

FROM : 4 November 1944
TO : 30 December 1944

70

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

FTH/jjjr

G-5: 014.5

30 December 1944

SUBJECT: Case of FORTE, Luigi.

TO : Mrs. Giovanna Forte,
Viale Maria Cristina di Savoia No. 18,
Naples, Italy
(Thru: Deputy Chief Legal Advisor,
Headquarters, Allied Commission,
A.P.O. 394.)

Your letter of 30 October to Mrs. Roosevelt
was referred thru the War Department to this HQ. and
the subject matter thereof has been taken up with the
Allied Commission.

It is regretted that the circumstances of your
husband's case do not permit of special consideration.

With reference to his health, you may be assured
that he will be given the necessary hospital treatment un-
der the normal Italian regulations.

For the Act'g Asst. Chief of Staff, G-5:

F. T. HAMMOND, JR.
Colonel, Ord,
Legal Advisor.

2 Jan. 45

This letter was shown to Colonel Campbell (Ltr. C-1), and the
original was transmitted to him e auroresse.

T/4 J. Laverne.

69

4083/23.
✓HEADQUARTERS
SOUTHERN REGION, ALLIED COMMISSION
LEGAL DIVISION
APO 394, U.S. Army

29 Dec. 1944

SUBJECT: Application for Pardon filed on
behalf of PUOTI Vincenzo.TO : Chief Legal Advisor, Legal Sub-Commission,
A.C., Rome.

1. Attached hereto is application for pardon and complete file in the case of the above subject. Lt. Col. Hershenson delivered this application to this Office yesterday and stated that a number of relatives of the above accused had contact with him and stated that a large number of accused's relatives were serving in both the American and British Armies. I advised him that the application and Form 8 would be forwarded to your HQ. for such consideration as might be advisable in the premises.

For the Regional Commissioner:

ETK/pv

L.F. Dawson
L.F. DAWSON, by G.T. Kerr
Lt. Col., C.L.,
Reg. Chief Legal Officer. 68

2083/23 ✓

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

29 December 1944

SUBJECT: Application for pardon filed on behalf
of NOCERA Ferdinando.

TO : Chief Legal Advisor, Legal Sub-Commission,
A.C., Rome.

1. Attached hereto is application for pardon
and the complete files in the case of the above
subject.

For the Regional Commissioner:

L.F. Dawson
L.F. DAWSON, *by G.T. Gove*
Lt. Col., G.L.,
Reg. Chief Legal Officer.

ETK/pv

25

67

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

4063/23

28 December 1944

SUBJECT: DI LORENZO Giuseppe.

TO : Chief Legal Advisor, Legal Sub-Commission, A.C., Rome.

1. I am attaching hereto application for pardon filed on behalf of the above subject. There is also attached hereto the complete files in said matter.

For the Regional Commissioner:

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X5

ETK/pv

L.F. Dawson
L.F. DAWSON, By C. T. Kerr
Lt. Col., G.L.,
Reg. Chief Legal Officer.

NO

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

✓
4045/23
✓

28 December 1944

SUBJECT: ALLOCCA Giacomo

TO : Chief Legal Advisor, Legal Sub-Commission,
A.C., Rome.

1. Attached hereto is application for
pardon and the complete files in the case of the
above subject. Since this case was originally re-
viewed by the C.L.O., it is thought that this ap-
plication should be forwarded for consideration,
notwithstanding the sentence imposed by the trial
court was less than two years imprisonment.

For the Regional Commissioner:

65

L.F. Dawson
L.F. DAWSON, *Ag & Capt.*
Lt. Col., G.L.,
Reg. Chief Legal Officer.

ETK/pv

xJ

file

HEADQUARTERS ALLIED COMMISSION
APO 394
Legal Sub Commission

W.E./jpl

26 Dec. 44

AG/4093/29/L

Subject: Case of FORTE Luigi

To : AFHQ. G-5, APO 512.

1. An examination of the case of FORTE Luigi, referred to in your G-5 Circular of 17 Dec. 44 shows that the accused was employed in Naples at the Ufficio di Trasporti working in conjunction with AMG. In that capacity he was the intermediary between the AMG officer and members of the public in matters relating to the issues of vehicle permits. At the trial three instances were proved in which he demanded large sums of money for the issue of these permits, stating that the money had to be paid to the AMG officer.

2. In addition FORTE pleaded guilty to the illegal possession of a loaded revolver, contrary to the AMG Proclamations.

3. FORTE has a long criminal record dating back to 1924 and including the following sentences:-

1928.....5 months for unlawful wounding
1931.....5 months and fine for theft
1935.....1 year and 10 months and fine for fraud
1939.....1 year and fine for fraud

4. In these circumstances the sentence is not considered excessive and it is not proposed to vary it.

5. So far as FORTE's health is concerned, he will be treated in the same manner as other prisoners. He will be given the necessary hospital treatment under the normal Italian regulations.

By command of REAR ADMIRAL STONE.

6

W.E. BREHREN
Colonel
Deputy Chief Legal Adviser.

HEADQUARTERS ALLIED COMMISSIONER

A.I.O. S.D.I.

LEGAL SUB-COMMISSION

/rm.

AC/4037/23/L.

26 Dec. 1944.

SUBJECT : Case of PORT LUTGJ.

TO : Regional Commissioner (attn: Regional Legal Officer), Southern Region.

Returned herewith is the record in the above mentioned case.

By command of Rear Admiral STONE:

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K.B. BEHRNS,
Colonel,
Deputy Chief Legal Advisor.

✓ (4083/23) 0

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

L-3029

22 December 1944

SUBJECT: Case of FORTE Luigi.
TO : Chief Legal Officer, Legal Sub-Commission,
A.C., Rome.

1. Reference is made to your letter AC/4083/23/L,
19 December 1944, relative to the above subject.

2. At the request of Mrs. Roosevelt I am at-
taching hereto the files in the case of the above
subject.

For the Regional Commissioner:

L.F. Dawson
L.F. DAWSON, *bij 6, T. G. L.*
Lt. Col., G.L., *6*
Reg. Chief Legal Officer.

ETK/pv

15/ *Return file*

785016

14083-123

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

20 December 1944

SUBJECT: Application for pardon filed on behalf of
DI BATTISTA Antonio.

TO : Chief Legal Advisor, Legal Sub-Commission,
A.C., Rome.

1. Attached hereto are complete files in the case of the above subject together with the application for pardon filed on behalf of subject.

For the Regional Commissioner:

ETK/pv

21 DEC 1944

L.F. Dawson
L.F. DAWSON, ^{By E.T. G.}
Lt. Col., G.L., ^{Copy.}
Reg. Chief Legal Officer

bx file

HEADQUARTERS ALLIED COMMISSION
A.I.O. 394
LEGAL SUB-COMMISSION

/fm.

AC/4087/27/1.

19 Dec. 1944.

SUBJECT : Case of FORTE Luigi.

TO : Regional Commissioner (attn. R.L.O.),
Southern Region.

1. Mr. Roosevelt is interested in the case of
FORTE Luigi sentenced to 7 years imprisonment on 13 March 44
at Naples for fraudulent sale of car permits.

2. Please forward the record for re-examination.

By command of Rear Admiral STONE:

W. E. BEHRENS,
Colonel,
Deputy Chief Legal Advisor.

(Signature)

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4083/23
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HEADQUARTERS ALLIED COMMISSION

Office of the President

APO 394

18th, December 1944.

IMPROTA
SAhM &

To: Legal Sub Commission,

Will you please be so good as to take whatever action,
if any, that you consider necessary on the enclosed.

D. Mannen

Assistant to the Acting President.

Inform you
and Salvie

59

to
already written &
considered p.

