

ACC

10000/142/602
(VOL. 7)

PETITIONS FO
MAY 1945

10000/142/602
(VOL. 7)

PETITIONS FOR CLEMENCY, AMG CASES
MAY 1945

OPENED : 1 MAY 1945

CLOSED : 31 MAY 1945

709

1083/73 ✓
ALLIED [REDACTED] COMMISSION
INTER-OFFICE MEMORANDUM
LIAISON DIVISION

SUBJECT: Captain Umberto Cavallaro

FILE No. 505/CA/EC(L)

TO : Public Safety Sub-Commission

31 May 1945

1. With his 28 May letter, Mr. Myron C. Taylor forwards a request from the Bishop of Fiesole, for action on behalf of Captain Umberto Cavallaro sentenced to 7 years imprisonment by the Corte Nazionale of Florence.

2. Kindly advise what reply may be given to Mr. Taylor.

Encls: 1. letter dtd 28 May 45
2. letter dtd 20 May 45

Security
Index
2/6
1840
110 H H
Action

Officer in Charge
Liaison Division

file ICU

COPY

THE PERSONAL REPRESENTATIVE OF THE PRESIDENT
OF THE UNITED STATES OF AMERICA TO HIS HOLINESS

2, Via Boncompagni - Rome

May 28, 1945

Dear Captain Arnoldy

I am transmitting herewith a self-explanatory letter regarding the case of Captain Umberto Cavallaro, of Florence which I have received from the bishop of Fiesole. Please take whatever action you may deem appropriate under the circumstances.

Sincerely yours,

/s/ Myron C. Taylor

Enclosure:
Letter

Captain A.B. Arnoldy
Liaison Division
Headquarters Allied Commission
Rome

107

4083 ✓ 23
ALLI

31 May 1945

TO : HQ., Allied Commission (For Attention of
Legal Sub-Commission)

1. There is transmitted herewith application for pardon in the case of the above subject.
2. The S.C.A.P.O., AMG, Naples Commune, recommends favorable consideration.

file

106

1 JUN 1945

NOISEWORTHY

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
APO 394
PUBLIC SAFETY DIVISION

Ref 24-5
3029

Ref: PS/ 8.9

Date 22 May 1945

SUBJECT: FLORIDIA Giuseppe - civil prisoner.

TO : HQ AMG Naples Commune
(attention of Senior Legal Officer).

1. Reference attached Petition of the abovenamed and his father, also letter from the Questore of Naples.

2. FLORIDIA, an Agent of P.S. of the Questura, Naples, was sentenced on 16 Nov 1944 to 2 years imprisonment by a General Military Court in Naples for killing a member of the Allied Forces contrary to Article 1, Section 16 of Proclamation 2 - the circumstances leading to the conviction are well-known both to this Division and your Division.

3. The prisoner FLORIDIA is now asking for clemency and release from prison. In submitting this correspondence we do not wish to convey the impression that this Division desires to interfere in such matters as this, but in view of the letter from the Questore and the fact that there is a desperate shortage of trained police officers in this area, you may consider this is a case in which the prisoner can now be released and returned to service in the Questura.

For the Commissioner:



G. RICHARDSON
Major,
S.C.A.P.O.

105

GR/tp.

Enclos - as above.

4083/23

27-24-150

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMUNE
LEGAL DIVISION
APO 394

L-3029

31 May 1945

SUBJECT: Applications for pardon.

TO : HQ., Allied Commission (For Attention of
Legal Sub-Commission)1. Attached hereto are the following applica-
tions for pardon:

- 1) SPITALIETTA Federico
- 2) RIBICHINI Corrado
- 3) RUSSO Gemmaro
- 4) ARZANO Nicola

2. Forms 8 in these case have been forwarded
to your HQ.

For the Commissioner:

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
RKS	
JUN 1945	

Frank L. Vecchiola
FRANK L. VECCHIOLA,
Major, J.A.G.D.,
Senior Legal Officer.

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

JL/rm.
31 May 1945.

SUBJECT : Case of BUSTELLO Domenico di Vincenzo et al.

TO : Provincial Commissioner (attn. Senior Legal Officer), NAPLES Commune.

1. The above named together with:

IACOMINI	Migi
- FARINA	Ciro
- DI MATTEO	Ferdinando
- COPPOLA	Pasquale
- BATTAGLIA	Vincenzo
- MIERE	Pasquale
- CRISTIANO	Francesco
- MIERE	Antonio
- COZZOLINO	Alberto
- SANCONE	Francesco
- CUNZI	Maria

was tried and sentenced for conspiracy to commit larceny of allied property and bribing of allied soldier.

2. On revision by this Sub-Commission all the convictions and sentences were quashed, and the prisoners directed to be released. A copy of said letter ordering the release is herein enclosed.

3. It appears from the enclosed petition that the above named is still detained.

4. Unless BUSTELLO Domenico di Vincenzo is detained for other lawful reasons, please ensure his immediate release.

W.E.W.

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

2 Incls : 1 petition
1 letter 4083/1/L of
23 Feb. 45.

43

6083/23P

1-32-177

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMBUNT
LEGAL DIVISION
APO 394

30 May 1945

SUBJECT: Application for pardon.

TO : HQ, Allied Commission (For Attention of
Legal Sub-Commission)

1. There is transmitted herewith application for pardon filed on behalf of VENDITTI Bartolo di Vincenzo.
2. Form 8 in this case was forwarded to your HQ.

For the Commissioner:

file

Frank L. Vecchiola
FRANK L. VECCHIOLA,
Major, J.A.G.D.,
Senior Legal Officer.

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1 JUN 1945

17

file
HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/lrb.
29 May 1945.

AG/4083/23/L.

SUBJECT : MANGO Giuseppe di Michele.

TO : H.E., the Minister of Pardon and Justice.

1. As I promised you should be done, this case has been re-examined. The evidence showed that on the night preceeding the arrest of this man 2 lorry loads of flour had been stolen from Naples docks and unloaded at his house, where 9 sacks of flour were found concealed. There was also evidence that these premises had been used for a similar purpose 3 weeks before in connection with another load of goods stolen from the docks.

2. These thefts of complete lorry loads of goods from the docks were becoming so frequent that the Judge felt he was bound to impose heavy sentences. In the circumstances I do not feel that I can interfere with the Judge's decision. It is to be noted that the brother of the accused was acquitted, as the evidence given at the trial did not implicate him.

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

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HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/4083/23/L.

/lrb.
29 May 1945.

SUBJECT : Petitions for Clemency.

TO : H.E., the Minister of Grace and Justice.

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

MATTINELLI	Salvatore	MAIONI	Gerardo
GAMBISA	Giambattista	GENCO	Domenico
DE LUCA	Pietro	NOTARNICOLA	Luigi
SAVO	Antonio		

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

W. E. B.

W. E. BEMRENS,
Colonel,
Deputy Chief Legal Officer.

Encl: 7 Petitions

file

100

x5

NAME	SOURCE	REF. NO.	DATE
BATTINELLI Salvatore	Min of G & J	3996/45	23 May 45
CAMMISA Giambattista	Min of G & J	4467/45	24 May 45
DE LUCA Pietro	Min of G & J	3664/45	18 May 45
FALVO Antonio	Min of G & J	4136/45	22 May 45
FAIONI Carmelo	Min of G & J	4402/45	23 May 45
GENCO Domenico	Min of G & J	4404/45	24 May 45
NOTARNICOLA Luigi	Min of G & J	4406/45	23 May 45

Above letters returned to Min of G & J
with letter AC/4083/23/L of 29 May 1945.

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file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4033/23/L.

Jt/rm.
29 May 1945.SUBJECT : PHOTO Beniamino and
BELTE Renato.TO : Provincial Commissioner (attn. Senior Legal
Officer), NUPLES Commune.

1. Reference your letter L-5070 of 26 May 45.
2. The petition and record in the above case are returned
herewith.
3. The petition is denied.

By command of Rear Admiral STONE:

(S. E. B.)

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

2 Incls : 1 Record
1 Petition

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4039/23/L.

JL/ra.
29 May 1947.

SUBJECT : Informal Petition.

TO : Provincial Commissioner (attn. Senior Legal
Officer), AMG NARLES Boumahe.

1. Reference your letter L-4003 of 25 May 47.
2. The Petitions submitted on behalf of BABA INGI, AMBIZIATA
Salvatore and JITI OLINO (2 petitions) are returned herewith.
3. The petitions are denied.

By command of Rear Admiral STONE:


W. B. HEBBEN,
Colonel,
Deputy Ch. of Legal Advisor.

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+5

file

TRANSMITTERS ALLIED COMMISSION
A.C. 351
L.M. & SUB-COMMISSION

40/4035/23/L.

/m.
29 MAY 1947.

SUBJECT : GILBERT Giuseppe No. 21/504/32/.

TO : A.C. Liaison Officer (S.M.I.), c/o H.A. 14 Area, C.A.F.

1. Reference your letter LA 61.0 of 23rd May the record shows that the sentence imposed on above mentioned at his trial held on 13 Feb. 45 was 3 months from 15 Feb. 45. He is therefore due for release on 12 Oct. 45 unless detained for any other lawful grounds.

2. Command of Rear Admiral STONE:

W. P. W.
W. P. WHELAN,
Colonel,
Deputy Chief Legal Adv. Gr.

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4085/23/L.

/lrb.
28 May 1945.

SUBJECT : FIORDELISI Angelo.

TO : H.E., the Minister of Grace and Justice.

1. Reference to enclosed petition dated 13 February 1945, the sentence on above named was on the 22nd March 1945 reduced from 37 to 22 years imprisonment.

2. If this has not already been done will Your Excellency kindly give necessary instructions to carry above decision into effect and to notify above named accordingly.

W. J. Higgins

W. J. HIGGINS,
Colonel,
Deputy Chief Legal Adviser.

Encl: Petition.

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/4083/23/L.

/Arb.
29 May 1945.

SUBJECT : Petitions for Clemency.

TO : H.E., the Minister of Grace and Justice.

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

DI MANCO Giuseppe	LOBUONO Leonardo
DE NICOLA Pasquale	LUISI Vito
GENTILE Giuseppe	
KRITZLER Max	RANBAZZO Pietro

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

S. P. W.

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

3 Encls: Petitions

NAME	FILE NO.	FROM	DATE
DI MANCO Giuseppe	4284/24 45	Min of G & J	19 May 45
DE NICOLO Pasquale	4110/45	Min of G & J	21 May 45
GENTILE Giuseppe	1694	Direzione Casa di Reclusione Spoleto, Ancona	7 Apr 45
KRITZLER Max	3499/45	Min of G & J	19 May 45
LOBUONO Leonardo	4280/45	Min of G & J	15 May 45
LUIGI Vito	4405/45	Min of G & J	21 May 45
MOSCA Antonio	Ris	Unione Patrioti d'Italia Reduci Quattro Giornate Napoleone, Belle Napoli	28 May 45
RANDAZZO Pietro	4173/45	Min of G & J	18 May 45

Above letters returned to Min of G & J
on 28 May 1945 with letter AC/4033/23
of 28 May 1945.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

/mt.
28 May 1945.

