

ACC

10000/142/604
(VOL. 9)

PETITIONS FOR GRA
MAR. - JULY 1945

10000/142/604
(VOL. 9)

PETITIONS FOR GRACE & CLEMENCY, AMG COURT CASES
MAR. - JULY 1945

From : 3 July 1945.

To : 31 July 1945.

340

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMBINE
LEGAL DIVISION
APO 394

L-3028/A

31 July 1945

SUBJECT: Review of cases.

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

1. Reference is made to your letters AC/4083/1/L
of 11; 17 and 21 July 1945.

2. The following completed records are transmit-
ted herewith:

- MARMOLARO Vincenzo and ERSOLE Mario
- DE CARLO Antonio
- ORSI Michele
- MIRANTE Ciro
- DE SIMONE Luigi
- PIORIO Gennaro
- RISO Gennaro
- CHIANTONE Biagio
- RISO Vincenzo
- CHIANTONE Gennaro
- CAPUTO Biagio
- DEL VISO Nunzio
- IZZO Michele
- NAPOLETANO Nicola
- RUSSO Francesco.

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For the Commissioner:

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

CCB/pv

ALLIED COMMISSION
SUMMARY MILITARY COURT F.

Naples 26 July 1945

SUBJECT: Review of cases.

TO : Hq. - Allied Commission - Legal Sub-commission.

1. In the cases of:
MARMOLARO Vincenzo and ERCOLE Mario
DE CARLO Antonio
ORSI Michele
MIRANTE Ciro
DE SIMONE Luigi
FLORIO Gennaro
BISOGNO Gennaro
CHIANESE Biagio
RISO Vincenzo
SCHIANO Gennaro
CAPUTO Biagio
DEL VISO Nunzio
IZZO Michele
the sentences imposed are consecutive.

2. In case of NAPOLETANO Nicola di Enrico the further evidence requested is attached.


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

147

4083/230

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-3028/A

31 July 1945

SUBJECT: ESPOSITO Vincenzo fu Luigi.

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

1. Reference is made to your letter AC/4083/23/L,
JL/rm, 26 July 1945.

2. The release of the above named person has
been effected.

For the Commissioner:

CCB/pv

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

146

1 AUG 1945

ful

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUBCOMMISSION

AG/4533/23/L

JL/rm.
30 July 1945.

SUBJECT : VERDINI Bartolo.

TO : Comando Generale dell'Arma dei Carabinieri Reali
(Ufficio personale Sottufficiali e Truppa)R. P. M.

1. Reference your letter No. 22/30-11 of 3 July 45.
2. The petition submitted with the above letter has been now considered. It is denied.

*A. P. W.*A.C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.Copy to : Public Safety S/C
your AG/14057/12
refers.

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

L-3028/A

30 July 1945

SUBJECT: Case of PULIO Vincenzo di Domenico and
Case of FABRETTI Enrico.

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

1. Reference is made to your letters
AC/4083/23/L dated 26 and 27 July 1945, relative
to the above subject.

2. The release of the above named persons
has been effected.

For the Commissioner:

CCB/pv

U.S.W.
1 AUG 1945
Frank L. Vecchiolla
FRANK L. VECCHIOLLA, by 668
Major, J.A.G.D.,
Senior Legal Officer.

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11 AUG 1945

9481 GIVE

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

JL/EM.
27 July 1945.

AO/4083/25/L.

SUBJECT : Informal Petitions.

TO : The Minister of Pardon and Justice.

1. The petitions on behalf of:

DI MAGGIO	Rossio	ARMINO	Attilio
DI MAGGIO	Giuseppe	SCALFITO	Roberto
	TRIPICIANO	Francesco	
	OLIMBERINI	Nunzio	

are returned herewith.

2. The case of each of the above has been reconsidered and after careful deliberation the petitions denied.

A.C.

A.C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

143

+5

NAME	SOURCE OF REFERENCE	REFERENCE	DATE
DI CAROIS	Roberto Cassa reclusione - Salina	4560-3-373	17 July 45
DI LANGE	Giuseppe Minister Pardon and Justice	4884/45	17 July 45
MINIER	Atilio Minister Pardon and Justice	8232/45	21 July 45
SCARFIS	Roberto Minister of Pardon and Justice	5879/45	21 July 45
TRI. ISIAZO	Francesco "	4895/45	21 July 45
CAVIERANI	Nunzio "	8263/45	21 July 45

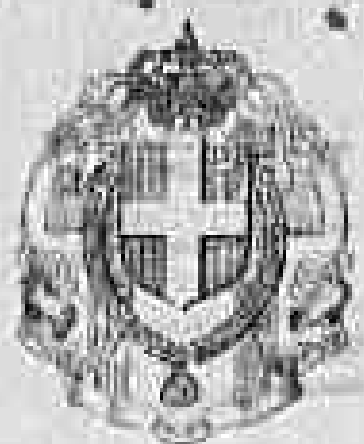
Above letters are returned to Minister with letter
4083/23/L. of 29 July 45.

The Minister is enclosing the attached note of the Direzione of the Penal Affairs requesting to clarify if the petitions of the persons sentenced under Art. 147, n. 2 of the Penal Code and Art. 583 of the Code of Penal Procedure are to be considered as the Ministry of Justice's concern.

Please return the attached documents.

[Signature]

CHACLESER ATRICKS OTTAKA



Mod 2

4083/23
Ministero di Grazia e Giustizia

Gabinetto di S.E. il Ministro

Roma 28 luglio 1945

Protocollo A. v. 1/4713

OGGETTO

istanze

Salvi Carlo

Alla Commissione Alleata

Sottocommissione Legale

R O M A

Si trasmette l'unito appunto della Direzione Affari penali con preghiera di specificare se le istanze dei condannati a norma degli art. 147 n.2 C.P. e 589 C.P.P. debbono considerarsi di competenza di questo Ministero. (v. lettera AC/1002/L del 5-6-45)

Si prega restituire gli allegati.

LEGAL SUB-COMMISSION

CLO

DCLO

Chief Counsel

CLO

Hon.

C. S.

See letter 4083/23 of
3 Aug 45
L'UFFICIALE DI COLLEGAMENTO
(Dott. Giorgio Bonelli)

142

Bonelli

20 JUL 1945

4083/23

Terzone terr/le dei Carabinieri Reali di Ancona
- Compagnia di Ascoli Piceno -

n° 61/II di Prot. div. III° Ascoli Pic. 11 28 luglio 1945. =

Oggetto: Richiesta di copia di sentenza emessa a carico del carabiniere in congedo Gaspari Mazzareno. =

Al Governo Militare Alleato - Ufficio Ierale -

- PERUGIA -

Il Tribunale Superiore del G.M.A. di Ascoli, con sentenza 26/I/1945 condannava a mesi sei di reclusione e lire 10 mila di multa, il nominato Gaspari Mazzareno di Francesco, classe 1902 di Ascoli per detenzione illecita di 18 fasci di benzina di proprietà delle FF.AA. Alleate. =

Poiché il Gaspari è iscritto nei ruoli della forza in congedo dell'Arma dei CC.RR. e dovendo esaminare la opportunità per la sua radiazione dai ruoli medesimi, sarei molto grato a codesto ufficio se volesse comunicarsi trasmettendomi copia conforme del dispositivo di sentenza, con l'annotazione di cosa passata in giudicato. =

Ringrazio. =

Il tenente comandante in 1.ª la compagnia
 - Angelo Massam -

Rd. =

le

TS

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HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

JL/rjp

AC/4083/23/L

28 July 45

SUBJECT: VENCOLA Maria fu Luigi

TO : AG Liaison Officer,
Bari

1. Reference your letter LB/53.70 of 25 July 45
and petition attached thereto.

2. Will you please get the "posizione Giudiziaria"
and return the same with the enclosed.

By command of Rear Admiral STONE

U.P.W.
A.C. STONE,
Major,
Judicial Branch,
for Chief Legal Advisor

Encl: 1 letter
1 petition

R40

4000/0
HEADQUARTERS ROME AREA MTOUSA
APO 794, US ARMY

DCC/AJA/cm
28 July 1945

AG 230

SUBJECT: Transmittal of Plea.

TO : Commanding Officer, Allied Commission, APO 394, US Army.
Forwarded as a matter pertaining to your command.

FOR THE COMMANDING GENERAL:

Donald C. Carpenter
DONALD C. CARP
WOJG, USA
Asst Adjutant General

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*file**4083/23*

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel : 478709

AG/14057/PS

27 July 1945

SUBJECT : Appeal - VERBETTI Bartolo, CC.RR.

TO : Legal Sub-Commission, HQ A.C. ✓

Attached herewith are communications in
reference to an appeal by above subject.