Naples, M. Aglie D'oro Square 4

(Vomero)

Nov. 12th 1944

TO: Mr. HAROLD MAC. MILLAN
CHIEF OF THE ALLIED COMMISSION HEAD QUARTERS

SUBJECT: Application for resumption of
trial or for pardon

It is a mother who writes, a Neapolitan mother in despair: she applies to you to obtain justice for her son Joseph Improta late Ciro, 32 of age who has been suffering for ten months in the prison of Napoli; he was sentenced by imprisonment on 3.8.44 by the 1st Superior Allied Court of Naples; he was sentenced by seven years, I say: seven, for having transported, without any permit, Italian foodstuffs, duly purchased for his family, on an Allied Truck, escorted by an Allied Captain. This is the crime committed by my son.

It was just a breach that is to say, the lack of the permit; but he was made sure on this matter by the Allied Officer who did ensure him in a formal and definite by, that his presents and the Allied Truck would have been a sufficient guaranty to render transportation regular and correct.

My son Mr. Mac Millan, as never conceived the idea of corruption towards the Officer, as it was this latter who offered his help for the transportation, having noticed, as a friend of home, the starvation reigning in our family. My son was easily, illuded, allured; it was he who was corrupted, who was torn away from his family. He did not induce the Allied officer to neglect his duty, but it was the Officer, JU
pist the Officer, a captain, a fighter a servant a winner who induced him in to do so.

He should have been well acquainted with the orders which prohibited him to use the truck on occasions different from those for which the same was at his disposal. Who made the proposal of going to Nocera and proceeding therefrom, but the Officer? The Allied Captain, when the trial was being discussed, loyally admitted to have offered the means of transportation from his own will - And why have they resolved to punish my son by seven years' imprisonment, why have they inflicted him so serious and disgracing punishment?

Four of us are suffering for this tremendous punishment. Many factors contributed to such unjust punishment:, first of all that at the time staples was going through a very hard and troublesome period, owing to the many abuses which were daily committed and then a certain resent-

ment of the Judge who had been offended by a lawyer affirming that he was a person to be easily corrupted (this fact appeared also on the "Risorgimento") - My son was one of the first to be tried by this Judge, who wanted to be extremely strict -

I am nearly seventy years old, my son's wife has been seriously ill for three months this can be proved, and has to undergo a serious surgical operation, so his little daughter remains abandoned.

He who looked after our interests, our family, the only man in the house has been torn away from us. We have borne so far our good name with dignity, we have endured with patience the distress of having house and property destroyed, thefts pillages - I have been obliged the house where I was born, in order to pay lawyers, to treat my daughter in law, to help my son in prison, but I cannot even bear the only thought that such serious punishment has been inflicted to my son-

I have no more money to get the trial resumed, as it would be necessary as very many points were not abjectively screened, which now that the mind is more serene, come out -

I cannot tell you, but your officers will be able to understand letter-

Many persons of high standing with whom we are acquainted have undersigned an application for pardon and they have also written to the late "Cardinale Maglione" and to S.S. Pope Pius XII, but no reply we have got so far -

You, Mr. Mac Millan, who have come to Italy in order to make justice in behalf of liberty according to President Roosevelt's instructions, let no stain remain on your passage, I beseech you! Let my son come back home, he deserves so, he has suffered too much for what he unconsciously did - Now Christmas is approaching and it will be so sad: Oh, let at least the trial reviewed or let another trial be ordered.

It has been said that the war will be over (but when), that everybody will come ~~xxxx~~ back home, but our house will be closed for the mourning that the transient winner has thrown on us -

I rely on Your justice, on your heart, on your thought addressed to liberty -

Hoping for a reply of yours, I express you my deep, great gratitude -

Maria Spirito Augusta

Asks release of father (who has T.B.); who
was accused of having tried to help someone
to escape from a concentration camp.

Re

A.S.L. Harold Macmillan
Roma

Sono Salmè Agnina di anni 9, figlia di Salmè Carlo, condannato a cinque anni di prigione dall'On.le Corte Superiore Militare delle Forze Anglo Americane di Siracusa dove sconta la pena. Egli fu accusato del tentativo favoreggiamento d'evasione di un individuo del Campo di Concentramento Anglo Americano di Siracusa e malgrado recisesse la sua innocenza innanzi a Dio e agli uomini fu condannato ugualmente!

La mia famiglia, composta di me, dei miei vecchi nonni i quali contano oltre settanta anni di età, e per gli acciacchi della vecchiaia sono impossibilitati non solo a produrre per la famiglia, ma anche per loro stessi, eredi alimentari: il mio padre col suo onesto, quotidiano ed assiduo lavoro. Dal 17/11/1943, giorno fatale per mio padre e la mia famiglia, la tranquillità, la pace, e il quieto vivere familiare nella mia casa sono stati sostituiti violentemente dal pianto, dal dolore, e dalla miseria che ne sono arbitri assoluti:...

Le piccole economie familiari che avrebbero dovuto costituire la mia modesta dote, pian piano e quasi senza accorgersene, si sono esauriti con grave danno di me, povera bambina!... Mio padre con il dolore, lo strazio, i patimenti fisici e le afflizioni del carcere è colpito da tisi incipiente dovrà finire i suoi giorni in un dispensario antitubercolare perché affetto da T.B.C. all'apice polmonare & stro, mentre gli effetti fatali di tante pene dolori ricadono su di me, povera bambina, che all'inizio e all'albeggiare della mia vita più che rose ho trovato spine che mi torturano materialmente e moralmente ogni giorno aggravando la mia situazione di essere stata privata degli affetti della mamma. La pietà umana e i sentimenti che la ispirano mi fu insegnamento che sono comuni a tutti gli

baseri umani che li dimostrano e li manifestano a seconda delle civiltà, del progresso e della cultura in cui il popolo di ogni Nazione
mènne ne si trova. Tali sentimenti bonderrati dai manifestini che venivano lanciati dalle vostre Fortezze Volanti io invoco e anelo a V.E.; ad essi mi aggrappo ed ho fatto, quale ultima speranza della mia ultima esistenza.

Ridatemi mio padre, fatemi sentire ancora le sue paterne carezze, fatemi vivere e non stroncate un piccolo arboscello!!!.

Il mio padre è innocente, sicuramente innocente; e ancora quando lo si volesse ritenere colpevole, la pietà umana, che mi è stato detto sempre dai miei è una delle più belle virtù che albergano negli animi dei popoli civili: simi Inglesi ed Americani, potrà arrestarsi e verificarsi innanzi a tanto dolore sofferto da me povera bambina? Innanzi ad un individuo ammalato di tisi che glicine abbrevia sicuramente la vita?? Grazia! Grazia! domando a V.E. per mio padre che mi darà la vita e che mi allaverà e custodirà come per il passato!

Se non lo creete degno di grazia concedetegliela per me, povera bambina che girovagheggiò per tutto il mondo impastito del dolore, dei tormenti e degli orrori delle vicende umane!!!

*Silvia Angelina
Via Ulteria 11
Caterina*

5'

785016

40K3/23

Oleg 5622

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

TBJ/JJ Jr

P.M.

G-5: 014.5

17 December 1944

SUBJECT: Request for aid in obtaining Release from
Prison.

TO : Headquarters, Allied Commission, APO 394

1. Information has been received from the Office of the Chief of Staff that a letter has been received by Mrs. Roosevelt from Mrs. Giovanna Forte of Naples protesting the innocence of her husband, who she states is serving a sentence of 7 years imprisonment passed on him by an Allied Superior Court for "obtaining money by granting passes for car-circulation". The letter further asks that her husband be pardoned and states that he has been in prison seven months and is seriously ill and confined to hospital.

2. Report is requested as to the circumstances of the case and as to the possibility of review of the sentence.

For the Acting Asst. Chief of Staff, G-5:

JACKMAN
Lt. Col.T. B. JACKMAN
Lt. Colonel.