SUBJECT : Case of BERNA Alberto.

TO : Monsignor Joseph P. McEUGUE, Segretario di Stato di S. Santita'
CITTA' DEL VATICANO.

1. Your Lordship's letter of 12 May 45 addressed to Col. J.W. FISCHER together with the Petition and other enclosures has been forwarded to this Sub-Commission.

2. A similar Petition on behalf of above-named has already been considered and rejected. It has been agreed with the Italian Government that persons sentenced by Allied Courts will, in the event of illness, receive exactly the same treatment as persons sentenced by Italian Courts and accordingly this Sub-Commission is not in a position to consider Petitions on grounds of ill health.

3. The large number of Petitions lodged with this Sub-Commission does not permit of sending replies when the Petitions are not granted.

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

GMW/1c.
28 May 1945.

file 1
AG/4083/23/L.

SUBJECT : Case of Russo Salvatore di Gennaro.

TO : H. H. The Minister of Pardon and Justice.

1. The above named was tried by AMG. Superior Court no 5 at Naples in March-April 1944 on a charge of possession of arms and Allied property and received a sentence of 3 years imprisonment which was confirmed on appeal.

2. A petition was recently received by above named's wife and on reconsidering his case the sentence has been reduced to 2 years from date of arrest 10 March 1944 expiring 9 March 1946.

3. Will Your Excellency kindly give necessary instructions to notify above named and to have above decision carried into effect.

4. Above named is detained at Castiadas (Cagliari).

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

LEGAL

28 MAG

HEADQUARTERS EMILIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

REF : RIX/LE//654/390

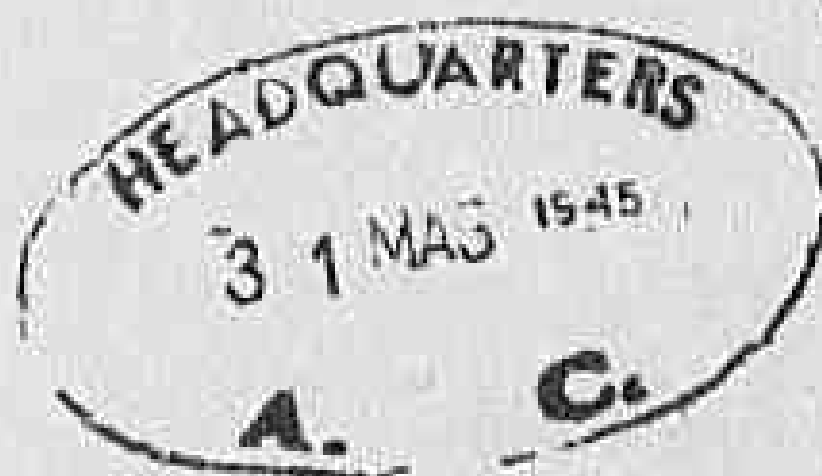
WHL/glg
26 May 1945SUBJECT : Petition for review TICCHI Claudio General Court,
Forlì Province.TO : Headquarters, Allied Commission, APO 394 (for Deputy
Chief Legal Advisor).

1. In view of the absence of a legal officer at this Hq.
qualified to review this case, record and petition for review
are forwarded for review at your Hq.

2. The case was tried on 30 Dec.44. and reviewed by Major
Reynolds, then attached to this Hq., on 29 Jan.45. The present pe-
tition is, of course, out of time, but is forwarded for such con-
sideration as you desire to accord it.

3. As a member of the Court, I have endorsed my comments
on the petition.

For the Regional Commissioner



WHL Levit
WILLIAM H. LEVIT.
Lt. Col. J.A.G.D.
Regional Legal Officer.

Encls : as above

RES	SUBJECT	DATE
CLO		
DCLO		
Chief Counsel		
CLO		
Italian Section		
CLERKS		
31 MAY 1945		



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4083/23

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMUMLE
LEGAL DIVISION
APO 394

26 May 1945

L-5070

SUBJECT: Case of PROTO Beniamino and BELZ Renato.

TO : HQ., Allied Commission (For Attention of
Legal Sub-Commission)

1. Transmitted herewith is application for
pardon and Form 6 in the case of the above subject.

For the Commissioner:

Frank L. Vecchiolla
K. L. VECCHIOLLA, by 668
J.A.C.D.,
Legal Officer.

CCB/pv

FROM	LEGAL DIVISION
TO	
CCO	
DCO	
Chief Clerk	
CL	
CLARKS	
DATE	27 MAY 1945
TIME	27

89

X

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-4003

25 May 1945

SUBJECT: Release of prisoners by "Giudice di
Sorevegianza".

TO : HQ., Allied Commission (For Attention
of Legal Sub-Commission)

1. Further to our letter L-4003 of 12 May
1945.

2. Enclosed herewith are ^{3 additional} ~~supplemental~~
applications.

For the Commissioner:

Burbo
citi
ammunition

COB/pv

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, *lyl*
Major, J.A.G.D.,
Senior Legal Officer.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Legal Section	
CL. RKS	
27 MAY 1945	

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15

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4128/37/L.

/lrb.
25 May 1945.

SUBJECT : AMODIO Francesco fu Giuseppe.

TO : H.E., the Minister of Grace and Justice.

1. The conviction and sentence of the above mentioned boy, who is believed to be detained at Carcere Giudiziario of Ariano Irpino, has been considered on revision.

2. The conviction and sentence on the second charge under Arts 337 and 339 of the Codice Penale has been cancelled and the sentence on the first charge of "omicidio colposo" under Art 589 has been reduced to 5 months and 10 days in view of Art's 98 and 65 of the Codice Penale. It is also ordered that no mention of the conviction be made in the certificate of the judicial filed record in accordance with Art 175.

3. The accused was convicted by an Allied Military Court at Ariano Irpino on 11 April 1945. He was arrested on 19 December 1944, and therefore should be released on 28 May 1945.

4. Will Your Excellency please give instructions for the above to be put into effect.

W. E. Behrens
W. E. BEHRENS,
Colonel,
Deputy Chief Legal Adviser.

Copy to
Provincial Commissioner
(Attn: Senior Legal Officer)
Naples Commune.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

/lrh.
25 May 1945.

SUBJECT : Petitions for Clemency

TO : H.E., the Minister of Grace and Justice.

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

AQUAVIVA Giacomo
BUCCOLO Giovanni
MURABITO Giuseppe

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

Smw

W. E. BRIDGEMAN,
Colonel,
Deputy Chief Legal Adviser.

3 Incls: Petitions

ACQUAVIVA Giacomo	Min of G & J	3882/45	16 May 45
BUCCOLO Giovanni	Direzione del Carcere Giudiziario, Napoli Poggioreale	N 7034	8 May 45
MURABITO Giuseppe	Min of G & J	8112/45	21 May 45

Above letters returned to Minister of Grace & Justice
with letter AC/4089/23 of 25 May 1945.

x7/

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/4033/23/L.

/lrh.
24 May 1945.

SUBJECT : Case of GIORDANO Anna.

TO : Provincial Commissioner, (Attn: Senior Legal Officer),
Naples Commune.

1. The enclosed petition dated 12 April 1945 has been received at this HQ. There is a record of a person of that name and same age (born on 14 Aug 1917) sentenced on 11 May 1944 for soliciting, to 2 months imprisonment. The place of trial appears to have been Bagnoli.

2. As she is apparently again in prison at Poggioreale, will you ascertain if she is held under sentence or by order of Allied Authorities and if so what are the charges or particulars. If she is held in connection with a matter under Italian jurisdiction will you please transmit petition to Italian Authorities.

By command of Rear Admiral STONE:

W. E. Behrens

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

HEAD QUARTERS
ALLIED MILITARY GOVERNMENT
ANCONA PROVINCE

Subject: Informal Petitions

To: C.L.A. Sub Commission Alcom - Rome

LEGAL OFFICE

From: L.O. Ancona

Ref: ANC/II/7

ANCONA

Date: 24 May 1945

I. Herewith informal petition in respect of FABRIZI Giulio
and copy of card index showing all the informations I have on the case.

31 MAY 1945

AWL. FRANKLIN, Major
L.O. Ancona

LEG. L. SUBCOMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CLERKS	
31 MAY 1945	

8 MAR 45

Appeal in interest of
Agriculture

85

file

408/23
✓

LEGAL S/C

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

FTH/AMB/irf

1199

G-5: 014.5

24 May 1945

SUBJECT: Beraha, Alberto

TO : Headquarters, Allied Commission
APO 394

1. An application for the release of the above named was submitted by the Secretariat of State of the Vatican to Rome Area Allied Command, and forwarded to this Headquarters.

2. The annexed papers are forwarded to you for whatever action you may deem necessary.

For the Assistant Chief of Staff, G-5:

F. T. Hammond, Jr.
F. T. HAMMOND, JR.
Colonel, G.S.C.,
Legal Adviser

4 Incls:

- 1 - BAAC ltr
20 May 45
ref P/3797
- 2 - ltr from Mons. McGeough
- 3 - ltr from Avv.
Odorico Guizzi
- 4 - Release Request

LEGAL SUBMITTAL NO.	
CLO	
DCLO	
Chief Counsel	
CLO	
Legal Section	
CL RKS	
26 MAY 1945	

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Note Petition
filed in rejected
petitions
XJ J. Latella T/f

29 May 45

CI

ROME AREA ALLIED COMMAND
Office of the AG of S, G-2
APO 794, US Army

Ref: E/3787

SUBJECT: BENATI, Alberto

TO : AG of S, G-2(CI)
Allied Force Headquarters
APO 512

JMF/jar
20 May 1945

1. Attached is correspondence received from the Secretariat of State of the Vatican concerning subject. No other information is held by this headquarters.

2. For your information and whatever action you may deem necessary.

- 3 Incls
1 - Letter from Mons.
McGeough
2 - Letter from Avv.
Giovanni Gritti
3 - Release Request.

J. W. Fischer
J. W. FISCHER
Colonel, GSC
AG of S, G-2



DI SUA SANTITÀ

No. 85073/SA

Dal Vaticano, li 18 May 1945

Dear Colonel Fischer:

With further reference to the case of Signor Alberto BERAHA, who was arrested by the Allied Police in Naples, October 6th, 1944, and is now confined in the Prison of Trani, the Secretariat of State has been asked to transmit to the proper authorities the enclosed memorandum, prepared by Avvocato Edoardo Guizzi at the request of Signora Beraha. The memorandum in question draws particular attention to the health condition of Signor Beraha with a view toward obtaining his release on that score.

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With an expression of thanks and with kind regards,
I remain

Very sincerely yours,

Joseph F. McGeough
Monsignor Joseph F. McGeough.

Enclosure 1.