Forwarded for any action deemed advisable.

John W. Chapman
JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director.

RME/G

LEGAL SUB.COMMISSION

CLO

DCLO

Chief Counsel

CJO

Italian Section

CLARKS

28 JUL 1945

Approved and forward 1045
Reaching to 2/138

NO
28 JUL 45

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HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUBCOMMISSION

AO/4083/23/L.

JL/rm.
27 July 1945.

SUBJECT : Informal Petitions.

TO : The Minister of Pardon and Justice.

1. Returned herewith are the petitions submitted on behalf of

CAIELLO	Ulisse ✓	CAIELLO	Giuseppe ✓
CACCHIATTA	Oscar ✓	CACCIOLA	Mario ✓
CURCURIATO	Vincenzo ✓	CURCURIATO	Giuseppe
CUSCANI	Giovanni ✓	CUSCANI	Salvatore ✓
MARZOLA	Ivo ✓		

2. Their cases have been reconsidered and petition denied.

A. C. W.

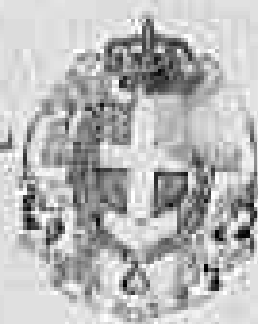
A.C. WIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

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NAME	SOURCE OF LETTER	REFERENCE	DATE
CALABRO	Ulisse Minister Pardon & Justice	5194/45	4 July 1945
CALABRO	Giuseppe "	"	4 July 1945
CAROCCHI	Oscar "	5689/45	13 July 1945
CAROLA	Mario "	5253/45	5 July 1945
CAROSUTO	Vincenzo "	2023/45	4 July 1945
CAROSUTO	Giuseppe "	2023/45	4 July 1945
CUSANI	Giovanni "	5455/45	9 July 1945
LIBROTA	Salvatore "	5727/45	20 July 1945
MANZOLA	Ivo "	5478/45	9 July 1945

Above letters are returned to Minister of Pardon
and Justice with letter of 27 July 1945 40/4083/23/L.

Em



Mod. 40

Roma 31 luglio 1945

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIOALLA COMMISSIONE ALLEATA
Sottocommissione Legale

ROMA

Ufficio I° A.P.
Rel. 1° 131.416.1738/45Proposta del
Sott. Sott. N°OGGETTO: Trasmissione degli atti del procedimento
a carico di MARISCIUK Alessandro.

All. I fasc. atti

e per conoscenza:
All'UFFICIO DI COLLEGAMENTO
GABINETTO

Dalla Procura del Regno di Roma sono
stati trasmessi a questo Ministero gli atti
allegati, relativi al procedimento penale a
carico di MARISCIUK Alessandro per furto di
un automobile, per il loro successivo inoltro
al Tribunale Militare Alleato, ritenuto compe-
tente a procedere.

Si prega, pertanto, codesta On. Commis-
sione di voler provvedere per l'invio degli
atti di cui sopra al competente Tribunale Mili-

31 JUL 1945

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12/52

UFFICIO LEGALE

(UFFICIO LEGALE)

UFFICIO LEGALE

Add. 27 luglio 1945

Prot. n. 28683

Allegati: Due

Onorevole

COLANDO AMICO - AMERICANO

Ufficio Legale

NAPOLI

OGGETTO: Detenuto PESCE Vincenzo di Luigi.-

Corredata della posizione giudiziale pregressa inviare a codesto

On. Comando l'unita istanza.

Con essa il padre del nominato in oggetto indicato chiede un provvedimento di clemenza in favore del proprio figlio, detenuto nella locale Casa Penale S. Efram.

In considerazione dei particolari motivi addotti nella domanda e della buona condotta serbata dal figlio dell'esponente durante la sua detenzione, si esprime favorevole parere all'accoglimento della richiesta.

Si raccomanda inoltre vivamente alla benevolenza di codesto On. Comando il minore di cui sopra, essendo egli di malferma salute, e potendo gli, quindi, riuscire nociva un'ulteriore permanenza in carcere.

Durante il periodo ivi trascorso egli ha peraltro già avuto la possibilità di pentirsi del reato commesso e può in conseguenza di ciò ravveduto e pertanto in grado di essere restituito emendato alla vita civile.

Altro non trascurabile motivo di indole morale sul quale mi permetto di richiamare l'attenzione di codesto On. Comando è che un provvedimento di clemenza consentirebbe al minore predetto di contrarre il matrimonio di clemenza consentirebbe al minore predetto di contrarre il matrimonio che non ha potuto finora celebrare perché detenuto e quindi regolarizzare la sua posizione con una sua coetanea con cui pare che abbia con-

relazione intima.

COMANDO ANGIO - AMALFANO

Ufficio Legale

NAPOLI

OGGETTO : Detenuto PESCE Vincenzo di Luigi.-

Correzione della posizione giuridica pregressi inviare a codesto Cn. Comando l'unità istanza.

Con essa il padre del nominato in oggetto indicato chiede un provvedimento di clemenza in favore del proprio figlio, detenuto nella locale Cassa Penale S. Eframio.

In considerazione dei particolari motivi addotti nella domanda e della buona condotta serbata dal figlio dell'esponente durante la sua detenzione, si esprime l'avorevole parere all'accoglimento della richiesta.

Si raccomanda inoltre vivamente alla benevolenza di codesto Cn. Comando il minore di cui sopra, essendo egli di malferma salute, e potendogli, quindi, riuscire nociva un'ulteriore permanenza in carcere.

Durante il periodo ivi trascorso egli ha peraltro già avuto la possibilità di pentirsi del reato commesso e può in conseguenza aver ravveduto e pertanto in grado di essere restituito emendato alla vita civile.

Altro non trascurabile motivo di indole sociale sul quale si permette di richiamare l'attenzione di codesto Cn. Comando è che un provvedimento di clemenza consentirebbe al minore predetto di contrarre il matrimonio che non ha potuto finora celebrare perché detenuto e quindi regolarizzare la sua posizione con una sua coetanea con cui pare che abbia contratto in precedenza relazione intima.

Con stipa.

L'ISPETTORE REGIONALE
(Dott. Ernesto Bonomi)



HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUBCOMMISSION

AC/4083/23/L.

ACW/rm.
27 July 1945.

SUBJECT : DE JULIO Federico.

TO : Commissioner (attn. Legal Officer), AMG
N-PLAS Zone.

1. Reference your letter L-5040 of 9 July 45 and enclosed statement by W/O J.P. DE CORDEUR.

2. The record shows that accused was tried on 1st March 44 for possession of a loaded revolver and sentenced to 3 years. The note at foot of record says "the accused escaped from custody on his being removed from the Court etc."

3. W/O DE CORDEUR's statement refers to one DE JULIO Federico sentenced on 11 Nov. 44 to 3 years imprisonment and says accused only had a knife used for his work not a military pistol.

4. The position, therefore, is not clear and one is left to guess at likely explanations. Is it possible for instance that after his escape he was re-captured this time with a knife? Can you find out the true position. A copy of his Posizione Giuridica might help.

By command of Rear Admiral STONE:

A.C.W.
A.C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

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BF *is any*

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUBCOMMISSION

AC/4035/23/c.

JL/rm.
27 July 1945.

SUBJECT : FOLLO Vincenzo di Domenico.

TO : Commissioner (attn. Legal Officer)
AMG RE-ENTRY Zone.

1. FOLLO Vincenzo was tried and convicted by an AMG Court at Naples, on 26 May 44. She was sentenced to serve 9 years in prison, one of which was suspended.
2. Her case has been reviewed, and on reconsideration the balance of the sentence is suspended.
3. She is detained "nelle carceri giudiziarie di Poggioreale". Her home address, as it appears on the charge sheet, is vicioletto Improta 21, S. DOMENICILINO - Napoli -.
4. Will you please issue the necessary instructions, ordering the release of FOLLO Vincenzo, and please confirm that it has been effected.

By command of Rear Admiral STONE:

A. C. W.

A. C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

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BIF
12 Aug 45

full

HEADQUARTERS ALLIED COMMISSION
APO 374
LEGAL SUB-COMMISSION

JL/rm.
26 July 1945.

AC/4083/23/L.

SUBJECT : ROSSINI Nicola.

TO : A.C. Liaison Officer, EARL.

1. Reference your letter LB/53/44 of 9 July 45.
2. The Petition, is the third submitted on behalf of the above. It has been considered and denied.
3. Owing to the very large number of similar petitions it is regretted that we are unable to inform the petitioner of the negative result. Whenever an affirmative action is taken on any petition then the accused is notified of the new decision.

