISSION
Legal Sub-Commission
APO 394

/101

ACC/4083/23/L

12 June 44

Subject: Petitions for Clemency

To : Regional Legal Officer, Region III.

1. Returned herewith are applications for grace on behalf of the people on the attached list.

2. None of these petitions discloses any ground for varying the sentence of the Court and they are accordingly all dismissed.

GEORGE R. UPJOHN
Colonel
Chief Legal Officer.

PETITION ON BEHALF OF THE FOLLOWING

36

LAMA	Michele
MASSARA	Carmine
DE VITO	Concetta
CAPONE	Stanislas
BONAIUTO	Vincenzo
RAMAGLIA	Alberto & Giuseppe
D'AMBROSIO	Enlio
ABRINO	GIUSEPPE
CALGANO	Giovanni
ZOTTOLI	Giacomo
CATTANO	Dele Volta
GUAGLIA	Giovanni
MAFFIA	Gesualdo
GALENA	Emidio
LORENTI	Carmelo
FALANGA	Giuseppe
CIUFULETTI	Pasquale
DI RIENZO	Salvatore
DI RIENZO	Vincenzo
VALLETTA	Domenico
CAPOBLANCO	
VETRE	Francesco
DI PORZIO	Mario
PANTONE	Giovanni
BLANCARDI	GIUSEPPE
VISCIANO	Giuseppe
CIMMINO	GIUSEPPE
MONTONE	Ugo
COMIA	Vincenzo
GRASSI	Guerino
DE NISCO	Giuseppe
MASULLO	Catello
ARMANDO	Pellicano
BERNARDO	Iolanda & Carmelo tu Arcangelo
QIBELLI	Giovanni
MARINO	PIRECO
BUSIELLO	Vincenzo
MANZI	Salvatore
FABIO	Cattaneo
CINQUE	
BATTAGLIA	Giuliano
MASINI	Giovanni

37

(Enclosure to 4083/23/L of 12 Jan.)

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/jpl

35

12 June 44

ACC/4083/23/L

Subject: Petition on behalf of GIZZARELLI Donato

To : Senior Legal Officer, AMG, 8th Army

1. Returned herewith is the petition on behalf of GIZZARELLI Donato.
2. The petition discloses no ground for varying the sentence of the Court and it is accordingly dismissed.

Enc: 1 Petition.

GERALD R. UPTON
Colonel
Chief Legal Officer.

3

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/jpl

12 June 44

ACQ/4083/23/L

Subject: Petitions for Clemency.

To : His Excellency the MINISTER of GRACE and JUSTICE.

1. I return herewith applications for clemency on behalf of the people on the attached list, which applications were forwarded by your Excellency.

2. As stated in my letter ACQ/4083/23/L dated 5 May 44, every case tried by an ALLIED MILITARY COURT is reviewed by the appropriate reviewing authority (whether or not any petition for review is submitted) and it is the rule that any sentence, once affirmed, is not varied except in the most exceptional circumstances.

3. In the cases now under consideration no such circumstances exist and the applications are accordingly rejected.

K
GERALD R. URJOHN
Colonel
Chief Legal Officer.

Enc: Petitions for Clemency.

PETITIONS ON BEHALF OF THE FOLLOWING:

33

ABATE	Matteo	OLIVA	Luigi
Adinolfi	Gennaro	OPESINO	DARMILO
AMATO	Giuseppe		
ARCONIA	Giuseppe	PAGLIARA	Gerardo
		PAOLUCCI	Angelo
BALDI	Matteo	PELLEGRINO	Francesco
BARBARINO	Salvatore	PELUSO	Maria
		PETROSINO	Vincenzo
CAMPANELLO	Luigi	POMPEO	Giovanni
CENTAMORE	Giuseppe	PULVIRENTI	Sebastiano
CINOLA	Nicola		
CONTI	Francesco	RUBINO	Flacido
COSTA	Domenico	RUSSOMANDO	Cesare
COSTANZO	Vincenzo		
CRISCUOLO	Celestino &	SANTORO	Raffaele
De Leo	Antonio	SAVARESE	Giulio
CURRATO	Nicola	SPORZA	Cosimo (2)
		SPINELLI	Alfonso
De CARO	Pasquale		
DI BATTISTA	Antonio	TOMASELLO	Giuseppe
DI LEONE	Vincenzo	VILLANO	Mario
FICHERA	Giuseppe		
GALGANO	Giovanni		
CAROFALO	Giacinto		
CAROFALO	Pietro		
GIANNASCA	Antonio		
GUSCO	Vincenzo		
IMPERATO	Aniello		
LAUDANO	Vincenzo		
MASONE	Giuliano		
MAZZOLA	Angelo		
MERCANTE	Rocco		