Colonel John W. Fischer
G. 2 R.A.A.C., Rome.

*file*HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

JL/ra.
24 MAY 1945.

SUBJECT : SALVATO Ferdinando.

TO : H.E.I. P. LUCIFERO, Ministro della Real Casa.

The Petition on behalf of the above mentioned Person, forwarded under cover of your letter 5055 of 17 May has now been considered. The Petition is rejected.

*W.L. B. H. R. E. S.*W.L. B. H. R. E. S.
Colonel,
Deputy Chief Legal Advisor.

Incl : 1 Petition.

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HEAD QUARTERS
ALLIED MILITARY GOVERNMENT
ANCONA PROVINCE

Subject: Informal Petition

To: C.L.A. Legal Sub Commission HQQ Alcom = Rome

From: L.O. Ancona

Ref: Anc/11/7

Date: 23 May 1945

LEGAL OFFICE

Ancona

1. Herewith informal petition made by GENTILI Giuseppe and copy of the index card containing all the facts known to me about the case.

LEG-2 SUB COM	
CLO	
DCLO	
Chief Counsel	
CLO	
Religion Section	
C-25	

AWL. FRANKLIN, Major
acting L.O. Ancona



26 MAY 1945

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COPY

ANCONA PROVINCE

11-12-44

No. D1/Anc/408 District ANCONA Judge W.T. BOONE Capt. Date: Ancona

Name GENTILI Giuseppe Address Palestro 13-Solarino 30

CHARGE: Proc. Art. Para. (Italian Code) PLEA N.G.

Proc. Art. Para. () ..

Proc. Art. Para. () ..

FINDING:

SENTENCE:

I G. 4 years + L. 15.000,=

II

III

Prison:

Record fw'd R.H.Q. 18-12-44

REVIEW

Petition received 12-145

Petition forwarded 15-1-45

Decision received 31-1-45

Decision

Conviction and sentence

affirmed 71

P. O. notified

Data as to suspended sentence:

Terms:

Reason:

4663/23

ALLIED COMMISSION
LIAISON OFFICE
BARI

Tel.: 14152

23 May 1945

Subject: Genchi Giuseppe - Case No: BA/SUM/327

Ref : LB/6150

To : C.L.O. Legal Sub-Commission, HQ
Allied Commission.

Herewith petition on behalf of Genchi Giuseppe tried by an Allied Military Summary Court at Bari (no 327) on February 13, 1945 and sentenced to 8 months' reclusion. *Will you please say the date on which he is due for release?*

LEGAL SUBCOMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian	
27 MAY 1945	

S.W. Miller,
S.W. MILLER, Lt. Col.
Allied Commission.
Liaison Officer

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4083/23
✓
file

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMUNE
LEGAL DIVISION
APO 394

I-3028 A

22 May 1945

SUBJECT: Case of CIOFFI Orlando.

TO : HQ., Allied Commission (For Attention
of Legal Sub-Commission).

1. Reference is made to your letter
4083/23/L, 17 May 1945, relative to the above
subject.

2. The only knowledge we have of the circum-
stances in this case is the memory of Lt. Bannò.
Lt. Bannò tried the above mentioned person on 13
February 1945 together with 2 other defendants. At
the time and before sentence was imposed, the claim
of the above mentioned that he was a pauper was
taken into consideration by the court. Those were
the circumstances to which mention was made.

3. All case files, together with their
respective Forms 8 were heretofore forwarded to
your headquarters. We assume the above subject
case file was included therewith.

For the Commissioner:

→
CLO
DCLO
Chief
CFO
FLV/pv
24 MAY 1945

Frank L. Vecchiola
FRANK L. VECCHIOLA,
Major, J.A.G.D.,
Senior Legal Officer. 75

*file*HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION/lrb.
22 May 1945.

AC/4085/23/L.

SUBJECT : CARTELLI Antonio di Vincenzo.

TO : H.E., the Minister of Pardon and Justice.

The above named man confined in the Regina Coeli Prison should be released therefrom on 10 June 1945, the balance of his sentence being cancelled. Will Your Excellency kindly give instructions for him to be released on this date without fail.

W. E. Behrens
W. E. BEHRENS,
Colonel,
Deputy Chief Legal Adviser.

4082/23

HEAD QUARTERS
ALLIED MILITARY GOVERNMENT
ANCONA PROVINCE

Legal

Subject: Petition for review
To: C.L.A. Legal Sub Commission HQ. Alcom = Rome
From: L.O. Ancona
Ref: Anc/11/7
Date: 21 May 1945

LEGAL OFFICE

Ancona

3 reviewed

- 1. Herewith four informal appeals for consideration.

file

HEADQUARTERS
25 MAY 1945
A C

AWL. FRANKLIN, Major
L.O. Ancona

CIC	
DCIC	
Chief Counsel	
CIO	
Refugee Section	
CLKS	
25 MAY 1945	

73

Bertulli Romeo - no record
Gabriellini Pacifico
Paolinelli Riccardo

File

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

JL/rm.
21 May 1945.

AG/4083/23/L.

SUBJECT : CALZOLARI Paolo.

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

Reference the attached petition under cover of the
Minister's letter Ufficio 4 Grazie, Prot. No. 3394/45 of 12 May 45.
forwarded for whatever action you may deem necessary.

By command of Rear Admiral STONE:

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

*inter a float**file*HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AL/4883/25/L.

/rm.
21 May 1945.

SUBJECT : ANGELINI Lucio.

TO : H.E., the Minister of Pardon and Justice.

Would Your Excellency please instruct the Direzione delle Carceri di Parma (Province of Ascoli) to forward to this Sub-Commission the original Mandato di Cattura held in respect of the above named man convicted by an Allied Military Court at Parma on 7 Nov. 1944?

*rm*R.E. DUFFEND,
Colonel,
Deputy Chief Legal Advisor.

vide

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/RM.
21 May 1945.

AC/4083/23/L.

SUBJECT : Petitions for Pardon.

TO : H.E., the Minister of Pardon and Justice.

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

BATTINELLI Salvatore
DE NICOLLO Pasquale

FALVO Antonio
FIORE Antonio

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

W.E. Berrens

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

Incls : 4 Petitions.

70

NAME	SOURCE OF LETTER	FILE	DATE
BATTINELLI Salvatore	Minister C & Justice	3996/45	12 May 45
DE NICOLO' Pasquale	Minister C & Justice	4110/45	12 May 45
FALVO Antonio	Minister C & Justice	4136/45	14 May 45
FIORÉ Pietro	Minister C & Justice	4200/45	15 May 45

The above mentioned letters are returned to Minister of
Grace and Justice with letter 4083/23 of 21 May 1945.

file *file*

HEADQUARTERS ALBANY COMMISSION
APT 394
LEGAL SUB-COMMISSION

/rm.

21 May 1945.

AC/4083/25/L.

OGGETTO : GABRIEL Antonio di Vincenzo.

ALLA : Signora GABRIELI Lea
Via Europa 53ROMA

Ho ricevuto la sua domanda in data 16 maggio u.s. con la quale chiedeva la scarcerazione di suo marito per il 15 giugno 45. per evitare la perdita della sua posizione civile.

Mi faccio noto il carcere ove suo marito e' attualmente detenuto in modo che io possa emanare gli ordini necessari.

Prm

A.E. BERGONE,
Capo Ufficio.
Vice-Capo Ufficio Legale.

68

Alleata Commissione
Lugale. S. C.

Informo la commissione che
Castelli Antonio è detenuto
nel carcere di Regina Coeli.

Ringrazio la gentile commissione
per il loro interessamento e
spero in un buon esito.

Fervente Castelli ben

SCOTOCOMANTONIO LEGALE DELLA COMITAZIONE ALIATA

R O M A

La sottoscritta CARTELLI LA moglie del defunto CARTELLI ANTONIO, domiciliata in Roma Via Strada n. 23, espone a codesto On. Tribunale Alleanza quanto segue:

Il 16 giugno 1944 al marito della sottoscritta venne arrestato ed il 27 successivo fu condannato ad un anno di reclusione per possesso illegittimo di arma da fuoco.

Il Cartelli Antonio, come risulta dai documenti del processo, lavorava alla dipendenza della Direzione d'Artiglieria da circa 25 anni, con la mansione di capo operaio.

Secondo il regolamento, la permanenza di un anno fuori della Direzione d'Artiglieria sarebbe tollerata, qualora se il Cartelli potesse riprendere servizio il 16 giugno, (un anno prima del giorno dell'arresto) potrebbe essere riassunto, mentre se oltrepassasse tale termine, esso verrebbe a trovarsi licenziato e quindi completamente rovinato, essendolo già abbastanza, avendo perduto tutti i suoi beni quale sfollato da Cassino in seguito ad operazioni belliche.

Per tanto la sottoscritta confida nella magnanimità del giudice esaminatore e chiede che il marito CARTELLI **67** Antonio sia messo in libertà entro il giorno 15 giugno p.v. onde possa il 16 stesso, riprendere il suo lavoro.

Si prega che quanto chiesto verrà benevolmente esaminato, ringrazia ed eccelsa.

Cartelli
Antonio

10/108/23/L
REAR ARMS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/rm.
21 May 1963

SUBJECT : MARCELLO M. Alessandro.

TO : Public Safety Sub-Commission.

Reference your 10/14211/15 of 19 May, so many of these applications are received that have no merit in them, that we have not the clerical labour to reply to them all. Our practice is not to reply to those which call for no action, in which class, for your information, falls the application referred to in the enclosure to your letter, which are returned herewith.

W.L. BERGER,
Colonel,
Deputy Chief Legal Advisor.

68

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

JL/rm.
21 May 1945.

SUBJECT : STORNI Antonio and DI STEFANO Pietro.

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

1. Reference the enclosed petition on behalf of STORNI Antonio, under cover of Minister's letter Ufficio 4 Grazie, Prot. 4124/45 of 12 May 45; also the petition on behalf of DI STEFANO Pietro; under cover of Director of Prison of Rome, letter 10047 of 18 May 45.

2. The petitions are forwarded for whatever action you may deem necessary.

By command of Rear Admiral STONE:



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

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/25/L.

/rta.
21 May 1945.

SUBJECT : ANGELICI Lucio.

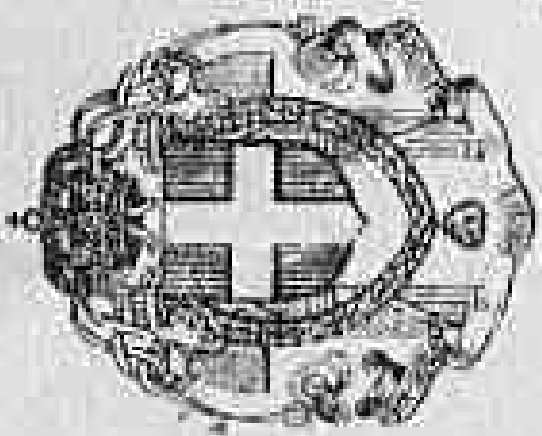
TO : H.E., the Minister of Pardon and Justice.