By command of Rear Admiral STONE:

J. P. W.
A.C. BRIGHT,
Major,
Judicial Branch,
For Chief Legal Advisor.

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Mod. 40

Roma, 26.7.1945 194 A

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

ALLA COMMISSIONE ALLEATA

S. C. L.

ROMA

Ufficio IV Grazie

Let. N° 5610 / 45

Ripartizione del

In Le N°

OGGETTO

BELLOMO Giuseppe
Istanza per grazia

All. 3

Si trasmette l'unita istanza con preghiera di far conoscere se è vero che il ricorrente in oggetto, a causa delle sue condizioni di salute, sia stato temporaneamente dimesso dal Carcere e se tuttora trovisi a piede libero.

Nell'occasione sarà gradito conoscere il parere di codesta Commissione, qualora ritenga, trattandosi di istanza basata esclusivamente su malattia, che competente a provvedere in merito sia questo Ministero.

D'ORDINE DEL MINISTERO

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Petition send to Minister
with letter 6083/23 of 3 Aug 45

HEADQUARTERS ALLIED COMMISSION
APO 594
LEGAL SUB-COMMISSION

10/4083/23/L.

JLm.
26 July 1945.

SUBJECT : SCROTO Vincenzo fu Luigi.

TO : Commissioner (attn. Legal Officer),
APO 594 Zone.

1. SCROTO Vincenzo fu Luigi was tried and convicted by an AMG Court at Naples on 1 July 44. He was sentenced to 3 years imprisonment, 18 months of which were suspended.

2. On reconsideration the conviction has been affirmed and the balance of the sentence suspended, conditioned upon good behavior of during continuance of Allied Military Government.

3. The civilian address of the accused is 91 Via Conte di Solis, Naples. It is not known where the accused is detained, but it is quite possible to learn the whereabouts through SCROTO's mother at the above address.

4. Will you please issue the necessary instructions ordering his release unless detained for other lawful cause, and please confirm that the release has been effected.

By command of Rear Admiral STONE:

J. C. W.
U.S. ARMY,
Major,
Judicial Branch,
for Chief Legal Advisor.

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Copy to : The Minister of
Pardon and Justice
your letter 00/742
of 10 July 45 refers.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUBCOMMISSION

11/11.
26 July 1945.

AC/4083/23/1.

SUBJECT: CHINISO Pietro.

TO: The Minister of Prison and Justice.

1. This O. has ordered our officer at Bari, to effect the release of the above on 29 June 45. It was subsequently learned that the release was prematurely effected by a mob at Andria.
2. Through the medium of a relative, it has been learned, that upon being released, CHINISO Pietro presented himself at the Bari Prison. He was told to seek detention elsewhere. Thereafter he surrendered himself to the "Carcere Giudiziario" at Reggio, (B.) where his family lives.
3. Will you please issue the necessary instructions directing that CHINISO Pietro be liberated from prison, unless detained for other lawful cause, and may it please be confirmed that the release has been effected.
4. It is also suggested that the prison authorities at Andria be notified of this turn of events.

V.A.C.W.
A.E. BAKER,
Major,
Judicial Branch,
for Chief Legal Advisor.

Copy to: CHINISO Pietro
Carcere Giudiziario
Reggio.

AC Liaison Officer
sent
your 44/33/45 of
10 July 45 refers.

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HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4039/23/L.

JL/rm.
26 July 1945.

SUBJECT : FABBETTI Enrico.

TO : Commissioner (attn. Legal Officer),
AGS Naples Zone.

1. The above was tried and convicted by an AMG Court at Avellino, on 12 January 45. He was sentenced to serve 2 years in prison.

2. The case has been re-reviewed, and the conviction has been affirmed. The balance of the sentence is suspended.

3. The accused is believed to be detained "nelle Carceri di Avellino". His home address is given as Via Regina Margherita, Avellino.

4. Will you please issue the necessary instructions ordering his immediate release, unless detained for other lawful cause. May it please be confirmed that the release has been effected.

By command of Rear Admiral Stone:

A. C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

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HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION



JL/rm.

26 July 1945.

AC/4033/23/L.

SUBJECT : GHERI Marino and DOBUSINI Roberto.

TO : Commissioner (attn. Legal Officer),
AMC LIVORNO Zone.

1. The above mentioned were tried and convicted by an Allied Military Court at Florence, on 30 Jan. 45. They were each sentenced to four years imprisonment.

2. On reconsideration the conviction is affirmed. The sentence is reduced to one year*expiring 29 Jan. 46 when GHERI Marino and DOBUSINI Roberto, should be released, unless detained for other lawful cause.

3. The civilian addresses as they appear on the record are:

- (a) DOBUSINI - Via delle Cave di Monte Ripaldi 19
FIRENZE
- (b) GHERI - Via della Cinque vie 120
FIRENZE

4. Will you please communicate this decision to the accuse, and also to the Prison Authorities, so that it may be entered on their Prison records. May it please be confirmed that it has not been done, on the enclosed duplicate.

By command of Rear Admiral STONE:

FROM THE LEGAL OFFICE
LIVORNO ZONE

REC'D

FILE

1st Ind.

Hq., LIVORNO Zone, Allied Military Government, Legal Office. 15 October 1945
TO : Hq., Allied Commission APO 394.
(Attn: Chief Legal Advisor, Legal Sub-Commission)

1. Basic communication complied with. Director, Porto Longone Jail has informed us this date that necessary changes have been entered on the jail records and that the accused have been notified of the revision of sentences.

For the Zone Commissioner:

ARBER JOHNSON
1st Lt, Infantry
I O LIVORNO

A.P. Wright 126
A.C. WRIGHT, Maj.
Major,
Judicial Branch,
for Chief Legal Advisor.

Vile

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUBCOMMISSION

AG/4033/23/.

J./rm.
26 July 1945.

SUBJECT : GHESI Marino and BOSCHINI Roberto.

TO : Commissioner (attn. Legal Officer),
AGG LAVORNO Zone.

1. The above mentioned were tried and convicted by an Allied Military Court at Florence, on 30 Jan. 45. They were each sentenced to four years imprisonment.

2. On reconsideration the conviction is affirmed. The sentence is reduced to one year expiring 29 Jan. 46 when GHESI Marino and BOSCHINI Roberto, should be released, unless detained for other lawful cause.

3. The civilian addresses as they appear on the record are:

- (a) BOSCHINI - Via delle Cave di Monte Ripaldi 19
FIRENZE
- (b) GHESI - Via della Cinque vie 120
FIRENZE

4. Will you please communicate this decision to the accuse, and also to the Prison Authorities, so that it may be entered on their Prison records. May it please be confirmed that it has so been done, on the enclosed duplicate.

By command of Rear Admiral STONE:

J. P. W.

125

A. C. BRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

X5

HEADQUARTERS ALLIED COMMISSION
APO 191
LEGAL SUB-COMMISSION

1
file
40/4033/23/L.JL/rm.
25 July 1945.

SUBJECT : VITOZZI Francesco Paolo di Raffaele.
TO : The Minister of Pardon and Justice.

1. VITOZZI Francesco Paolo di Raffaele was tried and convicted by an Allied General Military Court at Foggia on 24 Dec. 43. He was sentenced to imprisonment for 10 years.

2. In view of the particular facts of this case and the time which the accused has already spent in gaol I am prepared to favour the course which you suggested at recent meeting. I therefore order that the balance of his sentence be suspended as of 25 July 45 conditioned upon the accused's good behavior for five years. If, however, the accused offends within this period, the sentence is restored. He is to be released immediately unless detained for other lawful cause.

3. The accused was originally confined at Lucera prison, but it is believed that he has been transferred to Lecce prison.

4. Will you please issue the necessary instructions ordering his release, and may it please be confirmed that his release has been effected.

Copy to : RLO, EMILIA Region.

W.L. BENHAM,
Colonel,
Chief Legal Advisor.

BF.
10 Aug 45

124

15

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

JL/rm.
23 July 1945.

SUBJECT : LANZAFAME Antonio, SALME Carlo and SILVA Lucia.

TO : The Minister of Pardon and Justice.

persons

1. The above / were tried by an Allied Military Court on 17 Dec. 43, at Siracusa and sentenced to five years imprisonment each, as regard the two men and two years as regard the women.

2. On re-review it has been decided to reduce the sentences on LANZAFAME and SALME to end on 15 Aug. 45. The sentence of SILVA is reduced to end today. Their releases are to take place as indicated above unless detained for other lawful cause.