34

REAR HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

/jpl

6 June 44

ACC/4083/23/L

Subject: Petition on behalf of ESPERITO Vincenzo.

To : Regional Legal Officer, Region III.

1. The petition submitted by ESPERITO Vincenzo is returned herewith, with reference to the suggestion contained in the last 6 lines thereof.

2. Will you please check whether the later investigations did clear ESPERITO: if so his case should be re-examined. If those investigations did not have that effect no further action need be taken on this petition.

lc
GERALD R. UPTON
Colonel
Chief Legal Officer.

Encl: 1 form 11 &
1 petition.

33

7/11
 REAR HEADQUARTERS
 ALLIED CONTROL COMMISSION
 Legal Sub-Commission
 APO 394

/JMA

31

2 June 44

ACC/4083/23/L

Subject: Petition for Grace: CAPORRINO Giuseppe

To : His Excellency the Minister of Grace and Justice.

1. I return herewith the petition for Grace submitted on behalf of CAPORRINO Giuseppe.

2. In view of the allegations made, namely that the accused CAPORRINO was the victim "di una infondata denuncia per livore politico, da parte di TAMBASCO Emilio", and that the interpretation at the trial was unsatisfactory, I thought fit to make a careful investigation of the case.

3. I have seen the record of the case and the notes made at the trial by the officer who presided.

4. I find the whole application to be without any foundation of truth.

TAMBASCO was only the second (and very unimportant) witness for the prosecution.

The principal prosecution witness was NENE Giuseppe who gave evidence on oath that he saw the accused cut the wire. This NENE is not mentioned in the Petition.

The only evidence given by TAMBASCO Emilio is as follows:-

"On the 1st Feb. 44 at about 1100 A.M. I was returning home and saw NENE Giuseppe who told me that a few moments previous someone had cut the wire and he asked me to go with him and notify some soldiers. I went with him to an interpreter GUZZI Domenico and we told him to notify the soldiers. NENE knew the man who cut the wire, but I did not."

5. In view of the above remarks I do not consider that the Petition is worthy of any further consideration.

10
 GERALD R. UPTON
 Colonel
 Chief Legal Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APC 394

10/jpl
22 May 44

ACC/4583/23/L

Subject : Petition of GAROFALO Pietro

To : Provincial Legal Officer, Salerno Province.

1. Attached petition by GAROFALO Pietro passed to you for investigation.
2. Please inform the local govt of your proper address and ensure that communications are sent to that address and not addressed in such a way that they come to this H. Q.

✓
GERALD H. SPICER
Colonel
Chief Legal Officer

6083/1

29
16

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

L/5070

13 May 1944

Subject: Transmission of Enclosed Documents
relating to pardons. (A.M.G. cases)

To : Chief Legal Officer, Legal Sub-Com-
mission, A.C.C., Salerno.

1. There is submitted herewith in accordance
with Executive Memo No.4, 7 February 1944, the fol-
lowing applications for pardon:

- 1) Di Porzio Mario
- 2) Vetere Francesco

For the Regional Commissioner:

311

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

EEK/pv

710
710

HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 334

ACC/4083/23/L

IC/jpl
13 May 44

Subject : Petition on behalf of NICASTRO Corrado

To : Regional Legal Officer, Region I.

Reference your RLE 013.03/PLV dated 11 May 1944.

Please notify NICASTRO Corrado that the petition submitted on his behalf has been rejected.