LEGAL SUB.COMMISSIONER
CIO
DIAO
Chief Counsel
CIO
19 DEC 1944



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✓ U.S. 3/27
ALLIED COMMISSION
SICILIA REGION HEADQUARTERS
ADO 194

FILE: FILE 013.04/DEK

16 December 1944

SUBJECT: Informal Petitions - (1) BURGARETTA Carmelo
(2) ALBANESE Anna MariaTO : Headquarters, Allied Commission - AFU 391.
(Attn: Legal Sub-Commission)

1. Reference your letter AC/1083/25/I of 2.12.44 and enclosures.

(1) BURGARETTA. The position had been clarified by me prior to receiving your letter.(2) ALBANESE. This is an Italian Court Case and the petition has been passed to the appropriate authority.

For the Regional Commissioner:

L. K. Mullen Capt.
LAW ADMINISTRATION,
Regional Legal Officer.

sf

X5/

LEGAL SUB-COMMISSION

CJO
DOLO
Chief Counsel

CJO
Italian Section

CL RKS

18 DEC

53

→

HEADQUARTERS MILITARY COMMISSION

ABO 394
JUN 1953-OCIO/COMINT

785016
7 Dec 64.

AB/4085/23/L.

SUBJECT : AMERICAN OFFICIALS' RIGHTS
TO : Public Security Commission, SUBJECT DIVISION.

1. Reference your letter AB/556.1 dated 7 Dec 64.
2. Thank you for your suggestion in Para 2; we should be
grateful if you would do this.

W. E. GRIFFIN,
Colonel,
Deputy Chief Legal Advisor.

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

L-3020

7 December 1944

SUBJECT: Informal Petition (Records).

TO : Chief Legal Officer, Legal Sub-Commission, A.C., Rome.

1. Reference is made to your communication AC/4083/23/L, 4 December 1944, relative to the above subject.

2. Our records disclose that the accused referred to have all been notified of the decision on review and receipt acknowledged of the same.

For the Regional Commissioner:

ETK/pv

SUB C M Reg. Chief Legal Officer.

L.F. Dawson
L.F. DAWSON, By E.T. Egan
Lt. Col., G.L., Reg. Chief Legal Officer.

DCLO
Chief Counsel
CJO
Italian Section
CL RKS

9 DEC 1944

KCP until Oct 1st 40/3/23 Q of Doc is
an answer

ALLIED MILITARY COURT CASE
PETITION FOR PARDON

PLACE OF TRIAL	NAME OF ACCUSED	TERM OF CONVICTION
Aversa (Naples)		
Affir	MAGGIO Antonio	Date of Trial- 4-2-44 2 Years
No Record -	FLAGIELLO Domenico	" 13-4-44 18 months
Decision on Review Reduced to 1 Year	DE LICA Francesco	" 19-3-44 3 Years
AFFIRMED -	ZAGARA Vincenzo	" 18-3-44 3 "
No Record -	CONTE Antimo	" 16-4-44 18 months
No Record -	DE CAPRIO Nicola	" 8-4-44 18 2"
No Record -	CAPASSO Antonio	" 7-2-44 2 Years
No Record -	RUSSO Vincenzo	" 25-3-44 2 "
Sentence Reduced to 2 yrs	D'AGOSTINO Michele	" 3-5-44 3 "
	PIANESE Ferdinando	" 20-3-44 1 "
No Record -	CHIANESE Pietro	" 15-4-44 2 "
Affirmed	- DE SIMONE Emilio	" 3-1-44 2 "
Affirmed	- PAGLIUCA Raffaele	" 18-5-44 30 months
No Record -	FORTE Sebastiano	" 20-5-44 2 years

group of knowns in Army jail - all serving
sentences as army for possession of arms -

~~They~~ Those persons whom sentences were
reduced on review do not seem to be
aware of the fact

Alt. bet: received: from what
it appears that petitioners do have
had sentence reduced or were one
not aware

~~Stamps~~ Southern Reg.

HEADQUARTERS ADILIA COMMISSION

A.O. 394

LEGAL SUB-COMMISSION

/rm.

AC/AD 3/23/L.

6 Dec. 1944

SUBJECT : Petition on behalf of DR. R. Giuseppe.

TO : Regional Commissioner (attn. Regional Legal Officer), Southern Region.

1. The petition on behalf of DR. R. Giuseppe is returned herewith.
2. The petition is denied as it raises no points of fact or law which were not considered at the trial or on review.

By command of Commodo STONE:

J. E. DUNIGAN,
Colonel,
Deputy Chief Legal Advisor.

X/

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✓
4083/23 C

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

L-3029

6 December 1944

SUBJECT: Informal Petition (Mozzillo Corrado).
TO : Chief Legal Officer, Legal Sub-Commission, A.C., Rome.

1. Reference is made to your communication AC/4083/23/L, 4 December 1944, relative to the above subject.

2. Attached hereto is a complete record in the case of the above subject per your request of 4 December 1944.

For the Regional Commissioner:

L.F. Dawson
L.F. DAWSON, *by G.T. [unclear]*
Lt. Col., G.L., *Reg. Chief Legal Officer.*

ETK/pv

121

[Signature]

4083/23

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

I-3020

6 December 1944

SUBJECT: Informal Petition, DURA Giovanni.

TO : Chief Legal Officer, Legal Sub-Commission, A.C., Rome.

1. Reference is made to your letter AC/4083/23/L, 4 December 1944, relative to the above subject.

2. The decision on review in the case of the above subject is as follows:

"Conviction of both accused confirmed.
Sentence on DURA Giovanni reduced to 2 years. Fine remitted, if already paid, to be refunded."

"Dated 25 May 1944

Signature Richard H. Wilmer
Colonel for Chief
Commissioner."

For the Regional Commissioner:

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D/P
ETK/pv

L. F. Dawson
L. F. DAWSON, by E. T. Keen
Lt. Col., G.L.,
Regional Chief Legal Officer.

P.S. I recommend the sentence stand as reduced on the decision of review. L.F.D.

L.F.D.

785016

HEADQUARTERS AND COMMISSION
NO 394
LEGAL SUB-COMMISSION

AC/4053/23/L.

6 December 1944 /mt.

SUBJECT : Supplemental Appeal (CARPINTERO RUMIECCO et al.)
TO : Regional Commissioner (Attn: Regional Legal Officer)
SOUTHERN Region.

1. We return herewith the supplemental appeal submitted on behalf of CARLITO FRANCISCO et al.
 2. These documents raise no point of substance which has not already been considered. Please add ~~A~~ to the record.
By command of the

W. S. BURROWS,
Colonel,
Deputy Chief Legal Advisor.

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HEADQUARTERS ALLIED COMMISSION

APU 304

ARMED SUB-COMMISSION

/r.m.

6 Dec. 1944

AC/4087/27/L.

SUBJECT : Informal Petition (HORN ALDO).

TO : Regional Commissioner (attn. R.C.O.),
Southern Region.

1. We return herewith the informal petition, submitted
on behalf of HORN ALDO, together with the record of the
case forwarded by you on 3 Nov. 44.

2. This petition does not raise any point of substance
that was not considered at the trial or by the reviewing
authority.

3. It is not proposed therefore to take any action in
this matter.

By command of Commodore STONE:

bfs
W.T. BARRON,
Colonel,
Deputy Chief Legal Advisor.