3. The civilian addresses, appearing on the record are

- (a) LANZAFAME - Via Santa Sofia N. 5 - GIROLI (Catania)
- (b) SALME - Via Pulcheria N. 21 - CATANIA
- (c) SILVA - Via Cosentino Sava N. 64 - CATANIA

4. The record contains a document stating that LANZAFAME Antonio, SALME Carlo and SILVA Lucia are detained "nel Carcere giudiziario centrale di Siracusa". It is quite possible that they may have been transferred to other prisons.

5. May the necessary instructions please be given so that the above decision may be given effect to, and may this HQ please be notified of the same.

A.C.W.

A.C. BRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

123

PF 6 copy.

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/4083/13/L.

JL/rm.
23 July 1945.

SUBJECT : CADORIN Antonio.

TO : The Minister of Pardon and Justice.

1. CADORIN Antonio was tried and convicted by an AMG Court at Avellino on 30 June - 14 July 45. He was sentenced to six years imprisonment reduced, on appeal, to 2 years imprisonment.
2. His case has been reconsidered and the conviction affirmed. The balance of the sentence is remitted and he is to be released on 1 Aug. 45 unless detained for other lawful cause.
3. The family of the accused resides "a Selva di Volpago - TREVISO -" and it is believed that CADORIN is detained "nel Carcere civile di Avellino".
4. May the necessary instructions ordering his release please be given, and may, it please be confirmed that it has so been done.

J. F. W.

122

A.C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

Copy to : AMIA.

B.F. 6 Aug.

122
122

17

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

JL/cc
25 July .

SUBJECT : VERGARA Mario.

TO : Casa Penale per Minorati Fisici o Psichici, SORI
nel Cimino.

1. Reference your letter N° 1709 T.3 Fasc. I Lett. 12
of 26 June 45, addressed to Public Safety Sub-Commission and
forwarded to this Hq for necessary action.

2. As stated in our letter the sentence was reduced
to two years imprisonment and a fine of 22,000 lire.

3. Returned herewith is the original Mandato di Cattura;
also please find a mandato di cattura with the new decision on
Review.

A. C. Wright
A. C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

121

15 Copy to : Public Safety S/C.

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/4083/23/L.

JL/ra.
25 July 1945.

SUBJECT : SACCHETTI Luigi.

TO : The Ministro della Reel Casa.

1. Reference your letter 8980 of 22 July 45, received this day.
2. A petition was submitted on behalf of the above mentioned and sent to this HQ by the Minister of Pardon and Justice, reference "Off. IV Grazie 2397/45" of 4 July 45.
3. Pursuant to the above petition, this HQ, on 23 July 45 ordered that SACCHETTI Luigi be returned to his family.

A. G.
A. G. BRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

211

120

HEADQUARTERS ALLIED COMMISSION
AFU 394
LEGAL SUB-COMMISSION

JL/rn.
25 July 1945.

AC/4083/23/L.

SUBJECT : D'ARCANGELO Arnate.

TO : Commissioner (attn. Legal Officer).
ASIG NAPLES Zone.

1. Reference your letter L-5040 of 17 July 1945.
2. The case of D'ARCANGELO Arnate di Marco, of Via Sant'Antonio Abate 11, of Naples, has been reconsidered. The conviction has been affirmed. The balance of the sentence is suspended conditioned, upon continuing good behavior of the accused during continuance of Allied Military Government. He is to be released in custody of his father.
3. The petition was sent Via Ispettorato Carceri Regione Meridionale (Fresso Carcere giudiziario - Foggiorale -) and signed by Dr. BONORI.
4. Will you please issue the necessary instructions ordering the release of the above and please confirm that it has so been done.

By command of Rear Admiral STONE:

A. P. W.
A.S. WRIGHT.
Major,
Judicial Branch,
for Chief Legal Advisor.

119

file

HEADQUARTERS ALLIED COMMISSION
410 394
LEGAL SUBCOMMISSION

AC/4083/23/L.

ACB/ra.
25 July 1945.

SUBJECT : CASTELLI Sebastiano di Francesco.

TO : Liaison Officer, PALERMO.

1. Above named then Direttore del Banco di Roma at Lanciano was tried by AG Court at Lanciano (Chieti) on 25. 27 May 44 and sentenced (inter alia) to pay a fine which on Review was reduced to 50,000 lire which he claims to have paid on 27 Nov. 44 to AG at Chieti.

2. It has been ordered that the fine is reduced to ten thousand lire and that the balance of forty thousand lire if paid be refunded to Castelli Sebastiano upon proof of such payment and proof of identity. He is now understood to be Vice-Direttore del Banco di Roma, Trapani.

3. Will you please issue necessary instructions for repayment accordingly.

By command of Rear Admiral STONE:

n. n.

V. C. W.

A.C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

114

4083/23
INCOMING MESSAGE

HEADQUARTERS ALLIED COMMISSION

Legal

Originator's Reference:

Message Centre No: 5/1875

Date/Time of Origin: JULY 30/1945

Date Time Rec'd: JULY 30/1615H

Precedence: ROUTINE

FROM: MORTON ALCON PALESTINE

TO : ACTION : ALCON ROSE FOR ALCON FOR WRIGHT

RESTRICTED

RESTRICTED.

Is your letter of 25 July authority for me to repay forty thousand
of Castelli fine in case I find that original fine was paid into ALCON
account?

ACTION



DIST

ACTION : LEGAL SC

INFO : CHIEF COMMISSIONER
CA SEC
FILE (2)
FLCAT

LEG - SUB COMMISSION

CLO

DCLO

Chief July 1945

CJO

Italian Section

CL RK

30 JUL 1945

RESTRICTED

4188/73

file

LEGAL S/c 9758

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

FTE/jrc

G-5: 014.5

25 July 1945

SUBJECT: Alberto Beraha

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

1. Reference is made to our G-5: 014.5 of
24 May 1945 subject as above.

2. A further request concerning Beraha,
Alberto has been addressed to this Headquarters by
the Royal Yugoslav Legation at the Vatican and is
forwarded herewith.

3. You are requested to take such action as
may be necessary and to make reply to the letter
from the Yugoslav Legation to the Vatican.

For the Assistant Chief of Staff, G-5:

Ray Pullman
for

R. T. HANCOCK, JR 26 JUL 1945
Colonel, G.S.C.
Legal Adviser

Incl:

Ltr fr Royal Jug. Leg.
dat 10 Jul 45.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Recorder	
CL RKS	
26 JUL 1945	

116

X5

C O P Y

Legation Royale de Yougoslavie
Pres le Saint Siege

Rome, 10.VII.1945.

No. Ex Offo.

To

Allied Headquarters

Caserta.

Mrs. Bella Beraha, a Yugoslav subject; has applied on February 5, 1945 to the Legal Office of the Allied Subcommission, Rome, for a reprieve to be granted, on account of certified ill health; to her husband Mr. Albert Beraha serving a sentence of two years imprisonment in the penitentiary at Trani.

Having received no reply, and worried by her husband's precarious health condition, Mrs. Beraha has again approached the Legal Office, on April 16, 1945, through the intermediary of her lawyer, begging for the application of Art. 18, C, of the Regulations of Procedure for the Allied Military Courts.

As the war in Europe is now over, and the pitiful plight of Mr. Beraha keeps a whole hard hit family far from their home which they had to leave under Nazi persecution, Mrs. Beraha wishes to appeal once more to the sense of mercy of the Supreme Allied Authority to take a favorable decision in the case of her husband.

This Legation would highly appreciate if the Allied Headquarters could find a way to relieve these suffering people of their war caused distress, kindly advising the undersigned of any action taken in this respect.

/ Charge d' affairs:

/s/ N. Moscatello

213

4083/23

Regale
AUG 10 1945
C.A. Sec.

Rome, July 25th. 1945

11 AUG 1945

To : Admiral Ellery W. Stone
Chief Commissioner,
Allied Commission,
Rome.

Subject : Petition for grace and justice
(D'INCICCO Turindo)

Major, Sept 1945

Sir:

Trusting in your clemency I hereby take the liberty of appealing to you for grace and justice in favor of my husband, Turindo D'INCICCO, who was sentenced on the 14th of March 1945 by the Allied Military Court of Rome to serve SEVEN YEARS in prison for counterfeiting AM-line notes.

He pleaded guilty, but in fact he was only a victim of the malignant influence of a named Tancredi Cicale, who lured him in that criminal venture, playing on his ignorance and need. Said Cicale was the only originator of the felonious plan; and he carried it out, involving my husband as a secondary accomplice.

For more than 15 years, my husband was employed by the Rome University as a porter at the Teachers' College (Facolta' di Magistero), where we had also our abode with other relatives. He had no knowledge of printing and lithographic work nor any technical experience. His participation to the indicted facts was therefore limited to secondary tasks, having helped the named Cicale to conceal in our house his miniature printing plant and the newly-printed notes, none of which was ever put in circulation.