1.C
GERALD F. UPJOHN
Colonel
Chief Legal Officer.

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

L/5070

12 May 44

Subject: Transmission of Enclosed Documents
relating to pardons.(A.M.G. cases)

To : Chief Legal Officer, Legal Sub-Com-
mission, A.C.C., Salerno.

1. There is submitted herewith in accordance
with Executive Memo No.4, 7 February 44, the fol-
lowing application for pardon:

- to go details AMG case*
- 1) Montone Ugo ✓
 - 2) Cimino Giuseppe ✓
 - 3) Visciano Giuseppe ✓
 - 4) Biancardo Giuseppe ✓
 - 5) Di Rienzo Salvatore ✓
 - 6) Di Rienzo Vincenzo ✓
 - 7) Valletta Domenico ✓
 - 8) Capobianco ✓
 - 9) Pellicano Armando ✓
 - 10) Fammone Giovanni ✓

For the Regional Commissioner:

28

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

ETK/pv

*Received May 15-
ipf. [illegible]*

To : Provincial Legal Officer

11 May 44

Salern Prov.

Ref. Above letter and telephone conversation to-day. The modification of the sentence ~~xx~~ is only to operate "provided that the fine has been paid.


I. Campbell Maj.

For Chief Legal Officer.

4083/23

ALLIED CONTROL COMMISSION
SICILY REGION HEADQUARTERS
APO 394

(25)

File : RLE 013.03/ELV

11th May 1944

SUBJECT : Petition on behalf of NICASTRO CORRADO da Nicolo.

TO : Legal Sub-Commission, A.C.C. Headquarters (REAR)

(18) - (10)

Reference your ACC/4083/23/L dated 5th May 1944.

1. Appeal submitted and conviction and sentence affirmed by Legal Sub-Commission.

2. Petition is re-iteration of evidence introduced in course of trial, however, some of the declarations as contained in the Petition are at variance with report as submitted by Trial Judge. The declaration in the Petition that the arm was not usable is inconsistent with the records in that, in a specially submitted note affixed to the records the Trial Judge concluded that the gun "was in serviceable condition". The Trial Judge additionally commented that he disbelieved the accused story that he intended to surrender the arm and ammunition in question, but on the contrary believed the CORR testimony that the accused was arrested while in transit and was found in possession of the gun together with the ammunition.

For Colonel A.W. HAMCOCK :

26

Frank L. Vecchiolla
FRANK L. VECCHIOLLA,
Major, JAGD.
Regional Legal Officer.

js.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACC/4083/23/L

10/3pl
4 May 49

(15)

Subject : Petition by CIBELLI Giovanni

To : Regional Legal Officer, Region V.

Reference RLO Region 4 letter RH/LM/Reg/A/2 of 7 Apr. to this H. Q., copy to you (of which a copy is attached for easy reference).

Please deal with this case according to Article 36 of the Consolidated instructions, proof copies of which were issued at the Legal Conference at Naples on 1 May 44.

Copy to: RLO Region IV.

GERALD R. UPTON
Colonel
Chief Legal Officer

25

4030/
4094/230Legal S.C.
(Rear HQ)HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
A.P.O. 394, U.S. Army

6866

6 May 1944

L/5040

Subject: Transmission of Enclosed Documents
relating to pardons.To : Chief Legal Officer, Legal Sub-Com-
mission, A.C.C., Salerno.

1. There is submitted herewith in accordance
with Executive Memo No. 4, 7 February 1944, the fol-
lowing application for pardon:

- ✓ 1) Invernese Anna - Allied Military case
- ✓ 2) Calenda Emidio - Allied Military case
- ✓ 3) Silla Reale - Political case

forward to Sgt Steen

For the Regional Commissioner:

2

ETK/pv

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

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACC/4033/23/L

IC/jpl
5 May 1944

21

Subject : Petitions for Clemency.

To : His Excellency the MINISTER of GRACE and JUSTICE.