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

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LAZIO-UMBRIA REGION, LEGAL DIVISION
A.P.O. 394

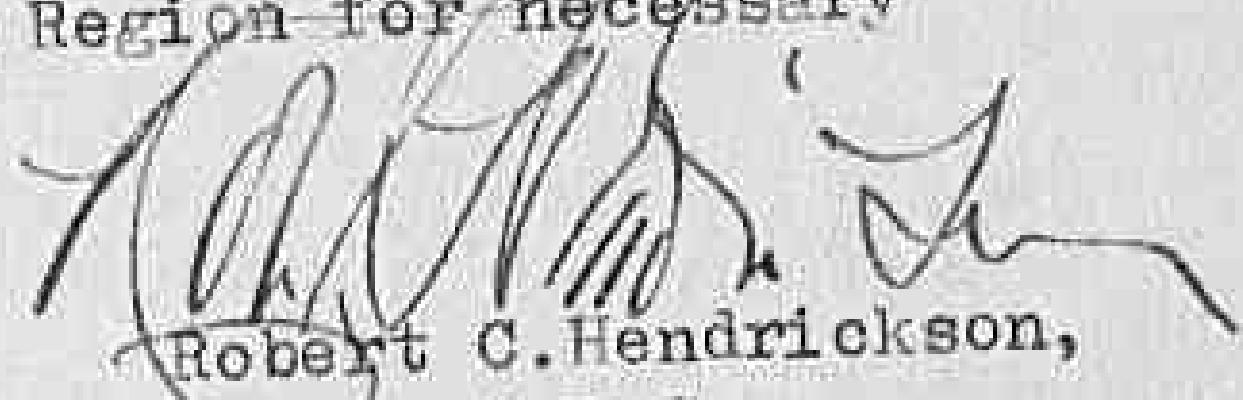
D. C. H.
5 December 1944

L/1023

SUBJECT : Petition on behalf of DEL RE Giuseppe

TO : Chief Judicial Officer
Legal Sub Commission
HEADQUARTERS ALLIED COMMISSION1. Reference your letter AC/4083/23/L. of 2 December 1944,
subject as above.

2. Returned herewith are papers in respect of this case.

3. This Division regrets to inform that there is no record
of this case being tried, at this Headquarters.4. A careful examination of this petition indicates that
the accused was tried at Nicastro Catanzaro. by an Allied Mil-
itary Court.5. Since this case is not one within my jurisdiction, I sug-
gest that the attached petition be transmitted, through channels,
to the Regional Legal Officer Southern Region for necessary
attention.
Robert C. Hendrickson,
Major, A.U.S.
Regional Legal Officer.

RCH/PA.

ENCLOSURES:

Petition and papers Re. the above case.

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

785016

4085123

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

5 December 1944

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

TO : Chief Legal Officer, Legal Sub-Commission, A.C., Rome.

1. Attached hereto are the entire files in the case of CASTALDO Mario et al. Applications for pardon has been filed on their behalf.

For the Regional Commissioner:

L.F. DAWSON,
Lt.Col., G.I.,
Reg.Chief Legal Officer.

TYPE / DV

4

RECEIVED
CLERKS
FEB 8 1944

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

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LAZIO-UMBRIA REGION, LEGAL DIVISION
APO 394

D. 6351

letter of clemency
per file 4074

4 December 1944

L/1023

SUBJECT : D'ERCOLE Giovanni.
TO : Chief Judicial Officer, Legal Sub-Commission,
HEADQUARTERS ALLIED COMMISSION.

2 Dec 44

1. Reference your letter AC/4083/23/L, in respect to the above.
2. A formal review of this case was made on 9th Sept. 1944 and the findings and sentence of the Court were affirmed.
3. However the case was brought before me a second time on a petition for grace and clemency. Since the situation with respect to a sentence of the character here imposed is somewhat changed, I was inclined in the light of additional facts submitted by this defendant, to afford him the benefit of the doubt which his latest appeal raised in my mind.
4. Accordingly I have concluded to suspend eight months of the sentence imposed so that the accused may be released on 14 December 1944.

ROBERT C. HENDRICKSON
Major, A.U.S.
Regional Legal Officer.

RCM/GV.

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

/mt.
4 December 1944.

SUBJECT : Informal petition, DURA Giovanni.

TO : Regional Commissioner (Attn: Regional Legal Officer)
SOUTHERN Region.

1. The attached informal petition on behalf of a certain DURA Giovanni has been received at this HQ.
2. From our records it appears that the petitioner was convicted at Naples on 18 April 44 and sentenced to 4 years imprisonment and a fine of 50,000 lire for wrongful possession of arms, ammunition, and Allied property.
3. The petition alleges that the sentence was reduced to 2 years imprisonment but records do not show this.
4. Will you please examine the record of this case and ascertain if the sentence was in fact reduced on review.
5. Will you also please make your recommendation in regard to any action that might be taken in this case.

By command of Commodore STONE:

W. H. BIRKENS,

Colonel,
Deputy Chief Legal Advisor.

40

Refile

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/408 ✓ 23/1..

/mt.
4 December 1944.

SUBJECT : Informal Petition (Records).
TO : Regional Commissioner (Attn: Regional Legal Officer)
SOUTHERN Region.

1. The attached petition on behalf of a group of prisoners in Aversa gaol has been received at this HQ.
2. All the petitioners were sentenced to various terms of imprisonment for wrongful possession of fire-arms.
3. It is not proposed to take any action in this matter. However our records disclose that the sentences of two of the prisoners, MR LUCA Francesco, convicted 19.3.44 and D'AGOSTINO Michele, convicted 3.5.44, were reduced on review.
4. These prisoners appear to be unaware of that fact (see petition p. 3). Will you therefore please ascertain whether the fact of the reduction of these sentences on review has been communicated to them.

By command of Commodore STONES:

W. E. BIRKENS
W. E. BIRKENS,
Colonel,
Deputy Chief Legal Advisor.

V
HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mt.
4 December 1944.

AC/408/23/L.

SUBJECT : Informal Petition (Mozzillo Corrado).
TO : Regional Commissioner (Attn: Regional Legal Officer),
SOUTHERN Region.

1. An informal petition has been received at this HQ on behalf of MOZZILLO Corrado convicted at Naples (?) on 23 May 44 and sentenced to 5 years imprisonment.

2. Will you please forward the record of this case for re-consideration in regard to certain fresh facts alleged by the petition.

By command of Commodore STONE:

38

bfb
W. E. BRENTING,
Colonel,
Deputy Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

Int.
2 December 1944.

AC/4053/23/1.

SUBJECT : Petition on behalf of DML RH Giuseppe.
TO : Regional Commissioner (Attn: Regional Legal Officer)
LAZIO-UMBRIA Region.

1. The petition on behalf of DML RH Giuseppe is returned herewith.
2. The petition is denied as it raises no points of fact or law which were not considered at the trial or on review.
- By command of Commodore STONE

le 3
W. E. BEIRNS,
Colonel,
Deputy Chief Legal Advisor.

TS

↓ 4083/230

Please return to
Letter 11

ALLIED COMMISSION
SICILIA REGION HEADQUARTERS
APO 394

2 December 1944

FILE: RDD 013.34/EKM

SUBJECT: Informal Petition(Giunta Antonino).

TO : Headquarters, Allied Commission - APO 394.
(Attention: Legal Sub-Commission)

1. Reference your letter AC/4083/23/I of 27.11.44 the petition referred to was not enclosed.

2. My records show that the petitioner was sentenced by the Palermo Tribunale on 14.8.44 to 3 years and 3000 lire fine for taking part with 30 others in the theft of 1000 sacks of flour, the property of the Allies.

For the Regional Commissioner:

E.W. MATTHEWS, Captain,
Regional Legal Officer.

sf

36

35

f1
HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

/Int.
2 December 1944.SUBJECT : Case of BRANDI Giuseppe and
CANNIBI Carlo.TO : Regional Commissioner (Attn: Regional Legal Officer)
Lazio-Umbria Region.1. The petition and record on behalf BRANDI Giuseppe and
CANNIBI Carlo are returned herewith.2. The petitions are denied as they raise no points of fact
or law which were not considered at the trial or on review.