As a consequence of such a foolish and irresponsible action, my husband was convicted and sentenced by the Rome AM-Court, we have been expelled out of the little apartment which was our home in the University premises and we have been left stranded to misery and shameful dishonor. Our family life has been shattered but I fully hope that your clement consideration will open the way to a mitigation of the sentence, so that my husband could eventually rehabilitate himself.

./.

11 AUG 1945

1341

- 2 -

I therefore implore you, Sir, to please take in consideration that:

1.- My husband had a clean record and, prior to the above-mentioned sentence, had always been an honest worker.

2.- He is a veteran of the World War n.1, in which he fought against the Germans and was wounded in action, while one of his brothers was killed.

3.- Not one of the counterfeited notes printed by the named Cicale was put in circulation, so that no actual damage was caused to anybody.

4.- He found himself involved in the matter under a malignant and overwhelming influence which clouded his mind and paralyzed his intelligence.

5.- His participation to the indicted facts was wholly secondary and almost negligible.

is
6.- His old Mother/in grave danger of life, as a consequence of a malignant tumor.

I trustfully beg you to please grant your attention to this case and to further the possibility of a mitigation of the punishment, reducing it to the minimum penalty (three years) warranted by art.453 Italian Penal Code.

Hoping in your clemency, I remain, Sir,

most respectfully yours:

Maria D. Incicco
.....
Maria D. Incicco
via Cesena, 29. Roma.

213

SWN/lc

4083/23
ALLIED COMMISSION
LIAISON OFFICE
BARI

Tel. 14152

Re: LB/53. 40 25th July, 1945
SUBJECT: VENDOLA Maria, fu Luigi.
TO: Legal Sub-Commission,
HQ, ALLIED COMMISSION,
C.M.F.

Forwarded for consideration as to whether
or not her sentence can be reduced.

S. W. Miller

S. W. MILLER, Colonel,
Liaison Officer, A.C.,
BA RI.

Sanction not applicable



Procura del Regno presso il Tribunale Civile e Penale di Trani

N. 72 Br.

Risposta a Nota

OGGETTO:

Vendola Maria fu Luigi e di Giuseppe Rg
nat li 2. 1908 in Bari in residenza

ALLIGATI N.

Trani, li

13. 7. 44

Ufficio di Collegamento alleato
Palazzo Municipio
Bari

La donna in oggetto nominata è stata condannata con sentenza del Tribunale di Bari di 15. 12. 44 a mesi 4 e giorni 15 di reclusione e 1.000. multa per reattazione di litri 15 di petrolio in danno della Forza Militare Alleata. Poiché la Vendola presentava istanza per farsi ri-gradire come se l'Amministrazione Militare Alleata sia stata risarcita del danno e se intende perdonare o meno il colpevole.

Prego per un sollecito riscontro

Il Procuratore del Regno

III

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUBCOMMISSIONJL/rm.
25 July 1945.

AC/4083/23/L.

SUBJECT : CADORIN Antonio.

TO : NMIA (for S.F. ARCHER, Major).

1. Your file in re CADORIN Antonio is returned herewith.
2. A copy of the enclosed letter setting forth the action taken is enclosed.

NR.

A.C.W.
A.C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

110
JP

Received by *W. Campbell A.T.S.* 25 July 45
for NMIA (Land Forces Sub Commission)

all *condemned*
HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

/mt.
24 July 1945.

SUBJECT : Arrests by CIC.

TO : E. Paul Yaselli, Via Lovanio No. 6 - ROME.

1. In reply to your letter of 14 July 1945 enclosing copy of your letter of 17 March 1945 I have to inform you that neither G-2 branch nor CIC branch of the Allied Command is in any way under the control of Legal Sub-Commission.

2. Persons charged before AMG Courts have the right to be represented by a lawyer, if they so desire. So far as I am aware this right has never been refused to any person by any AMG Court.

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

109

4083/23



8636

Roma, li 24 luglio 1945

IL MINISTRO DELLA REAL CASA

On.le SOTTOCOMMISSIONE LEGALE
della Commissione Alleata

R O M A
Via Veneto

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 Grazia Fael-la dimorante a S.Giovanni a Teduccio (Napoli) invoca il patrocinio di Sua Altezza Reale in favore del marito condannato dal Tribunale Alleato.

Con anticipate grazie e con la migliore considerazione.

F. Lucifero
F. Lucifero

(Ministro della Real Casa)

108

36-43-227

4083/1
✓HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

AC/14211/PS

Tel : 478709

24 July 1945

SUBJECT : Forwarding of Correspondence

TO : Legal Sub-Commission ✓

The attached correspondence relating to
the case of VERGARA Mario is forwarded for any
action deemed advisable.

file

J. W. Chapman, Capt. U.S. Army

JOHN W. CHAPMAN
Colonel, U.S.A.
Director.

HMB/G

LEGAL SUB-COMMISSION	
CLC	
DCLO	
Chief Counsel	
→	
Legal Section	
CC RKS	
25 JUL 1945	

107
17

File

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

JL/lc.
23 July 1945.

SUBJECT : GIARDINO Vito fu Nicola.

TO : Liaison Officer, BARI.

1. Reference your letter LB/53/54 of 13 July 1945 forwarding the enclosed petition.
2. May the "posizione giuridica" please be sent to this HQ.
3. Please return the enclosed petition.

By command of Rear Admiral STONE:

A.P.W.

A. C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

Incl. 1 Petition.

105

12

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

*letter of SCORSONE
w/d see 4083/104
JL/lc.
23 July 1945.*

AC/4083/23/L.

SUBJECT : MERIGGI Ugo.

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

1. Reference your letter Lig/Log/04 of 16 July 1945.
2. The petition submitted has been considered and denied.
3. The record of the case and the petition are returned herewith.
4. Please acknowledge receipt on enclosed duplicate.

By command of Rear Admiral STONE:

A. P. W.

A. G. WRIGHT, Major,
Judicial Branch,
for Chief Legal Advisor.

Incls.

105

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all

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

JL/rm.
23 July 1945.

AG/4083/23/L.

SUBJECT : BERNARDINI Vittorio.

TO : The Ministro della Reel Cass.

1. Reference your letter 7939 of 15 July 45.
2. The petition has now been considered, it does not however raise any point in law or in fact which was not before the Court and the reviewing authorities. The request is accordingly denied.
3. The petition is returned herewith.

incl : 1 petition.

A. P. W.
A. C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

W. R.

104

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

23 July 1945.

SUBJECT : Case of DAVI PI Ernesto.

TO : Commissioner (Attn: Legal Officer), AME LIVORNO Zone.

1. Above-named is detained at S. Gemignano under sentences of 18 months and 6 months concurrent imposed by AMG Court at Florence on 22 Jan 45.

2. The sentences are reduced to 12 months and 6 months concurrent and the above-named is accordingly to be released on 21 Jan 46 if NOT detained for other lawful cause.

3. Will you ensure the above decision is carried into effect and may this HQ be advised that this has been done.

By command of Rear Admiral STONE:

A.C.W.
A. C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

003

HEADQUARTERS ALLIED COMMISSION
APO 334
LEGAL SUBCOMMISSION

60/4083/23/L.

JL/rn.
23 July 1945.

SUBJECT : MARCHI Romeo.

TO : The Ministro della Real Casa.

1. Reference your letter 7560 of 6 July 45 forwarding the petition on behalf of the above mentioned.
2. The petition has been considered and denied. It is returned herewith.

Incl : 1 petition.

A.C.W.
A.C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

47

102

X5

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

JL/lc.
23 July 1945.

AC/4083/23/L.

SUBJECT : MERIGGI Ugo.

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

1. Reference your letter Lig/Log/04 of 16 July 1945.
2. The petition submitted has been considered and denied.
3. The record of the case and the petition are returned herewith.
4. Please acknowledge receipt on enclosed duplicate.

By command of Rear Admiral STONE:

J. P. W.

AL G. WRIGHT, Major,
Judicial Branch,
for Chief Legal Advisor.

Incls.

Genoa 30 Jul. 45. Receipt of above
enclosures is acknowledged.

A. G. S. Alexander
10 Maj.

D.R.L.O.

bel

HEADQUARTERS ALLIED COMMISSION
AFS 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

J./rm.
23 July 1945.

SUBJECT : Case of SACCHETTI Luigi.

TO : The Minister of Pardon and Justice.

1. Reference your letter "Off. IV Grazie 2397/45" of 4 July 45 forwarding petition on behalf of the above mentioned. A copy of the petition is enclosed.

2. The petition is granted and the above named is to be returned to his family.

W. P. W.

A.C. WHIST,
Major,
Judicial Branch,
for Chief Legal Advisor.