Would Your Excellency please instruct the Direzione delle Carceri di Fermo (Province of Ascoli) to forward to this Sub-Commission the original Mandato di Cattura held in respect of the above named man convicted by an Allied Military Court at Fermo on 7 Nov. 1944?

*In connection with an informal
petition by the above, it is
attached for per-Subcom's para.
three. Jm*

Smm
S.E. BEURENS,
Colonel,
Deputy Chief Legal Advisor.

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Mod. 1348 MG.

Ministero di Grazia e Giustizia

DIREZIONE GENERALE PER GLI ISTITUTI DI PREVENZIONE E DI PENA

Ufficio VI

Prot. N. 135898/53439

Roma, 29 MAG 1945

Alla Direzione delle carceri giudiziarie di Fermo

e per conoscenza:

Alla Commissione Allesta - sottocommissione Legale

ROMA

OGGETTO: Detenuto Angelici Lucio.

La Commissione Allesta sottocommissione Legale, chiede quanto espresso:

" Si prega l'E.V. di voler impartire istruzioni alle Direzioni delle carceri di Fermo (Provincia di Ascoli) di trasmettere a questa Sottocommissione il mandato di cattura originale spiccato a carico della persona suindicata, dichiarata colpevole da un Tribunale Militare Alleato a Fermo, il 7 novembre 1944. F/to per il Col. W.E. Behrens."

Si prega di provvedere in conformità, assicurando.

LEGAL SUB.COMMISSION	D'ordine del Ministro
CIO	
DCIO	
Chief Clerk	
CIO	
Italian Section	

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DIREZIONE GENERALE PER GLI ISTITUTI DI PREVENZIONE E DI PEN

Ufficio VI

Prot.N.135898/53439

Roma, 29 MAG 1945

Alla Direzione delle carceri giudiziarie di Fermo

e per conoscenza:

Alla Commissione Alleata - sottocommissione Legale

ROMA

OGGETTO: Detenuto Angelici Lucio.

La Commissione Alleata sottocommissione Legale, chiede quanto appresso:

" Si prega l'E.V. di voler impartire istruzioni alla Direzione delle carceri di Fermo (Provincia di Ascoli) di trasmettere a questa Sottocommissione il mandato di cattura originale spiccato a carico della persona suindicata, dichiarata colpevole da un Tribunale Militare Alleato a Fermo, il 7 novembre 1944. F/to per il Col. W.E. Behrens."

Si prega di provvedere in conformità, assicurando.

63

LEGAL SUBCOMMISSION		Bordine del Ministro	
CIO			
DCIO			
Chas			
CIO			
Italian			
CL RKS			

→

On.le COMMISSIONE ALLEATA PER L'ITALIA

SOTTO-COMMISSIONE LEGALE - ROMA -

Il sottoscritto avv. Angelici Enzo, dom.to in Roma
a via Savoia n.72, nell'interesse del cugino Angelici
Lucio, residente in Fermo e attualmente detenuto nelle
carceri della stessa Fermo (Assedi Piceno), si presta
a esporre quanto segue:

In data 5 novembre 1944 il giovane Lucio Angelici,
di anni 25, mentre transitava per Fano (Prov. di Pesaro-
ro) su di un camion allente, veniva arrestato dalle
Polizia Inglese per violazione del coprifuoco, mancanza
di permesso e detenzione abusiva di merce allestite.

Veniva immediatamente processato nella stessa città
di Fano e con sentenza in data 7 novembre 1944 veniva
condannato alla pena complessiva di un anno di reclusione.

Tale sentenza veniva quindi confermata dalla Corte
Allente di Aquila.

Successivamente l'Angelice Lucio che intanto era stato
assegnato alle carceri di Fermo, ove risiede la sua
famiglia, si rivolgeva alle Autorità Allente di Aquila
per ottenere la grazia o quanto meno un condono parziale
della pena, esponendo i seguenti motivi:
egli ha commesso i reati per cui è stato condannato

Lucio, residente in Fermo e attualmente detenuto nelle carceri della stessa Fermo (Ascoli Piceno), si presta esporre quanto segue:

In data 5 novembre 1944 il giovane Lucio Angelici, di anni 25, mentre transitava per Fano (prov. di Pesaro) su di un camion alleato, veniva arrestato dalla Polizia Inglese per violazione del coprifuoco, mancanza di permesso e detenzione abusiva di merce alleata.

Veniva immediatamente processato nella stessa città di Fano e con sentenza in data 7 novembre 1944 veniva condannato alla pena complessiva di un anno di reclusione.

Tale sentenza veniva quindi confermata dalla Corte d'Appello di Aquila.

Successivamente l'Angelico Lucio che intanto era stato assegnato alle carceri di Fermo, ove risiede la sua famiglia, si rivolgeva alle Autorità Alleate di Aquila per ottenere la grazia o quanto meno un condono parziale della pena, esponendo i seguenti motivi:

a) egli ha commesso i reati per cui è stato condannato in piena buona fede, essendosi accompagnato con dei mi-

litari Canadesei che lo avevano assicurato di non poter
cunarsi né col permesso né del coprifuoco;

b) la merce Alleata trovata presso di lui-di mefesto
valore-non era affatto sua, appartenendo ad altri che
viaggiavano col camion;

c) l'Angelici ha dimostrata con documenti di essere
stato partigiano. di aver prestato la sua opera per la
causa Alleata e di aver effettuato per tale causa il
viaggio durante il quale è stato arrestato;

d) egli aveva sposato appena una settimana prima di
essere stato arrestato, e da allora ha dovuto lasciare
privi di ogni aiuto e sostegno sia la propria moglie
sia i propri genitori, residenti in Fermo (Borgo Diaz

r.5)-

A tale istanza peraltro l'Angelici non ricevute
alcuna risposta; ed essendo ora venuto a conoscenza
che gli incartamenti già esistenti ad Aquila si tro=
verebbero attualmente a Roma il sottoscritto si rivol=
ge a codesta On.le Commissione perchè voglia prendere
in benevolo esame l'istanza e predetta-

Se del caso si potrà considerare la presente come
nuova istanza; e in tale ipotesi si rinnova vive pro=
ghiera perchè la pena inflitta al giovane Angelici
Lucio-giusta sentenza della Corte Alleata di Fano

... 1944, con sentenza della Corte di

viaggiavano col camion;

e) l'Angelici ha dimostrata con documenti di essere stato partigiano, di aver prestato la sua opera per la causa Alleata e di aver effettuato per tale causa il viaggio durante il quale è stato arrestato;

d) egli aveva sposato, appena una settimana prima di essere stato arrestato, e da allora ha dovuto lasciare i suoi cari aiuto e sostegno sia la propria moglie sia i propri genitori, residenti in Terzo (Borso Diaz n.5)-

A tale istanza peraltro l'Angelici non ^{ha} risovuta alcuna risposta; ed essendo ora venuto a conoscenza che egli incertamente si è esistenti ad Aquila si troverebbero attualmente a Roma il sottoscritto si rivolge a codesta On.le Commissione perchè voglia prendere in benevolo esame l'istanza a premetta.

Se del caso si potrà considerare la presente come nuova istanza; e in tale ipotesi si rinnova viva prechiera perchè la pena inflitta al giovane Angelici Lucio-Giusta sentenza della Corte Alleata di Tano in data 7 novembre 1944; confermata dalla Corte di

Aquila-venne graziata oppure totalmente o parzialmente
te condannata per la ragione precedentemente esposta;
considerando anche che l'Angelici ha già scontato
oltre 6 mesi di carcere e cioè più della metà della
pena, mantenendo sempre un'esemplare condotta.

Nell'occasione si fa anche presente che, mentre in
udienza l'Angelici fu informato di essere stato con-
dannato alla pena ~~complessiva~~ di un anno, della cella
esistente presso le carceri di Tiro e di ⁴fermo risulta
invece una pena di un anno, 3 mesi 7 giorni. Si pre-
senta di voler questo nero notificare, sia al sotto-
scritto sia alla Direzione delle Carceri di Parma. L'o-
ggetto ammontare della pena.

Si confida peraltro in un cordono totale delle resi-
dua pena: con tanta maggior speranza nella benignità
e celerità di cedere Or. le Commissione, dopo la fol-
gorante vittoria delle Armi Alleate in tutta l'Europa.
Il sottoscritto avverte confida in ogni caso in un
cortese cenno di riscontro.

Con i sensi del più alto ossequio

61

Roma, 16-5-1945

Prof. Enzo Angelici

IL VESCOVO DI PISOLE

Your Excellency,

Knowing Your great kindness I take the liberty to recommend to you Captain UBERTO CAVALLARO, resident in Florence, who was condemned to 7 years imprisonment by Corte Regionale of Florence on November 25th 1944.

He was not able to clear himself or show his innocence before the Judges, and although the results of the sentence of the process were declared against him & the sentence seemed just, he holds that he is innocent of the crime computed to him.

He has now advanced instance of grace to Governo Militare Alleato in Roma and his demand has been sent directly and with favorable approval by Brig. General Hume.

I can testify that Captain U. Cavallaro is a man of proved rectitude, exemplary honesty of good religious and civil principles and I hold him deserving of consideration.

I should be exceedingly grateful if you would use your high authority to restore him to his sorrowing family.

I am Excellency yours respectfully and gratefully

Pissole 20th May 1945

/s/ Giovanni Giorgis
Vescovo di Pissole

His Excellency
MYRON TAYLOR
Personal Representative
of the President of U.S.
to His Holiness the Pope
Rome

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file

HEADQUARTERS ALLIED COMMISSION
APC 394
LEGAL SUB-COMMISSION

AC/4033/23/L.

/rm.
19 May 1945.

SUBJECT : Liberta' condizionale.

TO : Provincial Commissioner (attn. Senior Legal Officer), NAPLES Commune.

Reference the attached papers, the applications are refused. Will you please inform Dott. BONAMI that Liberaazione condizionale is not applicable to sentences by APC Courts, and it is therefore no use sending up these applications.

By command of Rear Admiral STONE:

W.E. Gehrens

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

[Handwritten mark]

NAME	SOURCE OF LETTER	FILE	DATE	
MAISTO	Raffaele	Carceri Giudiziarie di Napoli	6944	1 May 45
JENCO	Luigi	idem	6945	1 May 45
IMPROTA	Giovanni	idem	6941	1 May 45
CALISE	Francesco	idem	6948	1 May 45
VENNITTI	Bartolo	idem	6942	1 May 45
BARBATO	Francesco	idem	6946	1 May 45
BUSTAFFA	Dino	idem	7222	4 May 45
BERTUCELLI	Danilo	idem	6943	1 May 45
TESIO	Antonio	idem	6947	1 May 45
VIAGGI	Cesare	idem	6949	1 May 45

The above mentioned letters are returned to Provincial
Commissioner NAPLES Comune with letter 4083/23/L of
19 May 45.