1. I return herewith applications for grace on behalf of the people on the attached list.

2. As your excellency is no doubt aware, every case tried by an ALLIED MILITARY COURT is reviewed by the appropriate reviewing authority (whether or not any petition for review is submitted) and it is the rule that any sentence once affirmed is not varied except in the most exceptional circumstances.

3. In the cases now under consideration no such circumstances exist and the applications are accordingly rejected.

R
GERALD R. UPTON
Colonel
Chief Legal Officer

23

RORZI	Alfio fu Carmelo
IORIO	Amedeo fu Donato
MARRAFIA	Ernesto
MARITONE	Salvatore di Salvatore
PICARRA	Filippo fu Gaetano
RUSSO	Sebastiano fu Antonino
ZINCARINO	Giaccomodi Michele
DI CARO	Paolo
BALDI	Osvaldo
DI BATTISTA	Antonio di Ettore
STRANO	ANGELO di Giuseppe
SPITALERI	Antonino fu Sebastiano
SALMI	Carlo
PALLICA	Pasquale di Nicola
RUSSOMANDO	Antonio di Carmine
MALZANO	Ferdinando di Giuseppe
PUCCIPE	Mattia fu Beniamino
LA PIETRA	Michele fu Basilio
FORTE	Giovanni
SACCOMANNO	Diagio
LA PORTA	Diego
ANICITO	Antonino
NIGOTTA	Alfio
LEMBERTINO	Matteo fu Francesco
ROMBA	Francesco di Calogero
RUSSOMANDO	Cesare di Carmine
RAMETTA	Giovanni di Giuseppe
ACSTE	Matteo
De CARO	Pasquale
DI FRANCO	MAURO fu Pasquale
SANTI	Bruno
ALINO	Vincenzo
D'ASSENIO	Carmelo
DI GIUSEPPE	Francesco
DI BELLA	Sebastiano
CRIMI	Antonio
LANDI	Adolfo
GATTONE	Vincenzo

20

Rear Headquarters
Allied Control Commission
Legal Sub-Commission
APO 324

IC/jpl
5 May 44

19

ACC/4083/23/L

Subject : Petition for Grace.

To : Regional Legal Officer, Region III.

1. CARPENTINO Giuseppe was convicted on 12 Feb. 44 by the Allied Military Court of Capaccio of wire cutting and was sentenced to 18 months.

2. A petition for Grace has now been submitted through the Ministry of Grace and Justice.

3. If the case has already been reviewed, please state date of review and name of reviewing officer-in which circumstances it is not proposed to have a "re-review."

4. If there has not been a review, please submit the record to his H. Q.

21

62
GERALD R. URJOHN
Colonel
Chief Legal Officer.

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

IO/jpl

5 May 44

(18)

ACC/4083/23/L

Subject : Petition on behalf of NICAstro CORRADO fu Nicolo.

To : Regional Legal Officer, Region I.

1. I attach a Petition for Grace presented on behalf of NICAstro Corrado, sentenced on 28 Jan. 44 to 2 years imprisonment.
2. If the facts stated in the Petition are true, there appears to be considerable merit in the petition.
3. Please examine the records and inform this H. Q.
 - a. whether the sentence has been affirmed on review and
 - (b) whether the facts as stated in the Petition correspond with those proved at the trial.

20

62
GERALD R. UPTON
Colonel
Chief Legal Officer

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACC/4083/23/L

IC/jpl
5 May 1944

(17)

Subject : Petition for Clemency.

To : Regional Legal Officer, Region III.

1. On information supplied by, and at the request of, the Ministry of Justice it has been decided to suspend 2 months of the sentence of 6 months imposed by the Summary Court at Salerno on OTTATI Andrea on 8 Feb. 44.

2. OTTATI is now in SALERNO jail.

3. Please arrange for the above to be communicated to OTTATI; his attention will be drawn to Proclamation 4, Article V (6).

12

13

GERALD R. BROWN
Colonel
Chief Legal Officer.

HEAD HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 994

IC/JPA
5 May 44

ACC/4083/23/L

Subject : Petition for Clemency.

To : His Excellency the MINISTER of GRACE and JUSTICE.