By command of Commodore STONES

f3
W. H. BURNS,
Colonel,
Deputy Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/406 3/2 3/L.

/mt.
2 December 1944.

SUBJECT : Petition on behalf of DR MARIO GIOSUÉ.
TO : Regional Commissioner (Attn: Regional Legal Officer)
Southern Region.

1. Returned herewith is the record in the proceedings against DR MARIO GIOSUÉ.

2. Please note that the sentence has been suspended with effect 11 Dec. 44 and please ensure that this decision is communicated to the prison authorities promptly.

By command of Commodore STONE:

(Signature)
W. W. BIRRELS,
Colonel,
Deputy Chief Legal Advisor.

6

file

HEADQUARTERS ALLIED COMMISSION
ACO 394
LEGAL SUB-COMMISSION

/mta
2 December 1944.

AC/4003/23/L.

SUBJECT : Case of Flaminio Gennaro
TO : Regional Commissioner (for Regional Legal Officer)
SOUTHERN regions.

1. A petition received at this HQ on behalf of Flaminio Gennaro is attached herewith.

2. It is requested that you arrange with an appropriate investigating agency to have the allegations therein looked into; if they are true, it may be that an innocent person has been wrongly convicted or, alternatively, that a person who took only a minor part has been punished as a ringleader.

3. Please submit the report, when received, to this HQ together with the record.

By command of Commodore JONES:

(c)

* * * ALEXANDER,
Colonel,
Deputy Chief Legal Advisor.

3

W

HEADQUARTERS ALLIED COMMISSION
APO 394
ISRAEL SUB-COMMISSION

/re.

2 Dec. 1944.

AC/40 1/23/44.

SUBJECT : Petitions for Clemency.

TO : His Excellency the Minister of Grace
and Justice.

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

ABATE	Pasquale ✓	ESPOSITO	Giacchino ✓
ADDARIO	Salvatore ✓	ESPOSITO	Giacchino (2) ✓
AFUORI	Giuseppe ✓	FARO	Salvatore ✓
BONAGURA	Giuseppe ✓	FERRANTI	Alfonso ✓
CAMI	Giustino ✓	MARZI	Avio ✓
CARAVAGGIO	Francesco ✓	JANIL	Leopoldo ✓
CARDOVA	Iacino ✓	MATTO	Filippo ✓
CATALANZO	Giuseppe ✓	MARICA	Riccardo ✓
CIVITI	Giuseppe ✓	ANTINI	Francesco ✓
COLUCCIO	Giuseppe ✓	MORILL	Renato ✓
DI CARO	Vincenzo ✓	ROMANDICIA	Carlo ✓
DI LINDA	Valentino ✓	SALIS	Carlo ✓
DI RUZZA	Vincenzo ✓	SCUDERIO	Antonio ✓

CORETTI Eustachio

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

(C) 3
J. R. BIRNIE,
Colonel,
Deputy Chief Legal Advisor.

V.P.
HEADQUARTERS ALLIED COMMISSION
AND 394
LEGAL SUB-COMMISSION

/Mr.

AG/394/2/V.L.

2 Dec. 1944.

SUBJECT : Petitions for Clemency.

TO : Regional Commissioner (attn. Regional Legal Officer), Southern Region.

1. The petitions on behalf of:

CARLUCCIO	Domenico	PARACCHIOTTI	Ario
CAVUSO	Luigi	PATRICE	Vincenzo
DI CAPITI	Hughes	PIRETTI	Michel
DI LORENZO	Giuseppe	SCARINA	Nietro
FRANCIONA	Ciro		

are returned herewith.

2. The petitions are denied as they raise no points of facts or law which would warrant modification of the Court's sentence.

By command of Commodore STONE;

b
W.E. BENJAMIN,
Colonel,
Deputy Chief Legal Advisor. 31

HEADQUARTERS ALLIED COMMISSION

A.D. 304

LEGAL SUB-COMMISSION

Cattell

AC/4083/23/L.

Letter B/4083
Rec'd Oct 26/mt.
2 December 1944,

SUBJECT : Petition on behalf of MINUTO Angelo.

TO : Public Safety Sub-Commission

1. The attached petition on behalf of MINUTO Angelo is brought to your attention. It makes very emphatic and specific allegations as to the commission of certain offences and, far more serious, against the Commissario di P.G.

2. It is thought that from the Public Safety point of view you will wish to ask the Italian authorities to make an investigation into the allegations. It is hoped that such an investigation will be made and this Sub-Commission be informed of the result, as it is alleged that an innocent man has been convicted due to the dishonesty of the Commissario.

je

W. G. BRIDGES,
Colonel,
Deputy Chief Legal Advisor.

30

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/2/2.

2 December 1944. ^{Int.}

SUBJECT : Informal Petitions - (1) BORGARITTA Carmelo
 (2) ALBANESI Anna Maria

TO : Regional Commissioner (Regional Legal Officer)
 SICILIA Region.

1. I forward herewith two informal petitions received at this HQ on behalf of BORGARITTA Carmelo and ALBANESI Anna Maria.

2. (a) Re BORGARITTA Carmelo - Convicted at Syracuse 29 Jan 44 and sentenced to three years imprisonment.

Please see the letter from the Director of the prison, from which it would appear that there is some question as to the date of the sentence after being reduced by the reviewing authority. Please ascertain that this point has been clarified.

(b) Re ALBANESI Anna Maria - Convicted at Palermo and sentenced to 3 years imprisonment, date of trial unknown.

We have no record of this case. Will you please examine the record to see if any review has been made and forward your recommendations to this HQ.

By command of Commodore STOTES:

(C)

W. H. SWINSON,
 Colonel,
 Deputy Chief Legal Advisor,

24

Re
HEADQUARTERS ALIED COMMISSION
AGO 334
LEGAL SUB-COMMISSION

/r.m.

AG/1033/23/L.

2 Dec. 1944.

SUBJECT : Petition on behalf of MUSOTTO Francesco.

TO : R.R. BRIGGS,
Ally. Com. Legal Sub. Comm.

Inclining's

1. With reference to your letter of 16 Nov. 44, number 2129, transmitting a petition on behalf of MUSOTTO Francesco.
2. This petition has now been considered at this Bureau. It does not however raise any question of law or fact that was not considered at the trial.
3. The decision of the Court must therefore stand.

b

R.W. BRIGGS,
Colonel,
Deputy Chief Legal Advisor.

1/1
H.Q. QUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/400 J23/4.

mt.
2 December 1944.

SUBJECT : Informal Petition - D'ERCOLA Giovanni.
TO : Regional Commissioner (Attn: Regional Legal Officer)
LAZIO UMBRIA Region.

1. I forward herewith an informal petition on behalf
D'ERCOLA Giovanni, convicted at Soriano nel Cimino on 14 Aug 44
and sentenced to one year imprisonment.

2. Will you please examine the record of this case and
make your recommendation thereon.

By command of Commodore STONE:

W. W. BURKINS,
Colonel,
Deputy Chief Legal Advisor.

15

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

/rm.
29 Nov. 44SUBJECT : Petition on behalf of VALENTINI Aurelio
and others.

TO : his Excellency the Minister of Grace and Justice.

1. The petition by VALENTINI Giuseppe enclosed in Your Excellency's letter gives a most inaccurate account of the events leading up to the trial of VALENTINI Ernesto.

2. A fight arose between the soldiers involved and the Italian civilians. It may be true (it is not certain) that the conduct of the soldiers caused the fight to start; however, the Italians took the opportunity to assault the soldiers in a most disgraceful and inhuman way. When the military police arrived the civilians were found slightly bruised, the soldiers were lying on the floor, their clothing torn to such an extent as to be almost unrecognisable. Unconscious, covered with blood and suffering from multiple bruises and wounds. Lying nearby were found an iron bar and a pitch fork (with prongs about 12 inches long) which were smeared with blood that was still wet.