4083/23

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

file

1-3028

19 May 1945

SUBJECT: CAPOZZOLI Pasquale.

TO : HQ., Allied Commission (For Attention
of Legal Sub-Commission)

1. Reference is made to your communication
AC/4083/23/L, GMW/jpl, 10 May 1945, relative to
the above subject.

2. The accused was sentenced on 11 June •
1944 to one year imprisonment and 20,000 lire
fine. Therefore, in accordance with your instruc-
tion the accused will be released on the expira-
tion of the substantive sentence.

57

3. We have no other information about this
case.

For the Commissioner:

UIC	JB
CIO	
DCIO	
CMC Counsel	
CCB/PV	
IO	
Inspection Section	
CL RKS	
20 MAY 1945	

Frank L. Vecchiola
FRANK L. VECCHIOLIA, by 663
Major, J.A.G.D.,
Senior Legal Officer.

*file*HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

/rm.
19 May 1945.

SUBJECT : Petitions for Pardon.

TO : H.E., the Minister of Pardon and Justice.

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

FIGIELLO	Emanuele
MARANGIO	Frances

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

*W.E. Derrand*W.E. DERRAND,
Colonel,
Deputy Chief Legal Advisor.

Encs : 2 petitions.

NAME	SOURCE OF LETTER	FILE	DATE
FIGRELLO Emanuele	Minister of Grace & J.	4081/45	8 May 1945
MARANGIO Francesco	Minister of Grace & J.	4068/45	8 May 1945

Above mentioned letters returned to Minister of Grace and Justice
on 19 May 45 with letter 4083/23/L of 19 May 45.

file

HEADQUARTERS ALLIED COMMISSION
APO 34
LEGAL SUB-COMMISSION

AC/4033/73/L.

/rm.
19 May 1945.

SUBJECT : Petitions for Pardon.

To : H.M., the Minister of Pardon and Justice.

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

CHIRICO	Pietro	LO VITTO	Antonino
ONAVIATI	Francesco	PANTALEONE	Silverio
VITTOZZI		Luigi	

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

W.E.

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

Inc. 5 : 5 Petitions.

NAME	SOURCE OF LETTER	FILE	DATE	
CHIRICO	Pietro	Minister of P & Justice	4106/45	12 May 45
GHAVOLATI	Francesco	Minister of Pardon and Jus.	8100	15 May 45
LO VEISO	Antonino	Minister of Pardon and Jus.	8102/45	15 May 45
PANTALEONE	Silverio	Minister of Pardon and Jus.	8105/45	15 May 45
VITTOZZI	Luigi	Minister of Pardon and Jus.		14 May 45

The above mentioned letters are returned to the Minister of Pardon and Justice with letter 483/23 of 19 May 45.

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

/rm.
19 May 1945.

SUBJECT : Raffaele CAPRINO of Naples.

TO : Captain E.N. BLACKLOCK
HQ EMILIA Region.

Your letter with regard to the above has been received and I will as you suggest get in touch with Lieut. FELDMAN through Toscana Region. Can you please return to me the copy of the affidavit of Avvocato SERA enclosed with my previous letter, as by a mistake here no copy was retained, the original document forwarded by the Avvocato was sent on to you.

By command of Rear Admiral STONE:

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

file

HEADQUARTERS ALLIED COMMISSION
LNO 594
ROYAL CANADIAN MOUNTED POLICE

AC/ACB/23/1.

ACB/at.
18 May 1945.

SUBJECT : Case of RUSSE, Gennaro, Su Giuseppe.

TO : H. R. The Minister of Pardon and Justice.

1. The above mentioned is detained at Colonia Penale di Castiades serving a sentence of two years imprisonment imposed by Allied Military Court, S. Maria C.V. on 1 May 1944.

2. On reconsideration of his case it has been decided to suspend the balance of the sentence and he is to be released immediately.

3. Will Your Excellency kindly give the necessary instructions to have the above decisions carried into effect.

Power

V. E. REIDEN,
Colonel,
Deputy Chief Legal Advisor.

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45

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/ACB3/23/L

AGW/at.
18 May 1945.

SUBJECT : Case of PANIERA Domenico.

TO : H. R. The Minister of War and Justice.

1. Reference is made to Your Excellency's letter 98046/919784.
2. PANIERA Domenico was tried and sentenced by Allied Military Court in Rome on 23 Aug 1944 to serve a sentence of two years imprisonment.
3. The decision having been confirmed on appeal on 17 Sept 1944 is res judicata as from the date when passed i.e. 23 Aug 1944.

see ACC/14222/PS
Letter 98046/919784

of 25 Apr. 45.
folio - 54 A

(A. P. G.)
W. F. BARRIS,
Colonel,
Deputy Chief Legal Advisor. 50

file
HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

JL/mt.
18 May 1945.

AG/4083/23/L.

SUBJECT : PARISI Francesco.

TO : H. E. The Minister della Real Casa. Leg.

1. Reference your letter 4612 of 11 May 1945.
2. The petition submitted on behalf of PARISI Francesco has been considered and it contains no reasons in fact or in law which would warrant granting of clemency. The Petition is denied.

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

4083/23



IL MINISTRO DELLA REAL CASA

Roma, li 17 maggio 1945

3085

file

On.le Sottocommissione Legale
della Commissione Alleata

R O M A

- Via Veneto -

- 1 -

Secondo le intenzioni di S.A.R. il Luogotenente Generale del Regno, segnalo a codesta On. Sottocommissione, per il miglior conto che - nei limiti del giusto e del possibile - crederà di farne, l'acclusa istanza con la quale tale Salvatore Alfredo da Castellammare di Stabia (Napoli) invoca il patrocinio di Sua Altezza Reale in favore del figlio Ferdinando condannato a 3 anni di reclusione dal locale Tribunale militare alleato.

Con anticipate grazie e con la migliore considerazione.

Lucifero

F. Lucifero
(Ministro della Real Casa)

48

43

0 4088/23

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

17 May 1945

SUBJECT: Petitions for Pardon.

TO : HQ., Allied Commission (For Attention
of Legal Sub-Commission)

1. There are transmitted herewith the following applications for pardon:

GITI Alvano
RAFFONE Catello
ZAFFINA Pietro
LISI Emilio
BUCCOLO Giovanni.
Nasti Giuseppe.

To Sgt. Catello

For the Commission

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, *by the*
Major, J.A.G.D.,
Senior Legal Officer.

X3

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

1083/23/L.

/mt.
17 May 1945.

SUBJECT : Case of CIOFFI Orlando.

TO : Provincial Commissioner NAPLES Command (for Senior Legal Officer).

TO :
I have received your letter L - 3628 of 14 May relative to the above.
In the first sentence of para 3 your state that the sentence appears reasonable
under the circumstances. *Can* you *tell* me what the circumstances were?
I have no knowledge of them.

By command of Rear Admiral STONE:

pmw.
W. E. REHRMAN,
Colonel,
Deputy Chief Legal Advisor.

4083/23

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

INTER-OFFICE MEMO

Tel : 478709
15 May, 1945.

TO : Legal Sub-Commission.

DI BATTISTA

Attached appeal, relating to a prisoner sentenced by an Allied Court, is passed to you for any action deemed necessary.

*Not placed
in desk yet.
Submitted 17 Nov 45
1/4*

RYT/G.

John W. Chapman, Capt.
JOHN W. CHAPMAN
Colonel, J.A.C.D.
Director Public Safety
Sub-Commission.

*Health & compassionate
grounds only.
Original sentence severe: 15 years
but reduced to 5 months.*

file

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CLERKS	

16 MAY 1945

45

*file**4083/23 ✓*

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-3020

15 May 1945

SUBJECT: RUSSO Gennaro.

TO : HQ., Allied Commission (For Attention of
Legal Sub-Commission)

1. Reference is made to your letter AC/4083/23/L,
10 May 1945, relative to the above subject.

2. This matter was tried in the A.M.G. Courts
of S. Maria G.V. All files have been forwarded to your
office and, therefore, we have no information whatso-
ever at this HQ. However, we feel, under the circum-
stances that prisoner should be given the benefit of
the doubt and released.

For the Commissioner:

HQ. SUB-COMMISSION	
CLO	
DCLO	
COB/pv	
CIO	
Italian Section	
CL RKS	

Frank L. Vecchiolla
FRANK L. VECCHIOLLA,
Major, J.A.G.D.,
Senior Legal Officer.

16 MAY 1945

15

0 4083/23 ✓
 HEADQUARTERS
 ALLIED MILITARY GOVERNMENT
 NAPLES COMBUNE
 LEGAL DIVISION
 APO 394

15 May 1945

SUBJECT: Petitions for Pardon.

TO : HQ., Allied Commission (For Attention of
 Legal Sub-Commission)

1. There are transmitted herewith the following
 applications for pardon:

- 1) FERRARA Francesco
- 2) DE GIORGIO Vincenzo.

2) Forms 6 in these cases have been forwarded
 to your HQ.

For the Commissioner:

LEG. SUB. COMMISSION	
CLO	
DELO	
Chief Counsel	
CID	
Italian Section	
CLERKS	
16 MAY 1945	

Frank L. Vecchiolla
 FRANK L. VECCHIOLLA,
 Major, J.A.G.D.,
 Senior Legal Officer.

4083/230
HEAD QUARTERS
ALLIED MILITARY GOVERNMENT
ANCONA PROVINCE

Subject: Informal Petition

To: C.I.A. Legal Sub-Commission HQ. Alcom - Rome

From: L.A. Ancona

LEGAL OFFICE

Ref: Ans/11/13/3/D 4

Date: 14 May 1945

Ancona

1. Forwarded herewith is Informal Petition received from FABRIZI Giulio.

2. This man was convicted at SENIGALLIA on 8/3/45 on 2 charges under Proc. 1, Art. 5, Para 27 and sentenced to 6 months imprisonment.

3. Conviction and sentence were duly affirmed by R.L.O., Region 5.

4. In view of the facts set out in petition, it is submitted that in present circumstances it would be proper to commute the balance of the sentence into a substantial fine.

J.A. Boyd Carpenter
J.A. BOYD CARPENTER
Major L.A. Ancona

42

18 MAY 1945

File

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/4083/23/L.

JL/Lc.
14 May 1945.

SUBJECT : Goffri Salvatore di Pasquale.

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

1. Reference this H.Q. letter, 4083/23/L. of 2 April, on the above subject.

2. This Sub-Commission has been informed that the prisoner is yet uninformed of the reduction of sentence. He is imprisoned in Regina Coeli prison.

3. Will Your Excellency please be good enough to issue the necessary instructions, so that the decision reached on 2 April 1945 (4083/23/L.) be put into effect, and the accused notified of the result.

W. E. B.

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

4083/23 ✓

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-3028

14 May 1945

SUBJECT: Case of GIOFFI Orlando.