I have the honour to inform your excellency with regard to the attached petition by OTIATI Andrea, that it has been decided to suspend 2 months of the sentence; that is to say that OTIATI will be set at liberty on the 8th June.

ke-
GERALD R. UPJOHN
Colonel
Chief Legal Officer.

REAR HEADQUARTERS
IED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACC/4083/23/L

IC/jpl
4 May 44

(13)

Subject : Petition of D'Aloisio Cosmo

To : Senior Legal Officer, AME, 8th Army.

The attached petition by D'Aloisio Cosmo and the documents attached thereto do not disclose any grounds for releasing the petitioner; he will therefore serve the balance of the sentence of 6 months awarded by the court.

GR
GERALD R. UETCHIN
Colonel
Chief Legal Officer.

REAR HALL UNIT 120
 PROSECUTOR'S OFFICE
 Legal Sub-Commission
 LPO 374

ACS/40 3/23/1.

IC/301

11 MAR 1944

Subject : Petition of Anastasio Vincenzo

To : Regional Legal Officer, Region III.

The attached petition in favour of ANASTASIO Vincenzo does not disclose any ground for varying the sentence of the Court and is accordingly dismissed.

12
 GERALD R. DUNN
 Chairman
 Chief Legal Officer

REAR HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-commission
APO 394

ACC/4083/23/L

IC/jpl
4 May 44

(10)

Subject : Petition for clemency.

To : Regional Legal Officer, Region III.

Reference your letter ETK/pv dated 30 March 44.
3/6071/L

The attached petition in favour of MARICOMDA Filomena, MARTINO Maria, RODIA Carolina, CIRINO Giovanna does not disclose any ground for varying the sentences of the Court and is accordingly dismissed.

EC
GERALD P. UPTON
Colonel
Chief Legal Officer

1b

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

IG/jpl

4 May 44

AOC/4083/23/L

Subject : Petition on behalf of BARBATI Francesco

To : Regional Legal Officer, Region III.

Reference your letter 31X/pv dated 21 April 44

The attached petition in favour of BARBATI Francesco
does not disclose any ground for varying the sentence of the Court
and is accordingly dismissed.

lc
GEOFFREY R. UPJOHN
Colonel
Chief Legal Officer.

14

REAR HEADQUARTERS
ARMED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACC/4083/23/L

IC/jpl
4 May 44

①

Subject : Case of d'Onofrio Antonio

To : Regional Legal Officer, Region V.

The attached petition in favour of D'Onofrio Antonio does not disclose any ground for varying the sentence of the Court and is accordingly dismissed.

le
GERALD P. UFFORN
Colonel
Chief Legal Officer

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

and 4053/23/1

IC/jpl
4 May 44

Subject : Case of Panungio Giuseppe

To : Regional Legal Officer, Region V.

Reference your R5/511/14 dated 21 March 44.

The attached petition in favour of Panungio Giuseppe does not disclose any ground for varying the sentence of the Court and is accordingly dismissed.

GEORGE R. UPJOHN
Colonel
Chief Legal Officer

12

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

AOC/4089/23/L

IC/jpl
4 May 44

Subject : Case of DiFlorio Vincenzo
To : Regional Legal Officer, Region XI.

Reference your 2201/59/11 dated 27 March 44.

The attached petition in favour of DiFlorio Vincenzo
does not disclose any ground for varying the sentence of the Court and is
accordingly dismissed.

GEORGE R. UPTON
Colonel
Chief Legal Officer.

NEAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

(4)

ACC/4083/23/L

IC/jpl
4 May 44

Subject : Petition of Musella Gennaro
To : Regional Legal Officer, Region III.

1. On 22 Dec. 43 MUSELLA Gennaro was convicted by a Summary Military Court (presumably in Salerno) for an offence under Proclamation 2 (40) and was sentenced to 12 months imprisonment and a fine of 50,000 lire. He is now in Salerno Prison.