3. From the record of the case it is quite clear that there was no justification for such actions on the part of the accused; indeed, the punishments imposed were light and clearly took into consideration all that could be said in favour of the accused persons.

4. In view of the above comments I think that Your Excellency will agree that it would be waste of time to consider here all the minor points of argument raised in the petition.

1C

W.E. REHMANN,
Colonel,
Deputy Chief Legal Advisor.

Enclosure 1 petition

21

LL

HEADQUARTERS ALLIED COMMISSION
AFHQ 39A.
LEGAL SUB-COMMISSION

AO/4003/23/...

LGR/pa.
27 Nov. 44.

SUBJECT : Informal Petition (GIUNEA Antonino).

TO : Regional Commissioner, "ICELIA Region.
(Attn: Regional Legal Officer).

1. The enclosed informal petition on behalf of a certain GIUNEA Antonino has been received at this HQ.
2. It appears that the husband of the petitioner was tried at Parma and sentenced to 3 years imprisonment.
3. We have no record of ever having reviewed such a case.
4. This case may have been tried by an Italian Court in which event we have no further interest in the matter. However, it may have been tried by an Allied Court and either reviewed at this HQ and no record made of the decision here, or never submitted to this HQ for review.
5. Will you please look into this matter. If the case was heard by an Allied Military Court and has not been reviewed by this HQ, please forward the record so that a review may take place. If however a review has been made please let us know the details so that our record may be completed.

By Command of Commodore GIBSON :

lgs
R.E. MURRAY,
Colonel,
Deputy Chief Legal Advisor.

2

LL

HEADQUARTERS ALLIED COMMISSION
HQ 3PA
MAIL SUBMISSION

SC/1083/23/7.

MB/PA.
27 Nov 44.

SUBJECT : Informal petition (MAZZARITO Gaspare, MAZZARITO Salvatore).
TO : Regional Commissioner, SOUTHERN Region.
(Attn : Regional Legal Officer).

1. Informal petitions have been received at this HQ on behalf of MAZZARITO Gaspare and MAZZARITO Salvatore.
2. It appears that those petitioners were sentenced to 3 years imprisonment for theft or the like probably at S.Lorenzo Colle.
3. We have no record of any such case at this HQ.
4. It seems that there are two places called S.Lorenzo Colle in Southern Region, one in Calabria the other in Coempsa.
5. Will you please investigate this matter. It may be that the petitioners' case was heard by an Italian Court in which event we have no further interest. However it may have been before an Allied Military Court and either reviewed at this HQ, and no record made of the decision here, or never submitted for review ~~to~~ this HQ.

TO

By Command of Commodore STOKES :

W. H. Richards
W. H. Richards,
Colonel,
Deputy Chief Legal Advisor.

21

X JE

4083/23

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

27 November 1944

Subject: Transmission of Enclosed Documents
relating to review of sentences.

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

1. Attached hereto is supplemental appeal
in the case of CARDIERO Francesco et al. This
case is now pending in your HQ. for review. The
attorney for the accused desires that this appeal
be considered with the other appeal previously
filed.

For the Regional Commissioner:

L.F. Dawson
L.F. DAWSON, by E.T. Ferry
Lt.Col., G.L.,
Reg.Chief Legal Officer.

ETK/pv

23

2

file

HEADQUARTERS ALLIED COMMISSION
APO 394
Legal Sub-Commission

/jpl

AC/4083/23/L

25 Nov. 1944

Subject: Petitions on behalf of MANNA Mario and D'AVINO Francesco.

To : LIAISON DIVISION, Office of Chief of Staff.

Ref 105/142/L of 14 Nov. 44

1. The records in both these cases have been sent for to this HQ and reconsidered.

2. MANNI, Mario.

The accused was arrested with others, caught in the act of rifling a bag of civilian mail in the hold of a ship. In the circumstances it is not proposed to interfere in any way with the sentence of the Court, which was affirmed on review at this HQ.

3. D'AVINO Francesco

The accused was in possession without a permit of a loaded pistol. The possession of firearms (and especially pistols) without a permit is considered a serious offence calling for a substantial punishment. Hence why the Court in this case imposed a sentence of 12 months imprisonment. It is thought that perhaps this sentence was unduly heavy, having regard to all the circumstances. Therefore, the sentence has been suspended with effect from 1 Dec.

4. The petitions forwarded with your letter are returned herewith.

Enc. 2 petitions.

W. A. BETTREK
Colonel
Deputy Chief Legal Adviser.

22

35

file
HEADQUARTERS ALLIED COMMISSIONAPO 394
Legal sub-commission

/jpl

25 Nov. 44

AC/4039/23/L

Subject: Records in the case of ANTONIO MARIO and D'AVINO Francesco.

To : Regional Commissioner (Att. Regional Legal Officer)
SOUTHERN REGION.

1. returned herewith are the records in the above mentioned cases.
2. It will be noted that the sentence in the case of D'AVINO Francesco has been suspended with effect from 1 Dec. 44.

By Command of COMMODORE STORE.

W.E. BERENS
Colonel
Deputy Chief Legal Advisor.

Enclosed 2 Records.

21

TSV

HEADQUARTERS
SOUTHERN REGION, ALLIED COMMISSION
LEGAL DIVISION
AFO 394, U.S. Army

24 November 1944

Subject: DE MARO Giosuè.

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

1. Attached hereto is an application for pardon together with form 8, filed on behalf of the above subject.

For the Regional Commissioner:

L.F. Dawson
L.F. DAWSON,
Lt. Col., G.L., *By E.T. Fess*
Reg. Chief Legal Officer. *exp*.

FTK/pv

XJ2/
With London Room -

- ① Return record to
② It will be the contact has been implemented
with effect 11 Dec.. Please ensure that the
decision is communicated to the local authorities
promptly.

AS

VAD

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AO/4083/23/L

IORC/mt.
22 November 1944.

SUBJECT : Petitions for pardon of GRANATA Tommaso,
D'ALTRIO Salvatore and BELARDO Salvatore.

TO : Regional Commissioner, SOUTHERN Region
(for Regional Legal Officer).

Reference your RIC/PV of 18 Nov. 44.

1. In your letter you refer to certain "recent instructions". I do not know to what instructions you refer: perhaps they were verbal instructions given by Col. Wilmer on his way to America? If so, he never told this HQ what instructions he had given.

2. The policy at this HQ remains unchanged. When territory is restored to Italian administration cases may be submitted for re-review if very heavy sentences were imposed on account of military considerations which no longer prevail. Otherwise, change of conditions (departure of troops from the area; increasing distance between the front and the area are not grounds for reconsideration of a case). If this rule is not adhered to, finality will never be reached in any case.

3. This HQ is always willing to interfere in a particular case if such interference is necessary to prevent injustice or undue hardship. The writer remembers the three cases you have submitted. It is agreed that there should be a reduction of these sentences which were imposed at a time when heavy sentences were required owing to the amount of firearms being carried and used in Naples and area.

4. The sentences have been reduced as follows:

- (i) D'ALTRIO Salvatore from 3 years to 8 months;
- (ii) BELARDO Salvatore from 4 years to 12 months;
- (iii) GRANATA Tommaso from 4½ years to 12 months. 13

By command of Commodore STONE:

[Signature]

J. S. BURRNS,
Colonel,
Deputy Chief Legal Advisor.

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

4083/23

18 November 1944

Subject: Petitions for pardon of GRANATA Tommaso,
D'ALTERIO Salvatore and BELARDO Salvatore.

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

1. I am attaching hereto applications for
pardon filed on behalf of the above subjects. Since
the troops have moved out of Pozzuoli and since these
cases involve only the possession of arms it is thought
that perhaps Headquarters might desire to re-examine
these cases in the light of recent instructions that
severe sentences should be re-examined with the view
of possibly giving further consideration to the ac-
cused.