TO : HQ., Allied Commission (For Attention of
Legal Sub -Commission)

1. Reference is made to your communication
AG/4083/23/L, 10 May 1945, relative to the above
subject.

2. The sentence in the above matter was: "3
months imprisonment and 50,000 lire fine or 6 months
imprisonment in default of payment thereof."

3. The attached pauper's certificate to the
petition, would indicate that defendant is in poor
financial condition. However, it would seem that
the sentence was reasonable under the circumstances.

4. Petition is returned herewith.

For the Commissioner:

LEGAL SUB COMMISSION	
CIO	
DCIO	
Chief Counsel	
CIO COB/pv	
Relief	
CIO	

Frank L. Vecchiolla
FRANK L. VECCHIOLLA,
Major, J.A.G.D.,
Senior Legal Officer.

15 MAY 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

/rm.
14 May 1945.

SUBJECT : Petitions for Clemency.

TO : H.E., the Minister of Pardon and Justice.

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

LONGHITANO	Giuseppe
PIRRACCHIO	Francesco
PORCELLI	Nicola

VALINETTA	Domenico
-----------	----------

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

W.E. BEHRENS,

Colonel,
Deputy Chief Legal Advisor.

Incls: 4 Petitions.

483/23

NAME	SOURCE OF LETTER	FILE	DATE
PORCELLI Nicola	Min. G & Justice	8081/45	4 May 45
PIRRACCHIO Francesco	Min. G & Jus.	8036/45	8 May 45
LONGHITANO Giuseppe	Direzione della Casa di Reclusione di Noto.	1879-3-1- -9299	20 Apr. 45
VALLETTA Domenico	Min. G & Justice	27772/43	4 May 45

Above mentioned letters returned to Minister
of Grace and Justice on 14 May 45 with letter
AC/4083/23/L of 14 May 45

+3

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

/rm.
14 May 1945.

SUBJECT : Case of MADONIA Antonino.

TO : A.C. Liaison Officer
c/o Naval Ops. Base, PALERMO.

1. The enclosed petition on behalf of the above named with medical certificates attached is based purely on grounds of ill health. It is therefore to be dealt with under the provisions of the appropriate Prison Regulations as recently agreed between the Italian Government and this Sub-Commission.

2. The agreement is that persons detained under sentence of A.M. Courts will in the event of sickness be entitled to exactly the same treatment as persons sentenced by Italian Courts. The Ministry of Pardon and Justice sent out a circular last month to all Prison Authorities calling their attention to the relevant regulations.

By command of Rear Admiral STONE:

Incl. : 1 Petition.

W.F. Behrens
W.F. BEHRENS,
Colonel,
Deputy Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

GMW/lc.
13 May 1945

AC/4083/23/L.

SUBJECT : Di Maiolo Michele and others.
TO : Provincial Commissioner NAPLES for SLO.

1. Reference my previous letter of 24 April 1945, reference as above, and your reply L-3028 of 10th inst., the file is returned herewith.

2. The order of the Court should have been carried out at the time it was made. - Please arrange to have the payments made now and the payee's receipts placed with the Record before it is returned here for filing. The matter had better be cleared up at once and for all now, otherwise similar claims will keep on being presented at varying intervals.

By command of Rear Admiral STONE :

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

36

file
75

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

/rm.
12 May 1945.

SUBJECT : Case of ALFA Angelo.

TO : H.P., the Minister of Pardon and Justice.

1. The above named was tried at Palermo on 4 Jan. 44 for possession of arms and sentenced to 2 years imprisonment. It is understood that he is detained in the Carcere Giudiziario Palermo.

2. On reconsidering his case it has been decided to suspend the balance of the sentence and ALFA Angelo is to be released immediately.

3. Will Your Excellency kindly give the necessary instructions to carry the above decision into effect.

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

4083/23

✓
HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

12 May 1945

SUBJECT: Petitions for Pardon.

TO : HQ., Allied Commission (For Attention of
Legal Sub-Commission)

1. There are transmitted herewith the following applications for pardon:

- 1) ANTIMO Esposito ✓
- 2) DI PINIZIO Giovanni ✓
- 3) CTRANTO Vincenzo ✓
- 4) D'ANGELO Nicodemo ✓
- 5) ROSSOMANICO Cesare ✓
- 6) ADAMO Vincenzo ✓
- 7) VITTI Mario and VITTI Ettore ✓

Ref
Refer
to file
off.

2. Forms 8 in these cases have been forwarded to your HQ.

For the Commissioner:

LEGAL DIVISION	
CLO	
DCLO	
Chief Counsel	
CIO	
Italian Section	
CL RKS	
1.3.4.5.6.7.8.9.10.11.12.13.14.15.16.17.18.19.20.21.22.23.24.25.26.27.28.29.30.31.32.33.34.35.36.37.38.39.40.41.42.43.44.45.46.47.48.49.50.51.52.53.54.55.56.57.58.59.60.61.62.63.64.65.66.67.68.69.70.71.72.73.74.75.76.77.78.79.80.81.82.83.84.85.86.87.88.89.90.91.92.93.94.95.96.97.98.99.100.	

Frank L. Vecchiola
FRANK L. VECCHIOLIA,
Major, J.A.G.D.,
Senior Legal Officer.

by 3.6.45

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

fill
AC/4083/23/L.

/rm.
12 May 1945.

SUBJECT : Case of ZAGARIO Vincenzo di Francesco.
TO : H.E., the Minister of Grace and Justice.

1. On reconsideration of the case of the above named the sentence of 3 years passed upon him by AM Court at Aversa on 30 Mar. 44 has been reduced to 18 months. The above named will accordingly be released on the 17 Sept. 45.

2. Will Your Excellency kindly give necessary instructions for the above decision to be carried into effect. The above named is detained in the "Sezione Carceraria del Manicomio Giudiziario di Aversa".

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

4083/23 ✓

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

12 May 1945

SUBJECT: Case of MARONE Carlo.

TO : HQ., Allied Commission, (For Attention of
Legal Sub-Commission)

1. There is transmitted herewith application
in the case of the above subject.

2. In this case Form 8 has been forwarded to
your HQ.

For the Commissioner:

LEGAL SUBCOMMISSION	
CLO	
DCLO	
Chief Counsel	
CID	
Italian Section	
CL RKS	
12 MAY 1945	

Frank L. Vecchiolla
FRANK L. VECCHIOLLA,
Major, J.A.G.D.,
Senior Legal Officer..

32

file

C O P Y

file 4085/23

HEADQUARTERS
FLORENCE PROVINCE
ALLIED MILITARY GOVERNMENT

12 May 1945.

FL/1

SUBJECT : Reviews

TO : H.L.O. HQ., Toscana Region.

1. I am forwarding herewith communication from the Direttore delle Carceri and accompanying papers recommending that some reduction in sentence be made in the prison terms of the prisoners mentioned because of their exemplary conduct during the recent prison break.

2. I add my own recommendation in that there be a substantial reduction in the prison terms of each of these accused.

(sgd) HENRY L. GLENN, Major, JAGD,
P.L.O.

HLG/FV
Encl.

RVIII/19/3008

lst. Ind.

JKW/eg.
9 June 45

Regional Legal Office, Headquarters Toscana Region, AMG -
TO : Legal Sub-Commission, Headquarters, A.C.

1. There is enclosed herewith the record of trial in the case of PATRIARCHI Renato, et al. It is the unanimous opinion of the review section of this office that the penalty inflicted by Major Beniet may well be re examined because

(a) not in reasonable uniformity with sentences commensurate with the prevalence of any particular type of crime and commensurate with the particular crime itself (See Executive Memo 18, par 10) and, .

(b) we are in accord with the recommendation made by the prison director occasioned by the exemplary conduct of this accused during the recent prison break.

2. A reduction in the prison term is recommended in the PATRIARCHI Case.

3. Please return the prison director's letter to this office.

For the Regional Commissioner:

(Sgd) JOHN K. WEBER,
Colonel, Infantry,
Regional Legal Officer.

in sentence be made in the prison terms of the prisoners mentioned because of their exemplary conduct during the recent prison break.

2. I add my own recommendation in that there be a substantial reduction in the prison terms of each of these accused.

HLG/FV
Encl.

(sgd) HENRY L. GLENN, Major, JAGD,
F.L.O.

HVILL/19/3008

lst. Ind.

JKN/eg.
9 June 45

Regional Legal Office, Headquarters Toscana Region, AMU -
TO : Legal Sub-Commission, Headquarters, A.C.

1. There is enclosed herewith the record of trial in the case of PATRIARCHI Renato, et al. It is the unanimous opinion of the review section of this office that the penalty inflicted by Major Basset may well be re examined because

(a) not in reasonable uniformity with sentences commensurate with the prevalence of any particular type of crime and commensurate with the particular crime itself (See Executive Memo 18, par 10) and,

(b) we are in accord with the recommendation made by the prison director occasioned by the exemplary conduct of this accused during the recent prison break.

31

2. A reduction in the prison term is recommended in the PATRIARCHI Case.

3. Please return the prison director's letter to this office.

For the Regional Commissioner:

(Sgd) JOHN A. WEBER,
Colonel, Infantry,
Regional Legal Officer.

II Endorsement

TO : R.L.O. Toscana Region.

Reference your remarks on reverse, the sentence on PATRIARCHI Renato is reduced to 2½ years on each charge, to be served concurrently. It is as urged that you are dealing with the cases of other accused who also assisted the prison authorities.

(Sgd) G.M. WELSFORD,
Lt. Colonel,
Chief Judicial Officer,
for Chief Commissioner AC

12 June 1945.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

/ra.
12 May 1945.

SUBJECT : Appeals.

TO : Liaison Officer Eastern Italy

C-A-T-A-N-I-A

1. Receipt is acknowledged of your letter of 4 May 45 enclosing appeals as follows:

- a) SALME' Carlo. Innumerable petitions have been received on his behalf and were all devoid of merit. His state of health is a question governed by Prison Regulations.
- b) BURGALETTA Carmelo di Salvatore
ROSSITTO Sebastiano fu Sebastiano
ROSSITTO Sebastiano di Paolo
This was obviously a serious case and the sentence having been reduced once already, no further reduction is necessary.
- c) DI GUARDO Carzelo di Salvatore. This appears to have been a decision of an Italian not of an AMG Court.

2. Owing to the very large number of Petitions received, mostly devoid of merit, no action is or will be taken when the Petition is devoid of merit. In the rare cases where action is to be taken this HQ will do so through the Italian Ministry of Prison and Justice in Rome.

30.

3. Regarding petitions on grounds of ill-health, the position has recently been clarified and it has been agreed between this HQ and the Italian Government that

- 2 -

persons sentenced by AMG Courts will in the event of illness be dealt with exactly as if sentenced by Italian Courts. The Italian Government accordingly sent a circular letter to that effect to all Prison Authorities directing their attention to the relevant regulations.

Therefore Petitions based solely on grounds of ill health will not be considered by and should not be forwarded to this HQ.