000

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

AG/4088/23/L.

ACM/rm.
23 July 1945.

SUBJECT : Case of DORIA Jolando.

TO : Commissioner (attn. Legal Officer),
AMG LIVORNO Zone.

1. Above named was tried by AMG Court at Livorno on 9 Mar. 45 and sentenced to 11 months imprisonment.
2. On reconsideration, the sentence is reduced to 3 months expiring on 8 Nov. 45 when he is to be released if not detained for other lawful cause.
3. Will you please ensure that this decision is carried into effect and notified to above named and Prison Authorities.

By command of Rear Admiral STONE:

*A.C.W.*A.C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

File

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/1085/23/L

23 July 1945.

SUBJECT : Case of GRETA Mario.

TO : The Minister of Pardon and Justice.

1. The above-named is detained at San Gennignano under sentences 6 months, 1 month and 1 day all concurrent imposed by AMG Court at Siena on 22 Mar 1945.

1. On reconsideration it is decided that he be released on 1st August if NOT detained for other lawful cause.

3. Will you ensure his release accordingly and may this HQ be advised that this decision has been carried into effect.

A. P. W.
A. C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

98

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUBCOMMISSION

JL/rm.
23 July 1945.

AG/4033/23/L.

SUBJECT : VERGARA Mario di Grecco.

TO : Case penale per minori fisici o psichici.

SORIANO nel CISTRO

1. Reference your letter N. 1897 T. 3 fasc. I lett. D of 9 July 45, directed to Public Safety Sub-Commission, and forwarded to this Hq. for consideration.
2. The petition has now been considered and it contains no reasons, either in law or in fact, which would warrant the granting of the request.
3. The petition is returned herewith.

A.P.W.
A.C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

Copy to : Public Safety S/O
your AG/4057/48
refers.

8380



IL MINISTRO DELLA REAL CASA

Roma, li 22 luglio 1945

On.le Sottocommissione Legale dell'A.C.

R O M A

Nello scorso mese di giugno segnalavo, secondo le intenzioni stesse di S.A.R. il luogotenente Generale, all'allora Ministro di Grazia e Giustizia On. Avv. Tupini un ricorso a firma del signor Carlo Sagretti da Tassarano Romano, il quale sollecitava la revoca in via di grazia del provvedimento con cui la Corte Superiore Alleata di Viterbo aveva disposto l'internamento del suo figlio Luigi Sagretti, ora diciassettenne, in un Collegio educativo sotto la sorveglianza del Vescovo di Viterbo.

Dal Ministero di Grazia e Giustizia giunge ora comunicazione che il predetto ricorso in grazia è stato trasmesso in data 4 corrente alla Commissione Alleata per competenza, trattandosi di condanna inflitta dal Tribunale Alleato.

In vista delle singolari circostanze in cui ⁹⁵ giovane fu trascinato al gesto inconsulto che lo tradusse in giudizio (dal quale tuttavia uscì immune di pena detentiva) nonchè delle dichiarazioni del Vescovo alla cui tutela il giovane è affidato, non esito a

././.

24 JUL 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AD/4053/23/L.

J/rm.
20 July 1945.

SUBJECT : PARUZZI Vivetta and PARUZZI Renata.

TO : Commissioner (Attn. Legal Officer),
AMZ LIVORNO Zone.

1. PARUZZI Vivetta and PARUZZI Renata tried on 21 May 45 by an Allied Summary Military Court sitting at Pistoia and sentenced to 6 months imprisonment, 3 months of which are suspended.

2. On reconsideration of their case, the sentences are suspended as of 21 July 45 conditioned upon good behavior.

3. The civilian address of the above is given as "TREVANA". They are imprisoned inside Carceri Ufficiali di Pistoia.

4. Will you please order their release unless detained for other lawful cause and please confirm on the enclosed duplicate that it has been carried out.

By command of Rear Admiral STONE:

W. E. W.
A. E. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

1st Ind.

AJ/an.

Hq., LIVORNO Zone, Allied Military Government. Legal Office.

24 July 1945

To : Hq., Allied Commission, APO 394.
(Attn: Chief, Legal Sub-Commission).

Basic communication complied with this date.

For the Zone Commissioner:

Arber Johnson
ARBER JOHNSON,
1st Lt., Infantry,
Legal Officer.

HEAD-QUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

JL/ra.
20 July 1945.

AC/ACG/23/1.

SUBJECT : SODINI Jacopo Pietrofilino.

TO : Commissioner (Attn. Legal Officer),
LIVORNO Zone.

1. SODINI Jacopo was tried on 30 Jan. 45 by an Allied Superior Military Court at Florence and sentenced to 3 months and 3 months imprisonment. The sentences to run concurrently.
2. On reconsideration the sentences are suspended, conditioned upon good behavior as from 20 July 45.
3. His civilian address is given as Montecatini di Pontedera (Pisa). He is said to be imprisoned "dal carcere di Pontedera (Prov. Pisa)".
4. Will you please ensure his release unless he be detained for other lawful cause and please confirm on the enclosed duplicate that the release has been effected.

By command of Rear Admiral STONE:

A. P. W.

A.C. WRIGHT,

Major,

Judicial Branch,

for Chief Legal Advisor

1st Ind.

AJ/an.

Hq., LIVORNO Zone, Allied Military Government. Legal Office. 24 July 1945.

To : Hq., Allied Commission, APO 394.
(Attn: Chief, Legal Sub-Commission).

Basic communication complied with this date.

For the Zone Commission:

Arber Johnson
ARBER JOHNSON,
1st Lt., Infantry,
Legal Officer.

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMZONE
LEGAL DIVISION
APO 394

4083/23 ✓

I-5040

20 July 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) ~~DORZIO~~ Vincenzo ✓
- 2) ~~VIAGI~~ Cesare ✓
- 3) ~~AFREA~~ Vincenzo ✓
- 4) ~~DE MARTINO~~ Pasquale ✓
- 5) ~~FULLO~~ Vincenza. ✓

For the Commissioner:

CCB/pv

[Handwritten signature]

Frank L. Vecchiolla
FRANK L. VECCHIOLLA,
Major, J.A.G.D.,
Senior Legal Officer. *ybb* 93

21 JUL 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

JL/cm.
20 July 1945.

AC/4083/23/L.

SUBJECT : VALSOGHI Jacopo.

15 : Commissioner (attn. Legal Officer),
AND LIVORNO Zone.

1. VALSOGHI Jacopo was tried on 22 March 45 by an Allied Superior Military Court sitting at Borgo San Lorenzo, and sentenced to one year imprisonment.
2. On reconsideration the sentence is reduced to eight (8) months imprisonment from 22 March 45 and expiring 21 Nov. 45.
3. The accused gives his civilian address to be "Piazza Fontanara 13 - Borgo San Lorenzo - ".
4. Will you please communicate this decision to the accused and also to the prison authorities so that the said reduction may be entered on the prison record.
5. May the duplicate copy of this letter please be returned confirming that the above decision has been put in effect.

By command of Rear Admiral (T.O. 2):

J.P.W.

A.C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

AJ/an.

1st Ind.

Hq., LIVORNO Zone, Allied Military Government. Legal Office.
To : Hq., Allied Commission, APO 394.
(Attn: Chief, Legal Sub-Commission).

24 July 1945.

Basic communication complied with this date.

For the Zone Commissioner:

Archer Johnson
ARCHER JOHNSON,
1st Lt., Infantry,
Legal Officer.

HEADQUARTERS ALLIED COMMISSION
AP. 394
LEGAL SUB-COMMISSION

AC/4039/23/L.

JL/rm.
18 July 1945.

SUBJECT : GUARILEO Giovanni.

TO : The Minister of Pardon and Justice.

1. Reference your letter "Ufficio IP Prot. n. 3317/45 of 9 July 45.
2. GUARILEO Giovanni was tried at Torre Annunziata by Allied Military Court on 7 Feb. 44 and sentenced to serve 9 years imprisonment.
3. His case has been reconsidered and it has been decided to reduce his sentence to a total of two years imprisonment from the date of Judgment. His sentence will expire 6 Feb. 46.
4. The petition which resulted in re-reviewing the case, is enclosed herewith.
5. Will you please issue the necessary instructions so that the above decision will be entered on the record of the prison and also, say the prisoner please be notified of the new decision. May it please be confirmed that the decision has been put in effect.

J.C.O.