For the Regional Commissioner:

L.F. DAWSON, *By E.T. [initials]*
Lt. Col., G.L., *clerk*,
Reg. Chief Legal Officer.

ETK/pv

4083/2
HEADQUARTERS
SOUTHERN REGION, ALLIED COMMISSION
LEGAL DIVISION
APO 394, U.S. Army

L-3020

18 November 1944

Subject: Case of D'AVINO Francesco and MANNA Mario.

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

1. Reference is made to your communication
AC/4083/23/L, 15 Nov.44, relative to the above subject.
2. Attached hereto are the files in the cases
of the above subject.

For the Regional Commissioner:

ETK/pv

L.F. Dawson
L.F. DAWSON, *by E.T. Key*
Lt.Col., G.L., *part*
Reg.Chief Legal Officer.

File

X 5
J
20 NOV 1944

(5387)

4063/23 ✓

ALLIED COMMISSION
SICILIA REGION HEADQUARTERS
APO 394

FILE: RIE 013.09/EKM

17 November 1944

SUBJECT: Petition on behalf SANTAGATI Grazio.

TO : Headquarters, Allied Commission - APO 394.
(Attn: Legal Sub-Commission)

1. Reference your letter ACC/4083/23/I of 26.10.44 the above matter has been investigated and the necessary action taken.
2. The A/M was arrested by the FSS for security reasons and is now interned at 371 P.W. Cage.

For the Regional Commissioner:

E.K. MATTHEWS, Captain,
E.K. MATTHEWS, Captain,
Regional Legal Officer.

sf

Legal Sub-Commission	
CIO	
Legal Counsel	
Indictor Section	
Quartermaster	
17 NOV 1944	

→

16

Recd NA

21 Nov

785016

R
file
✓
-E-S-T-R-I-C-T-E-D.

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
LAZIO-UMBRIA REGION, LEGAL DIVISION
A.P.O. 394

3434
D
16 November 1944

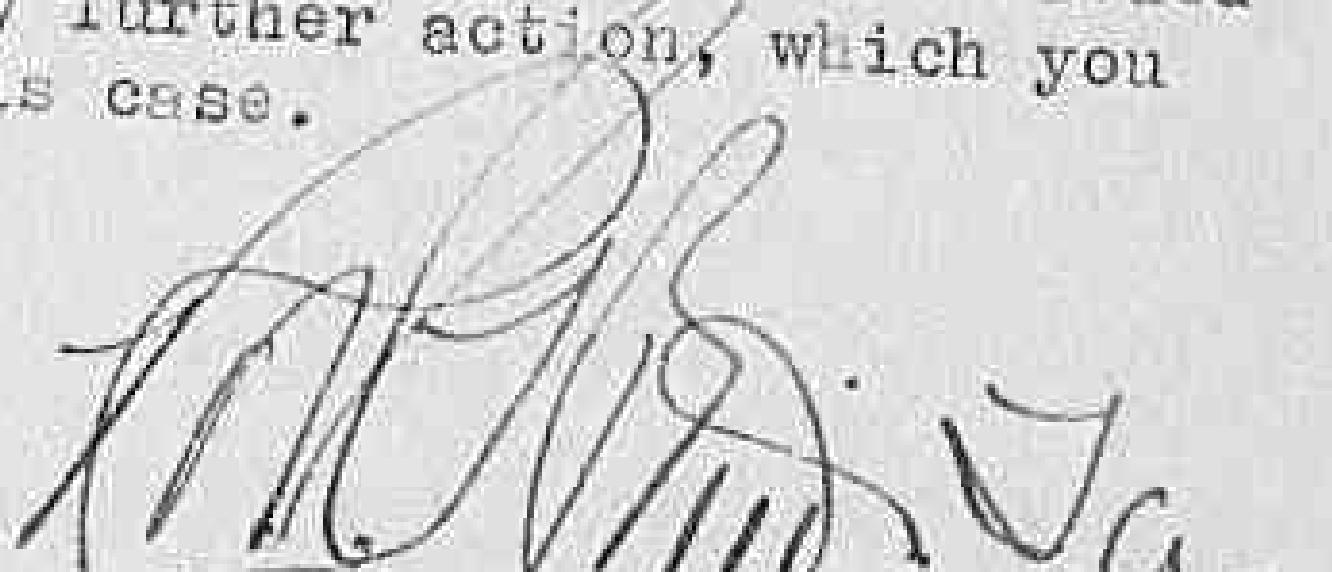
L/1002-I

SUBJECT : Case of Giuseppe BRANDI et al.

TO : Legal Sub Commission,
Headquarters Allied Commission.

1. Enclosed herewith please find petition for pardon and clemency in reference to the above.
2. Since the case is one which was reviewed by your Headquarters, the record and proceedings in this case are forwarded with the petition in order that any further action, which you deem necessary, may be taken in this case.

RCH/PA.


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

ENCLOSURE:

Record and proceedings with petition from Marta Brandi 15
Re. Giuseppe Brandi.

T's

No

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

HEADQUARTERS ALLIED COMMISSION
AND 394
ALLIED COMMISSION

15 Nov. 1944.

AC/4083/23/1.

SUBJECT : Case of D'AVINO Francesco and MARIA MARIA.
TO : Regional Commissioner SOUTHERN Region,
(for Regional Legal Officer).

Representative

1. Mr. Lyndon G. TAYLOR, U.S.A./at the Vatican, has written to this HQ at the request of the HOLY SEE about the two following cases:

- a) D'AVINO Francesco, sentenced to 1 year of imprisonment; now in Poggioreale gaols; precise date of trial not known but probably June or possibly July.
- b) MARIA Maria, sentenced to 18 months imprisonment; now in Poggioreale gaols; date of trial not known but it is stated that he has served 9 months, so the trial must have been about February of this year.

2. To enable an answer to be sent to Mr. TAYLOR, will you please forward the records in these two cases.

By command of Commodore STONES

je

W. E. BIRKBECK,
Colonel,
Italian Branch,
for Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
ADO 394
ALLIED COMMISSION

AC/4063/23/L.

15 Nov. 1944.

SUBJECT : Case of D'AVIO Francesco and ANNA Mario.

TO : Regional Commissioner SOUTHERN Region.
(for Regional Legal Officer).

Representative

1. Mr. Myron C. TAYLOR, U.S. at the Vatican, has written to this HQ at the request of the HOLY SEE about the two following cases:

- a) D'AVIO Francesco, sentenced to 1 year of imprisonment now in Poggioreale gaol: precise date of trial not known but probably June or possibly July.
- b) ANNA Mario, sentenced to 16 months imprisonment: now in Poggioreale gaol: date of trial not known but it is stated that he has served 9 months, so the trial must have been about February of this year.

2. To enable an answer to be sent to Mr. TAYLOR, will you please forward the records in these two cases.

By command of Commodore STONE:

(Sgd) I. Campbell et al.

W. E. BURKING,
Colonel,
Italian Branch,
for Chief Legal Advisor,

x.8.1

IL MINISTRO DELLA REAL CASA

Roma, li 15 novembre 1944

2115

On.le Sottocommissione Legale
della Commissione Alleata

R O M A

- Via Veneto - Palazzo ex Corporazioni -

- 1 -

Secondo le intenzioni di Sua Altezza Reale il
Luogotenente Generale del Regno, segnalo a codesta On.
Sottocommissione, per il miglior conto che - nei limi-
ti del giusto e del possibile - crederà di farne, l'ac-
clusa istanza con la quale tale Anna Celentano da Napo-
li (Via Consalvo 99) invoca il patrocinio di Sua Altez-
za Reale in favore del marito Francesco Esposito con-
dannato a 3 anni di reclusione dalla 7^ Corte Superiore
Alleata.