By command of Rear Admiral STONE:

W.E.

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

22 29

4083/23



IL MINISTRO DELLA REAL CASA

Roma, 11 11 maggio 1945

4612

On.le Sottocommissione Legale
della Commissione Alleata

R O M A

- Via Veneto -

- 3 -

Secondo le intenzioni di S.A.R. il Luogotenente Generale del Regno, segnavo a codesta On.Sottocommissione, per il miglior conto che - nei limiti del giusto e del possibile - crederà di farne, l'acclusa istanza con la quale tale Parisi Regina, da Valenzano (Bari) invoca il patrocinio di Sua Altezza Reale in favore del marito Parisi Francesco condannato a diciotto mesi di reclusione dal Tribunale militare alleato di Bari.

Con anticipate grazie e con la migliore considerazione.

28

F. Lucifero
(Ministro della Real Casa)

file

13/

No

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/4083/23/L.

/rm.
11 May 1945.

SUBJECT : Case of CANCELLLO Raffaella
PAPARO Vincenzo
CHIAROLANZA Pasquale
FLAGIELLO Domenico
PRESTIERI Tommaso

TO : Provincial Commissioner (attn. Senior
Legal Officer), Naples Commune.

1. Returned herewith are the petitions submitted
on behalf of the above and transmitted under cover of
your letter dated 7 May 45.

2. The petitions are rejected.

By command of Rear Admiral STONE:

W.F. Behrens
W.F. BEHRENS,
Colonel, 27
Deputy Chief Legal Advisor.

X5

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/403/25/L.

/rs.
10 May 1945.

SUBJECT : FLAMINIO Luigi fu Francesco.

TO : Provincial Commissioner (attn. Senior
Legal Officer), AMG Naples Command.

At request of Lt. Col. Guy S. CLAIRE we
enclose the record in the above case. Will you please
return the record with the informal petition received by
Lt. Col. CLAIRE together with his and your recommendations
and it will be dealt with in this office.

By command of Rear Admiral STONE:

W.E. BEARNS
W.E. BEARNS,
Colonel,
Deputy Chief Legal Adviser.

Incl: 1 Record.

file

HEADQUARTERS ALLIED COMMISSION
APO 394
Legal Sub Commission

GAW/jpl

AG/4083/23/L

10 May 45

Subject: CAPOZZOLI Pasquale

To : Provincial Commissioner (att. Senior Legal Officer) Naples Commune.

Reference the attached form No. 11 and enclosures thereto. Can you check from any records at Naples whether the details as to sentence and Court are correct, ^{as} if so, the default sentence was in excess of the Summary Court jurisdiction and the accused should be released on expiration of the substantive sentence. Please give any other information you can about this case.

By Command of Rear Admiral Stone.

W.E.
W.E. BEHRNS
Colonel
Deputy Chief Legal Advisor.

Enclosed: form 11 and
all'd papers.

File

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

/rm.
10 May 1945.

SUBJECT : RUSSO Gennaro.

TO : Provincial Commissioner (attn. Senior
Legal Officer), Naples Commune.

1. Reference attached application, can you check from any records at Naples whether the accused's sole offence was possession of a shot-gun, without aggravating circumstances of any kind, in which case he should be released forthwith which you are authorised to arrange.

2. If on the other hand the facts are not correctly set out, will you please supply any information in your possession for our records here. In any event please report what action you have taken and return the petition.

By command of Rear Admiral BTONE:

Rm. L.
F.F. BRENNES,
Colonel,
Deputy Chief Legal Advisor.

Incls : Minister letter
3203/45 of 2 May 45,
and 1 Petition.

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/ra.
10 May 1945.

AG/4083/23/L.

SUBJECT : Raffaele CAPICCI of Naples.

TO : Captain E. BLACKLOCK, HQ Italia Region.

1. An application has been received from Avvocato SERA Giuseppe, on behalf of the above mentioned man, claiming the return of 157,130 lire in circumstances set out in an affidavit made by him, a copy of which is enclosed.

2. It has not been possible to trace the record of this case: can you give me any information with regard to the facts - what orders were made with regard to this sum - confirmation if possible of the amount - what became of it, - and any other details which may help to dispose of this claim.

3. Do you know where Lt. FRIMANN, who apparently prosecuted, is now located?

By command of Rear Admiral STONE.

2 Encls: Att'y Serra's
letter of 25 Apr. 45

Copy of Affidavit.

From
W.E. BERNARD,
Colonel,
Deputy Chief Legal Advisor.

+5

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/rm.

10 May 1945.

AC/4883/23/L.

SUBJECT : Case of CIOFFI Orlando.

TO : Provincial Commissioner (for Senior Legal Officer),
AND Naples Commune.

1. With reference to the attached informal petition, can you give any information with regard to this case from any records which may have been retained in your office or in the Prosecution office in the Courts? In particular can you state what sentence, was imposed in default of payment of the fine, and can you obtain any information as to the financial position of the accused and his occupation? It has not been possible to trace the record of the case here.

By command of Rear Admiral STONE:

Stone
S. E. DERRICK,
Colonel,
Deputy Chief Legal Adviser.

22

45
B. F.
21 May 45

4083/23 ✓
HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-3028

10 May 1945

SUBJECT: Case of DIMAICLO Michele and others.

TO : HQ., Allied Commission (For Attention of
Legal Sub-Commission)

1. Reference is made to your communication
AC/4083/23/L, 24 April 1943, relative to the
above subject.

2. In accordance with your request,
certified true copy of receipt is herewith enclosed.

3. The Allied Finance Agency advises us that
no part of these funds have been paid over to any
of the defendants.

4. Entire file is returned herewith.

For the Commissioner:

file
→
75

LEG
CLO
DOLO
Ch
CCB/pv

21
Frank L. Vecchiolla
FRANK L. VECCHIOLLA, by 663
Major, J.A.G.D.,
Senior Legal Officer.

12 MAY 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

JL /rm.
10 May 1945.

SUBJECT : Case of LELLI Aldo and ESPOSITO Gennaro.
TO : Provincial Commissioner (attn. Senior
Legal Officer), ARE Naples Commune.

1. Returned herewith are the petitions submitted
on behalf of the above and transmitted under cover of
your letter dated 4 May 45.

2. The petitions are rejected.

By command of Rear Admiral STONE:



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

75

file

HEADQUARTERS ALLIED COMMISSION
APO 994
LEGAL SUB-COMMISSION

LC/1083/23/L.

/rm.
10 May 1945.

SUBJECT : Case of PAOLINO Raffaele.

TO : Provincial Commissioner (Acting Senior Legal Officer),
ANG NALOE Commune.

1. In view of the illness of the above named's father as stated in attached medical certificate, will you please arrange for the above named to be released immediately.

By command of Rear Admiral STONE:

W.L. WATKINS,
Colonel,
Deputy Chief Legal Advisor.

19

+5/

HEADQUARTERS ALLIED COMMISSION
APO 394
Legal Sub Commission

/j1

AC/4083/23/L

10 May 45

Subject: Case of CORCIONE Vincenzo

To : Provincial Commissioner (Att. Senior Legal Officer) Naples Commune.

1. Referring to the attached letter of 23 April 45 with enclosures the position is not understood.

2. The letter says that the above named already served 3 months out of a sentence of 6, but the *posizione giuridica* says he was sentenced to 90 days from 13 Apr. 45.

3. Records in this office show that the above named was tried on 26 June 44 by an A.M. Court at Prattomaggiore for possession of 50 kilograms of sugar and sent to a reformatory. He was then aged 16 ~~plus~~ still appears to be of same age.

4. There appears to be no grounds for releasing this ^{boy} before the expiration of his sentence.

By Command of Rear Admiral Stone.

W.L. B. HRENS
Colonel
Deputy Chief Legal Adviser

3 Enclosures

1st enc. Dott. Ernesto Penoni's letter
of 23 Aprile 45
2nd enc. *Posizione Giuridica*
3rd enc. Informal Petition.

18

+3

HEADQUARTERS ALLIED COMMISSION

AGC 394

LEGAL SUB-COMMISSION

AC/1083/23/L.

/rm.
10 May 1945.

SUBJECT : Case of SAMMYTARO Luigi.

TO : Provincial Commissioner (attn. Senior Legal Officer),
AND Naples Commune.

1. With reference to the attached application it has not been possible to trace the Record of the case here.

2. Can you ascertain from any Records left in your office or the Prosecutor's Office at the Courts whether the man was so convicted as alleged and issue the necessary certificate, failing which it is suggested that you should arrange with the Corte d'Appello for the man to be given the benefit of the doubt.

By command of Rear Admiral STONE:

W.E. Byrne
W.E. BYRNE,
Colonel,
Deputy Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

file
AC/4083/25/L.

JL/rm.
10 May 1945.

SUBJECT : CONTE Antonio.

TO : H.E., Minister of Grace and Justice.

1. Reference your letter "Ufficio VI Prot. No. 134299-5665",
of 2 May 45.

2. The case of CONTE Antonio has been reconsidered and the
balance of the sentence suspended.

3. The prisoner, according to the "Posizione Giuridica"
enclosed with your letter, is said to be imprisoned at "Sezioni
di Carceri Giudiziarie presso il Manicomio Giudiziario di Aversa".

4. Will Your Excellency please issue the necessary instructions
ordering CONTE Antonio's release.

W.L. Behrns
W.L. BEHRNS,
Colonel,
Deputy Chief Legal Adviser.

4083/23 ✓

1st Ind.

8 May 1945

LIAISON OFFICE, A.C., PALERMO

TO : H.Q., ALLIED COMMISSION, A.P.O. 394
Attention: LEGAL SUB - COMMISSION.

1. These petitions for review of A.M.G. trials
are forwarded.

Sambolaw Natale di Succione
Galeto Salvatore fu

Edward Morton
EDWARD MORTON
LT:COL., C.E.
LIAISON OFFICER

File

LEGAL SUB COMMISSION	
CLO	
SEC	
CH	
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HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

7 May 1945

SUBJECT: Petitions for Pardon.

TO : HQ., Allied Commission (For Attention
of Legal Sub-Commission)

1. There are transmitted herewith the following applications for pardon:

- 1) PAPARO Vincenzo
- 2) CHIAROLANZA Pasquale
- 3) FLAGIELLO Domenico
- 4) PRESTIERI Tommaso.

2. Forms 8 in these case have been forwarded to your HQ.

For the Commissioner:

14

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CFO	
Legal Section	
Sec. R/S	

Frank L. Vecchiolla
FRANK L. VECCHIOLLA,
Major, J.A.G.D.,
Senior Legal Officer.

4083/43

Legal.
8706

TO : HQ ALLIED COMMISSION
(For attention of Legal Sub-Commission)

FROM : HQ AMZ UMBRIA MARCHE DISTRICT (Legal)

SUBJECT : Case of TROVALLIESI Spartaco

REF. : RS/511/14/AP

DATE : 7 May 1945



Record and Informal Petition in above case are forwarded herewith for such action as you may consider necessary. No new ground of fact or law is disclosed warranting variation of the sentence and the question of surgical treatment seems to be one belonging entirely to the competence of the Italian authorities. As the Province has now closed down it is however impossible for me to make any enquiries as to the man's state of health and you may think that such enquiries should be made.