J.C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

391

17A
2/2

12081

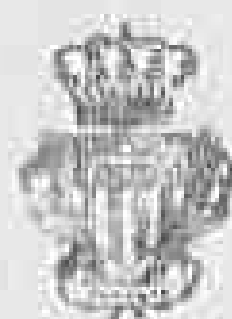
Via Remo 15 - Rome

MARIGLIANI Alessandro di Clemente was sentenced to one year of prison by the Allied Military Court, for possession of Allied goods, with effect from the 8 August 1944, has sent me a application praying me to intercede to your Command to obtain forgiveness for the rest of the other few days of reclusion that he, is supposed to do. Having had occasion, on my assistance activity to the prisoners, to know this young man, I consider him deserving of forgiveness been on disciplined person, and has shown to be very sorry for what he has done. He has let me know that he wishes to be free as soon as possible, having his father serious sick for a tumour on the stomach, so that he is afraid that he cannot see him in life, by the time that he is supposed to be freed. For this reason, I recommend it to the benevolence of your Command, hoping that it will be granted, been very near the date of his liberation (8 August 1945) of whom are only few days.

[illegible]

Releasable of sub 45

No action



ORDINE DI S. S. DELLA MERCEDE
REDEZIONE DEGLI UFFICIALI
IN BALY REFERENDARIO

VIA RENO, 15
ROMA

Roma, 18 Luglio 1945.

AL COMANDO MILITARE ALLEATO

ROMA

MARICLIANI ALESSANDRO di Clemente, condannato ad un anno di prigione dal Tribunale Militare Alleato di Roma, per possesso di merce alleata, con decorrenza 8 Agosto 1944, mi ha fatto pervenire un'istanza con la quale mi prega di intercedere presso codesto Comando per ottenere il condono dei restanti pochi giorni di reclusione che dovrebbe scontare.

Avendo avuto occasione, nella mia attività di assistenza ai carcerati, di conoscere questo giovane, lo considero meritevole d'indulgenza, trattandosi di elemento disciplinato che si è mostrato assai pentito della mancanza commessa. Mi ha fatto conoscere che anela a recuperare al più presto la sua libertà, avendo il padre seriamente ammalato per tumore allo stomaco, sicchè teme di non poterlo più trovare in vita all'epoca della sua liberazione.

Per questi motivi, lo raccomando alla benevolenza di codesto Comando acchè gli venga concessa la liberazione, tenuto presente che all'epoca della scadenza pena (8 Agosto 1945) mancano solo pochi giorni.

IL GRAN BALY REFERENDARIO

(A. Strazzera Perniciani)

MEMORANDUM FOR THE ATTORNEY GENERAL
 DATE: 18 JULY 1948
 FROM: J. L. W.

J. L. W.
 18 July 1948.

10/10/48/23/L.

SUBJECT : LO ROLANDO FRANCESCO FU VINCENZO.

TO : The Minister of Pardon and Justice.

1. LO ROLANDO FRANCESCO was arrested in January 48, and was sentenced by an A.S.C. Court to 3 years imprisonment.
2. He is said to be imprisoned in the "Carcere di San Giovanni". His mother gives her address as to be Via Bondea Regio N. 3 - Torino.
3. On re-view of his case the balance of his term of imprisonment has been suspended.
4. Will you please issue the necessary instructions ordering his immediate release unless detained for other lawful cause, and also please confirm that his release has been effected.

A. P. W.

J. L. W.
 Major,
 Judicial Branch,
 for Chief Legal Advisor.

Copy to : Mr. ALFONSO VAN, 10000
 Via Bondea Regio N. 3
 Torino.

8K

XJ

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

J./ra.
13 July 1945.

AO/4083/23/L.

SUBJECT : ANTONIO CALIA.

TO : The Minister of Prison and Justice.

1. The above named was sentenced to serve a prison term of 3 years and 8 months, imposed by an AND Court at Palermo.
2. On reconsideration of his case the balance of his term has been suspended.
3. The accused is said to be imprisoned in the "Cell of the line"; and gives his home address to be "Fondo Marino, 26 - Messina -".
4. Will you please issue the necessary instructions ordering his release unless detained for other lawful reasons. Too, please confirm that this decision has been given effect.

J.P.W.

A.C. WRIGHT,
Major,
Judicial Branch,
For Chief Legal Advisor.

Copy to : Antonio CALIA.
Fondo Marino 26
Messina

BF

10 aug

file

87

+5

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-5040

17 July 1945

SUBJECT: Case of D'ARCANGELO Ermete di Marco.

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

1. There is transmitted herewith application
for pardon filed on behalf of the above subject.

2. The Director of the Prison recommends
favorable consideration in this case.

3. It is significant that the minor D'ARCANGELO
was under supervised liberty ^{for 4 months} during which time he
manifested exemplary conduct.

For the Commissioner:

CCB/pv

LEG

CIO

DCLO

Chief Counsel

CIO

Vice Chief

Q. R. G.

18 JUL 1945

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

85

HEADQUARTERS ALLIED COMMISSION
APW 394
LEGAL SUB-COMMISSION

JL/ra.
17 July 1945.

AS/1089/23/L.

SUBJECT : Informal Petitions.

TO : The Minister of Pardon and Justice.

1. The petitions on behalf of:

CHILLO	Uliano	CONCINATO	Giuseppe
CHILLO	Giuseppe	CUSCANI	Giovanni
CONCINI	Mario	FRIZZI	Ivo
CONCINATO	Vincenzo	FRIZZI	Felice

are returned herewith.

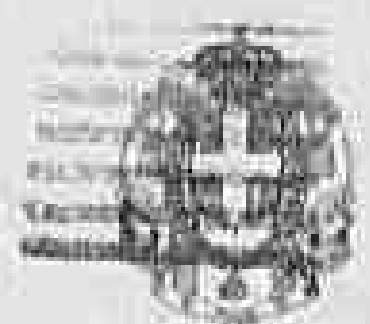
2. The case of each of the above has been reconsidered and after careful deliberation the petitions denied.

A.P.W.
A.C. WRIGHT.
Major,
Judicial Branch,
for Chief Legal Advisor.

85

NAME	SOURCE OF LETTER	REFERENCE	DATE
CAIELLO Ulisse	Minister Pardon & Justice	5194/45	4 July 1945
CAIELLO Giuseppe	"	"	"
CAICOLA Mario	"	5253/45	5 July 1945
CORCUNTO Vincenzo	"	2023/45	4 July 1945
CORCUNTO Giuseppe	"	"	"
CUSCANI Giovanni	"	5455/45	9 July 1945
MARCOLA Ivo	"	5478/45	9 July 1945
SIDOTI Felice	"	131.306/1385	5 July 1945

The above letters returned to Minister of Pardon and Justice with letter 4083/23/L of 17 July 1945.



4083/23

17 LUG 1945

Mod. 805HG

Ministero di Grazia e Giustizia

DIREZIONE GENERALE
PER GLI ISTITUTI DI PREVENZIONE E DI PENALEAlla Commissione Allentu
Sottocommissione Legale
ROMAUfficio
Del. 7°

VI

139124/57690

Reg. 5/AC/4083/23/L.
3-7-45

OGGETTO detenuto Gruenberg David.

Con riferimento alla nota sopra indica-
ta, si comunica che con dispaccio tele-
grafico del 14 corrente mese, è stata in-
vitata la direzione delle carceri giudi-
ziarie di Cosenza a provvedere alle imme-
diata scarcerazione del detenuto in og-
getto, se non detenuto per altra causa.

139124/57690	
CIO	
BOLO	
Chief	
CIN	
121 JUL 1945	

Pel Ministro

18.6.45
24.10.45
83
Me

HEADQUARTERS MILITARY COMMISSION
AFS 394
LEGAL SUB-COMMISSION

AC/4683/23/L.

JH/rm.
17 July 1945.

SUBJECT : PASTORS Fedele.

TO : The Ministro della Real Casa
(S. LUCIFERO)

1. Reference your letter 7889 of 13 July 1945.
2. The petition received with the above letter has been carefully reviewed and denied. It is returned herewith.

J.P.O.
A.C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APD 394
LEGAL SUB-COMMISSION

JL/rm.
16 July 1945.

AC/4083/23/L.

SUBJECT : ANGELONI Alfonso di Antonio.

TO : Direzione del Carcere Poggioreale, POGGIOREALE (Napoli).

1. Reference your letter 10740 of 28 June 45, subject as above.

2. Please inform this office the actual time which ANGELONI has served on the sentence imposed on 21 June 44; prior to his arrest 12 June 45.

A.C.W.
A.C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

B.F. 16 Aug

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

ACW/rm.
15 July 1945.

AO/4083/23/L.

SUBJECT : CAPUTO Virgilio di Luigi - Via delle Puglie 51 - CASORIA
CAPUTO Giuseppe di Luigi - Via delle Puglie 32 - "
BATTINELLI Salvatore di Giuseppe - Via delle Puglie 25 - "

TO : Minister of Pardon and Justice.