2. It has been decided, provided that the fine has been paid, to modify the sentence to read:

"12 months of imprisonment (of which 7 months suspended) and a fine of 50,000 lire."
ie he will be freed on 22 May 44

3. This suspension is granted on the express condition that immediately on release from prison he returns to his former work and thereafter applies himself thereto conscientiously.

4. Please arrange for MUSELLA to be informed of the above; his attention will be drawn particularly to para 3 above and to Proclamation 4 Article V (6).

5. For your information, the above action is being taken as the result of information supplied by, and at the request of, the Royal Navy.

Copy to: Naval Sub-Commission
Lt. Davis/

GERALD R. WELSH
Colonel
Chief Legal Officer

HEAD HEADQUARTERS
APPLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

ACC/4083/23/L

IC/jpl
4 May 44

(3)

Subject : Petition of Missella Gennaro.

To : His Excellency the Minister of Grace and Justice.

In regard to the Attached Application by MISSELLA Gennaro I have the honour to inform you that 7 months of his sentence have been suspended; this will have the effect of permitting his release from prison on 22 May 44.

12 y
GERALD S. OPTON
Colonel
Chief Legal Officer

HEAD HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal Sub-Commission
APO 394

(2)

AGC/4083/23/L

IC/jpl
4 May 44

Subject : Petition of BIZZANTO Nicolo'

To : His Excellency The Minister of Grace and Justice.

With reference to the attached petition I have the honour to inform your excellency that on 2 March 44 the Reviewing Authority reduced the sentence imposed on BIZZANTO Nicolo to 6 months.

(c) 8
GERALD H. UPJOHN
Colonel
Chief Legal Officer

REAR HEADQUARTERS
ALLIED CONTROL COMMISSION
Legal sub-Commission
APO 394

①

ACC/4083/23/L

IC/391

4 May 44

Subject : Petitions for Clemency

To : Regional Legal Officer, Region III.

1. Returned herewith are petitions in favour of the following:-

- (a) ARENA Domenico
- (b) Bianco Domenico
- (c) CANTO Mariano
- (d) CARRESE Vincenzo di Michele Angelo
- (e) Cipollaro Biagio
- (f) DE CAROLIS Giuseppe di Angelo
- (g) FABBETTI Enrico
- (h) GARRA Alfredo di Vincenzo
- (i) LIBERTINO Matteo fu Francesco
- (j) Marino Francesco
- (k) SPERA Felice fu Pasquale
- (l) TETRACCIANO Raffaele di Giovanni
- (m) TETRACCIANO Salvatore fu Vincenzo
- (n) PALMIERI ROCCO

2. None of these petitions discloses any ground for varying the sentence of the Court and they are accordingly all dismissed.

10
GERALD R. UPTON
Colonel
Chief Legal Officer.

✓ 4
4043/23HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
A.P.O. 394, U.S. Army27
508
607

L/5040

3 May 44

Subject: Transmission of Enclosed Documents
relating to Pardons.To : Chief Legal Officer, Legal Sub-Com-
mission, A.C.C., Salerno.1. There is submitted herewith in accordance
with Executive Memo No. 4, 7 February 1944, the fol-
lowing applications for pardon:

- 1) Capone Stanislaw ✓
- 2) De Vito Concetta ✓
- 3) Lama Michele ✓
- 4) Messera Carmine ✓
- 5) Randazzo Cesa ✓

TRANSE TO ITAL

sta
Bak

For the Regional Commissioner:

BKK/pv

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

6

CH/legat/126

Subject D'ALOISIO Cosma

To. Rear HQ A.C.C.
Legal Subcommission.

An application by the above for review of sentences was forwarded through S.L.O. A.M.G. 8th Army.
The attached application "A" was forwarded to me through P.S.L.O. Cambasano, where this man was confined. I asked the C.A.O. San Salvo to have enquiries made of the persons mentioned & enclose the result, marked "B", with translation, marked B*. This enquiries were entrusted to an Italian to make, & were not made by the C.A.O. himself; the application by D'ALOISIO was not sent to the C.A.O.

I also enclose a note by Captain Seguin, C.A.O. San Salvo of pro-German activities by this man.