Con anticipate grazie e con la migliore conside-
razione.

Dev. me

Lucifero

12

(F. Lucifero)
Ministro della Real Casa

215

10/3/23

X/30

HEADQUARTERS ALLIED COMMISSION
APO 394
Liaison Division
Office of Chief of Staff

Tel: No. 478001

Ref: 105/142/L

14 November 1944

SUBJECT: Appeal for clemency for Mario MANIA

TO : Legal Sub Commission
(Col W.E. Behrens)

1. The attached appeal for clemency has been forwarded to this office by the Honorable Myron C. Taylor at the request of the Holy See.

2. When the case has been investigated will you please inform this office what reply may be given to Mr Taylor.

Ranfurly Capt

LORD RANFURLY

Captain

LEGAL SUB COMMISSION	
CLO	1
D/CLO	1
Chief Counsel	1
CIO	1
Italian Section	1
CL RKS	1

11

*82

15 NOV 1944

X 650 4083/23
HEADQUARTERS ALLIED COMMISSION
APO 394
Liaison Division
Office of Chief of Staff

Tel: No. 478001

11 November 1944

Ref: 105/140/L

SUBJECT: Appeal for Clemency for Sig. Francesco D'Avino.

TO : Legal Sub-Commission
(Col W.E. BEHRENS)

1. The attached appeal for clemency has been forwarded to this office by the Honorable Myron C. Taylor at the request of the Holy See.

2. When the case has been investigated will you please inform this office what reply may be given to Mr Taylor.

Ranfurly Capt.

LORD RANFURLY
Captain

+ J.S.

LEGAL SUB-COMMISSION	
11/10	
11/10	
Chief Comm.	
11/11	
11/12	
11/13	
11/14	
11/15	
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HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

13 Nov. 1944.

AG/4003/23/L.

SUBJ CT : Petitions on behalf of LANZAVIA Antonio and
SALVATI Carlo.

TO : Regional Commissioner TICILIA Region.
(Attention Regional Legal Officer).

1. returned herewith petitions on behalf of above
mentioned persons.

2. The petitions are denied.

By command of Commodore STONE:

Recd petitions.

R
W. W. WOODWARD,
Colonel,
Deputy Chief Legal Advisor.

9

File
HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/rm.

AC/4083/23/L.

13 NOV. 1944.

SUBJECT : Case of MONDELLO Innocenzo.

TO : H.E. F. Luciferi,
Ministro della Real Casa.

1. With reference to your letter of 23 Oct. 44
forwarding a petition in the case of Innocenzo MONDELLO.

2. This petition has now been considered at this HQ.
It does not however raise any question of law or fact
that was not considered at the trial.

3. The decision of the Court must therefore stand.

(C)

W.E. BEHRENS,
Colonel,
Deputy Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/r.m.

AC/4083/23/L.

13 Nov. 1944.

SUBJECT : Petitions for Clemency.

TO : His Excellency the MINISTER of GRACE
and JUSTICE.1. I have the honour to return the petitions^{submitted} on
behalf of the following persons:

ATELLO	Alfio ✓	IACONO	Pasquale ✓
CACUCCI	Nicola ✓	IOVINE	Gennaro ✓
CAHOVA	Luciano ✗	LANDI	Adolfo ✓
CRISCUOLI	Celestino ✗	MASINI	Giovanni ✓
D'ATTORRE	Raffaele ✗	MONTELLI	Innocenzo ✗
DELLE CARRE	Domenico ✗	PAGONI	Orazio ✓
DI REZZA	Vincenzo ✗	PALERMO	Philippe ✓
FALLICA	Carmelo ✗	RICCI	Antonio ✗
FIorentini	Giuseppe ✗	ROCCO	Giuseppe ✗
FLORIO	Alfonso ✗	SCALA	Paolo ✗

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

Enc: Petitions.

W.E. BEHRENS,
Colonel,
Deputy Chief Legal Advisor.

*file*HEADQUARTERS ALLIED COMMISSION
APO 334
LEGAL SUB-COMMISSION

13 Nov. 1944.

AG/4003/r.s/L*

SUBJECT : petition on Behalf of PAPETTI Luigi.
TO : Regional Commissioner LAZIO-UMBRIA Region,
 (Attention Regional Legal Officer).

The petition on behalf of PAPETTI Luigi is denied.

By command of Commodore STONES

[Signature]

J. E. BIRMINGHAM,
Colonel,
Deputy Chief Legal Advisor.

b

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/rm.

AC/4083/23/L.

13 Nov. 1944.

SUBJECT : Case of Pasquale ABBATE.

TO : H.E. F. Luciferò,
ministro della Real Casa.

1. With reference to your letter of 4 Nov. 44
forwarding a petition in the case of Pasquale ABBATE.

2. This petition has now been considered at this HQ.
It does not however raise any question of law or fact
that was not considered at the trial.

3. The decision of the Court must therefore stand.

(C)
W.E. BEHRENS,
Colonel,
Deputy Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/rm.

AC/4083/23.

13 Nov. 1944.

SUBJECT : Petitions for Clemency.

TO : Regional Commissioner (Attn. Regional Legal Officer), Southern Region.

1. The petitions on behalf of

- | | |
|-----------------|------------|
| (a) PALIERI | Filippo ✓ |
| (b) FALVO | Antonio ✓ |
| (c) RAMACCIOTTI | Mario ✓ |
| (d) DI ZINNO | Vincenzo ✓ |

are returned herewith.

2. The petitions are denied as they raise no points of facts or law which would warrant reconsideration of the Court's sentence.

By Command of Commodore STONE:

W.E. BEHRENS,
Colonel,
Deputy Chief Legal Advisor.

Enclosure: Petitions.

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file
ROME PROVINCE
ALLIED MILITARY GOVERNMENT
LAZIO - UMBRIA REGION
APO 394

Ref. R4/RER.LE8/250.5c

10 - 11 44

Subject: Review - DEL RE GIUSEPPE.

To: Chief Legal Officer, A.G.C.
From: P.L.O. Rome Province.

I enclose Review papers for consideration in respect of above. They were left with me by avvocato Paladino Domenico, of via Aureliana, 39, Rome (tel. 43921), who told me he was instructed he could hand the papers in at Rome.

S.N. McFadyean May

G. J. McFadyean, M.C.
Major,
Legal Officer,
Rome Province.

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HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION/ga.
5 Nov 14.

AV/4005/25/I.

SUBJ CT : Case of Michele DE NEGRIANI,
TO : H. S. P. Incitato.
Ministro della Real Casa.

1. With reference to your letter of 21 October 14 regarding a petition in the case of Michele DE NEGRIANI.
2. This petition has now been considered at this HQ. It does not however raise any question of law or fact that was not considered at the trial.
3. The decision of the Court must therefore stand.

W. W. DEMPSEY,
Colonel,
Deputy Chief Legal Advisor.

IL MINISTRO DELLA REAL CASA

6 NOV 1944

Roma, li 4 novembre 1944

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1083/23

On. Sottocommissione Legale
della Commissione Alleata

R O M A

- Via Veneto - Palazzo ex Corporazioni -

E' pervenuta a Sua Altezza Reale il Luogotenente Generale del Regno l'accusa istanza nell'interesse di tale Pasquale Abbate del fu Giuseppe da S. Prisco, detenuto nelle carceri di S. Maria Capua Verte per condanna emessa dalla Corte Suprema alleata il 22 febbraio 1944.

- 1 -

Secondo le intenzioni di Sua Altezza Reale segnalo l'istanza per il miglior conto che - nei limiti del giusto e del possibile - codesta On. Sottocommissione crederà di poterne fare.

Con anticipate grazie e con la migliore considerazione.

Ovv. m.

I

F. Lucifer

(F. Lucifer)
Ministro della Real Casa

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