For the Regional Commissioner

R. G. S. ALEXANDER, Major
R.L.O.

13

Petition filed under Case Health grounds only
The Tribunal 16 May

NO

6083/23

HEAD QUARTERS
ALLIED MILITARY GOVERNMENT
ANCONA PROVINCE

Subject: Applications for Review of Sentences.

To: R.L.O., Umbria-Marche Region

From: P.L.O., Ancona

Ref: Anc/11/7

Date: 7 May 1945

LEGAL OFFICE

Ancona

1. Enclosed herewith are the following Applications for Review of Sentences in the following cases:

DI/Ancona
DI/Ancona

742 - TACCALITI Giovanni
741 - SCANDALI Guerrino

For the Provincial Commissioner:

W. T. Boone
W. T. BOONE,
Capt. CMP
PLO Ancona

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/4083/23/L.

AGW /lrh.
7 May 1945.

SUBJECT : Case of CUVATO Carmelo di Francesco.

TO : H.E., the Minister of Grace and Justice.

1. The above named was on 16 November 1943 tried at GELA, Sicily, by Allied Military Court and sentenced to 3 years imprisonment. Several petitions have been received on his behalf and hitherto rejected.

2. Upon reconsideration of his case, however, it has been decided to release him upon completion of half of his sentence. He will therefore be released on 15 May 1945.

3. Will Your Excellency kindly give the necessary instructions to that effect. CUVATO is detained at Gela.

W. E. Behrens

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

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/4083/23/L.

/lrh.
7 May 1945.

SUBJECT : Petitions for Clemency.

TO : H.E., the Minister of Grace and Justice.

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

ACQUAVIVA	Giacomo	GIANOLI	Vito
BIANCO	Nicola	PISCOPO	Antonio
CHECCHIA	Vittoria	STELLUTI	Francesco
DIDATO	Pasquale	VEDITTI	Bartolo
FACCIOTTI	Bernardino		

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

W. E. B.

W. E. BENNENS,
Colonel,
Deputy Chief Legal Adviser.

9 Encls: Petitions.

10

XS

NAME	SOURCE OF LTR	FILE	DATE
ACQUAVIVA	Giacomo Min of G & J	3882/45	27 Apr 45
BIANCO	Nicola Min of G & J	3934/45	26 Apr 45
CHECCHIA	Vittoria Min of G & J	3919/45	26 Apr 45
DIDATO	Pasquale Min of G & J	2370/45	27 Apr 45
FACCIOTTI	Bernardino Min of G & J	3964/45	30 Apr 45
GIANOLI	Vito Ispettogato Carceri Regione Meridionale Napoli	26601	27 Apr 45
PISCOPO	Antonio (As above)	26485	16 Apr 45
STELLUTI	Francesco Min of G & J	134151- 56338	2 May 45
VENDITTI	Bartolo Legione Territoriale del Carabinieri Napoli	47/80-2	30 Apr 45

Above mentioned letters returned to Minister
of Grace and Justice on 7 May 45 with letter
AC/4083/23/L. of 7 May 45.

43

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4083/p23

~~4083~~ ✓

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

4 May 1945

SUBJECT: Petitions for Pardon.

TO : HQ., Allied Commission (For Attention
of Legal Sub-Commission)1. There are transmitted herewith the
following applications for pardon: *To Sgt Autella*

- 1) ESPOSITO Gennaro
- 2) LELLI Aldo. *To Sgt Autella*

2. In these cases the Director of the
Prison has recommended favorable consideration.

For the Commissioner:

CCB/pv

LEGAL SUB-COMMISSION

CLO

DCLO

Chief Counsel

CLO

Frank L. Vecchiolla
FRANK L. VECCHIOLLA,
Major, J.A.G.D.,
Senior Legal Officer. *by 68B*

8

5 MAY 1945

45

4603/23
LIAISON OFFICER
EASTERN SICILY.
CATANIA.

To: Legal Sub Commission
Allied Commission H.Q.
A.P.O. 394.

IO/CAT/10.
4 May 45.

SUBJECT:- Appeals.

Attached, please, find appeals received from:

✓ SALITE' CARLO,

condemned to 5 years of imprisonment. Charged with attempted corruption. Tried by Allied Military Court on 17/Dec. 43 at Syracuse. The sentence will expire on 17 Dec. 48. He begs to be released on health grounds, as he is affected with tuberculosis, according to attached medical certificate (see 1.C.). The application is recommended by the Prison Director. (see 1.B.).

BURGARETTA CARMELO di Salvatore.

ROSSITTO SEBASTIANO fu Sebastiano.

ROSSITTO SEBASTIANO di Paolo.

found in possession of explosives.

Condemned by Allied Military Court, the first and the second on 27 Jan. 44, the third on 1 Feb. 44, to 3 years of imprisonment, reduced to 2 years by the same Court. Their sentence will expire on 27 Jan. 46 and on 1 Feb. 46. According to Art. 176 Penal Code, and to the Circular No 147118/14 issued on 27 June 42 by the Ministry of Justice they ask for conditional release.

DI GUARDO CARMELO di Salvatore.

Tried on 14 Sept. 44 by the Tribunal of Catania. Charged with theft of 1000 litres of petrol (Allied property). Condemned to 1 year of imprisonment. He begs for conditional release.

Will you please decide about the above appeals and let me know at your earliest convenience.

4603/23

Attached, please, find appeals received from:

SALME' CARLO,

condemned to 5 years of imprisonment. Charged with attempted corruption. Tried by Allied Military Court on 17/Dec. 43 at Syracuse. The sentence will expire on 17 Dec. 48. He begs to be released on health grounds, as he is affected with tuberclosys, according to attached medical certificate (see 1.C.). The application is recommended by the Prison Director. (see 1.B.).

BURGARETTA CARMELO di Salvatore.

ROSSITTO SEBASTIANO fu Sebastiano.

ROSSITTO SEBASTIANO di Paolo.

found in possession of explosives. Condemned by Allied Military Court, the first and the second on 27 Jan. 44, the third on 1 Feb. 44, to 3 years of imprisonment, reduced to 2 years by the same Court. Their sentence will expire on 27 Jan. 46 and on 1 Feb. 46. According to Art. 176 Penal Code, and to the Circular No 147118/14 issued on 27 June 42 by the Ministry of Justice they ask for conditional release.

DI GUARDO CARMELO di Salvatore.

Tried on 14 Sept. 44 by the Tribunal of Catania. Charged with theft of 1000 litres of petrol (Allied property). Condemned to 1 year of imprisonment. He begs for conditional release.

Will you please decide about the above appeals and let me know at your earliest convenience.

HB/ME.

H Bentley.
H. BENTLEY.
Major
Liaison Officer.
Catania

4083/230 ✓

Shegal
Pm

SUMMARY MILITARY COURT F,

Naples 4 May 1945

SUBJECT : Return of Court Records
 TO : Hq. Allied Commission (For Attention of Legal Sub-Commission)

On 28 December 1944, Flaminio Luigi fu Francesco was tried by Summary Military Court F., and sentenced to one year imprisonment.

In order to grant a petition of pardon it is requested that the papers of the trial be sent back to this Court.

G. S. Claire

GUY S. CLAIRE
 Lt. Col., JAGD
 Summary Military Court F.

file

LEGAL SUB COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian	
CL 1003	
10 MAY 1945	

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4083/23
HEAD QUARTERS
ALLIED MILITARY GOVERNMENT
ANCONA PROVINCE

Legal S/C

822

Subject: Application for review of sentence.

To: R.L.O., Umbria-Marche Region.

From: P.L.O., Ancona

Ref: Anc/11/7

Date: 3 May 1945

LEGAL OFFICE

Ancona

1. Enclosed herewith is Application for Review of Sentence in the case of Fronzi Armando, Case D4/Sen/221.

For the Provincial Commissioner:

W.T. Boone
W.T. BOONE,
Capt. CMP
PLO Ancona

LEGAL SUBC. SECTION

CLO	
CLD	
CLM	
CLP	
CLQ	
CLR	
CLS	
CLT	
CLU	
CLV	
CLW	
CLX	
CLY	
CLZ	

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4083/23

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

3 May 1945

SUBJECT: CAFIERO Raffaele.

TO : HQ., Allied Commission (For Attention
of Legal Sub-Commission)

1. There is transmitted herewith applica-
tion in the case of the above subject.

2. Form 8 in this case has been forwarded
to your HQ.

For the Commissioner:

(Handwritten signature in a circle)

CCB/pv

(Handwritten signature)
FRANK L. VECCHIOLIA,
Major, J.A.G.D.,
Senior Legal Officer.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CIO	
Legal Section	
CHIEF	
6 MAY 1945	

XT

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ALLIED COMMISSION
LIAISON OFFICE
BARI

4083/23

Subject : Petition by one Tagarelli Filomena.
Ref : Ba/S/125.
To : C.L.A. Legal Sub-Commission-AC.HQ.

BARI 1.5.945.

1. Forwarded herewith a petition made on behalf of Tagarelli Filomena for such action as you may deem necessary.
2. The a/n is wife of Loconnola Giambattista who has been tried by an Allied Military Superior Court at Bari having been found guilty of violation of Art.618 I.P.C. and who has been sentenced to 2 year's reclusione and to a fine of L.1000 on the 17.1.45.



=====

for L.F.DAWSON
Liaison Office AC.Bari.



3

7 MAY 1945

4083/23

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

1 May 1945

SUBJECT: Case of AULETA Angelo di Francesco.

TO : HQ., Allied Commission (For Attention
of Legal Sub-Commission)

1. Attached hereto is application in the case of the above subject.
2. Form 8 in this case has been forwarded to your HQ.

For the Commissioner:

Naples

Arrested on 8 Jan 45

6 months + 10,000 lire

Provisional of 200,000 + 2 other articles

Items brought on market

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, *by CCB*
Major, J.A.G.D.,
Senior Legal Officer.

CCB/pv

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CL	
Legal Officer	
CLARK	

file

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4083/23. ✓

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

1 May 1945

SUBJECT: Application for pardon.

TO : HQ., Allied Commission, (For Attention
of Legal Sub-Commission)

1. Attached hereto is application for
pardon filed on behalf of VITTOZZI Luigi di Gen-
naro.

For the Commissioner:

Frank L. Vecchiolla
FRANK L. VECCHIOLIA,
Major, J.A.G.D.,
Senior Legal Officer. *by 66B*

CCB/pv

LEGAL SUB-COMMISSION

CLO

DCLO

Chief Counsel

CFO

Branch Station

CL RKS

E. S. 1017

1

file

No
6 MAY 45

+7