26 Ap. 44

G. M. Ledsford
Major P.S.L.O. Chieti
1st Feb. 28/4/44

To C.L.O. HQ A.C.C. (Rear)

1. Forwarded
Edwin Mercer

WIN J. MERCER, Maj. Ord.
SENIOR LEGAL OFFICER, A.M.G., 8th ARMY

5

✓
4083/1
4083/23/2HEADQUARTERS
REGION 3, ALLIED CONTROL COMMISSION
LEGAL DIVISION
APO 394, U.S. Army

(8)

ETK/pv

21 April 1944

Subject: Petition for Clemency on behalf of BARBATI
Francesco.To : Chief Legal Officer, Legal Sub-Commission,
A.C.C., Salerno.

1. BARBATI Francesco was convicted in the Superior Court, Naples on the 21st of January 1944. He was sentenced to two years imprisonment. On 7 March 1944 A.C.C. affirmed said conviction.

2. I hand you herewith the files in said case together with a letter from HQ., Fifth Army and a copy of my letter in reply thereto.

3. Taking all the circumstances into consideration it appears to me that the matter should be considered as an application for clemency.

*John W. Chapman*JOHN W. CHAPMAN,
Lt.Col., J.A.G.D.,
Regional Legal Officer.NO grounds for varying sentence as
already affirmed.

4083/0

HCW/wed

HEADQUARTERS REGION 4
Allied Military Government
APO 394

40823
14

TO : C.L.O., Legal Sub-Commission, A.C.C.
FROM : R.L.O., Region 4.
SUBJECT: Attached Petitions re Cibelli Giovanni
REF : R4/L2/Reg/A/2.
DATE : 7 April 1944.

1. Attached has been sent to me by P.L.O., Foggia Province, because the case arose while Foggia was within Region 4. There was a Petition for Review, which I dealt with under the powers which I then had as R.L.O.

2. It appears to me that I have now no power to deal with this matter, because:-

- (a) Having considered and denied the Petition I am now "functus officio";
(b) Foggia is no longer within Region 4.

3. I do not know of any powers under which R.L.O., Region 5, could act, and I therefore see no point in forwarding the attached to him. It appears to me that, if any action at all is to be taken, it can be taken only on the authority of the Chief Commissioner, A.C.C. For that reason I am forwarding the attached to you with the request that you consider and deal with the case.

4. I suggest that, in order to save time, you send your reply not to me, but direct to R.L.O., Region 5, to whom a copy of this letter is sent. R.L.O., Region 5, is requested to forward to you direct all relevant documents in the case--viz. Forms Nos. 3 and 11.

H. L. Linner

3

Colonel,
R.L.O., Reg. 4

Copy to R.L.O., Region 5 (R/P 3070 of 31 March 1944 from P.L.O., Foggia Province, refers).

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

ETK/pv
3/6071/L

30 March 1944

Subject: Application for pardon for MARICONDA
Filomena, MARTINO Maria, RODIA Caroli-
na, CIRINO Giovanna.

To : Chief Legal Officer, A.C.C., Salerno.

1. I hand you herewith an Application
for Pardon together with the files in the cases
which have heretofore been reviewed by the Legal
Sub-Commission, A.C.C.

2. The conviction and sentences were
affirmed by the Legal Sub-Commission, A.C.C.,
2 March 1944.

For the Regional Commissioner:

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

TO CIO HQ ACC
 FROM HQ Region 5 A.M.G.
 SUBJECT Petition for release.
 REF R5/511/14
 DATE 21 March 1944

4083/23

Pardon
 Case
 (22)

see (6)

1 Herewith is forwarded the case of Pennunzio Giuseppe for your consideration.

2 It would appear that this HQ has no jurisdiction to deal with the case in any event and it is not clear from whom this HQ can obtain, at this stage, any further information.

In Regional Commission

W.E. BEHRENS
 Lt. Col.
 R.L.O.

No. 1

1515

Looking a bad case
 Pleaded guilty to stealing \$72 = \$288
 sentence (according to petition) 1 year. V.W.