1. Reference your letter 138496/55175 of 13 July 45.
2. The 3 above named persons were tried by AMO Superior Court at Naples on 22 March 44 for stealing Allied property and curfew violation. They were sentenced:

CAPUTO Virgilio to 3 years imprisonment
CAPUTO Giuseppe to 5 years imprisonment
BATTINELLI Salvatore to 3 years imprisonment.
3. On review the sentence on CAPUTO Giuseppe has been reduced to 4 years. The sentences on the other two have been confirmed.
4. The only other information available concerning the identity of CAPUTO Giuseppe is a note from the R. Questura di Napoli dated 5 April 44 of which copy is enclosed showing his penal record and in which he is described as born in Avellino on 26 Sept. 1907 of CAPUTO Luigi and RONA Concetta so that it would appear he has the same parents as CAPUTO Virgilio but is two years older.
5. If the man in Castinade is really Virgilio, then where is Giuseppe and viceversa? In any case the convicted and sentenced person should be apprehended and remanded to prison to serve his term.

A.P.W.
A.C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

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file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AS/4083/29/L.

JL/rm.
16 July 1945.

SUBJECT : GRUENBERG David.

TO : The Ministro della Real Casa,
F. LUCIFERO.

1. Reference your letter 7925 of 10 July 45, forwarding petition in favor of the above.
2. The case of GRUENBERG David, was reconsidered on 9 July 45. It was decided to order the remission of the balance of the sentence and the immediate release of the accused.
3. The petition is returned herewith.

A.P.W.
A.C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

NR

TS

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✓ 4083/2
 HEADQUARTERS
 LIGURIA REGION
 ALLIED MILITARY GOVERNMENT
 APO 394

Lig/Leg/04

WGE/sf
16 July 1945

SUBJECT : Petition for Pardon - MARCONI, Ubaldo, Case No. 14
 Lucca Province.

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

1. Enclosed herewith is application for Pardon and the records
 in the above case.

2. Your attention is invited to the remarks of present PLO
 and copy of letter of Lt. Col. PURCELL attached.

For the Regional Commissioner:

W.G. Elder
 W.G. ELDER,
 Lt. Col., Cdn. Prov. C.,
 Regional Legal Officer.

Encl: Record of case.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CLO	
ACTION	
19 JUL 1945	

✓ 4083/23

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-3028

16 July 1945

SUBJECT: Case of PANNONE Salvatore
CASIERO Francesco
RECCHIA Domenico.

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

1. Reference is made to your letter
AC/4083/23/L, JL/rm, 7 July 1945, relative to
the above subject.

2. The release of the above named persons
has been effected.

For the Commissioner:

CCB/pv

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, by 662
Major, J.A.G.D.,
Senior Legal Officer.

file

7 JUL 1945
[Signature]

+3

4083/23

HEADQUARTERS
LIGURIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

WGE/sf
16 July 1945

Lig/Leg/04

SUBJECT : Petition for Pardon - Case No. 831., MERIGGI Ugo.

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

1. Herewith is a petition for pardon on behalf of the
above accused. The complete record of this case is also forwarded.

For the Regional Commissioner:

W.G. Elder
W.G. ELDER,
Lt. Col. Can. Prov. C.,
Regional Legal Officer.

Encl: Record of Case.

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CM	
Legal Section	
CLKS	
19 JUL 1945	

77

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

JL/rm.
16 July 1945.

AC/4083/23/L.

SUBJECT : FIORI/LISI Angelo.

TO : The Minister of Pardon and Justice.

1. Reference this HQ letter 4083/23/L of 28 May 45.
2. A petition on behalf of the accused dated 6 July 45 was submitted to this office, indicating that the accused is ignorant of the decision taken in the above letter.
3. May it please be confirmed that the decision contained in this HQ letter 4083/23/L of 28 May 45 has been given effect and the accused informed of the new decision.

A.P.W.

A.C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

76

B.F.
30 July
+5

HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

4083/13

Tel : 478709

AC/14057/PS ✓

16 July 1945

SUBJECT : Appeal

TO : Legal Sub-Commission ✓

The attached appeal, received by this
Sub-Commission from the Director of the penal prison
of Soriano, is forwarded for any action deemed
necessary.



JOHN W. CHAPMAN
Colonel, J.A.G.D.
Director

RMF/pl

Vengra. Moniopub

75

JUL 1945

+2

HEADQUARTERS EMILIA REGION
ALLIED MILITARY GOVERNMENT

APO 394

WHL/tl
16 July 1945

REF: RIX/LE/660/448

SUBJECT: Vittozzi Francesco, Superior Court, Foggia Province;
Recommendation for Clemency.

TO: HEADQUARTERS, ALLIED COMMISSION, APO 394,
(for Chief Legal Advisor).

1. On 24 December 43, the above was tried before a Superior Military Court at Foggia on a charge of assaulting a member of the Allied Forces with intent to kill or inflict serious bodily harm. The accused was found guilty and sentenced to 10 years imprisonment. The sentence was confirmed on review on 23 Feb. 44 (your J2 - #567). To the best of my recollection I was the only member of the Court that heard this case; in any event I was the President of the Court.

2. As I recall the facts, the accused got into an argument with some Allied troops at a restaurant, where all had been drinking. During the course of the argument, the accused stabbed one of the soldiers in the thigh with a knife. The wound was fairly deep, but did not result in any permanent injury to the soldier, and he was subsequently restored to duty. As is usual in this type of case, the evidence was considerably in conflict. I concluded that the blow was not struck in self-defence and that while there was undoubtedly some provocation by reason of the soldier's conduct, the accused was not justified in using a knife.

3. Having so concluded, I felt it was necessary to impose a heavy sentence on the accused as a deterrent to others. Foggia Province, at that time and until recently had a large number of Allied troops stationed there and I felt it was necessary that a serious view be taken of this type of offence.

4. Now that the war has ended and the number of troops in Foggia is rapidly decreasing, I believe that the sentence in this case requires reconsideration in accordance with para 2 (i), Exec-Memo No 72, 28 July 44. Taking into consideration the provocation that undoubtedly existed, the nature of the wound, and the termination of the Military considerations that largely induced a heavy sentence, I am of the opinion that this sentence should now be commuted to the time already served (approximately 18 months).

5. The accused was originally committed to Lucera prison but I am advised that he has since been transferred to Lecce Prison. His full name is

VITTOZZI Francesco Paolo di Raffaele,
fu Breglia Raffaele, born 5/1/99.

1. On 24 December 43, the above was tried before a Superior Military Court at Foggia on a charge of assaulting a member of the Allied Forces with intent to kill or inflict serious bodily harm. The accused was found guilty and sentenced to 10 years imprisonment. The sentence was confirmed on review on 23 Feb. 44 (Your J& - #567). To the best of my recollection I was the only member of the Court that heard this case; in any event I was the President of the Court.

2. As I recall the facts, the accused got into an argument with some Allied troops at a restaurant, where all had been drinking. During the course of the argument, the accused stabbed one of the soldiers in the thigh with a knife. The wound was fairly deep, but did not result in any permanent injury to the soldier, and he was subsequently restored to duty. As is usual in this type of case, the evidence was considerably in conflict. I concluded that the blow was not struck in self-defence and that while there was undoubtedly some provocation by reason of the soldier's conduct, the accused was not justified in using a knife.

3. Having so concluded, I felt it was necessary to impose a heavy sentence on the accused as a deterrent to others. Foggia province, at that time and until recently, had a large number of Allied troops stationed there and I felt it was necessary that a serious view be taken of this type of offence.

4. Now that the war has ended and the number of troops in Foggia is rapidly decreasing, I believe that the sentence in this case requires reconsideration in accordance with para 2 (41), Exec-Memo No 73, 28 July 44. Taking into consideration the provocation that undoubtedly existed, the nature of the wound, and the termination of the Military considerations that largely induced a heavy sentence, I am of the opinion that this sentence should now be commuted to the time already served (approximately 18 months).

5. The accused was originally committed to Lucera prison but I am advised that he has since been transferred to Lecce Prison. His full name is

VITTOZZI Francesco Paolo di Raffaele,
fu Breglia Raffaele, born 5/1/99.

6. I would appreciate being notified of your decision with respect to this recommendation.

For the Regional Commissioner

CLO

DCLO



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

CL RKS

18 JUL 1945

4 68-5/23
 ALLIED COMMISSION
 Liaison Office
 BAR1

Tel.: 14152

July 16, 1945

Ref.: LB/53/55

To: Legal Sub-Commission,
 H.Q. Allied Commission, C.M.F.

*Cecilia*DE PALO ANGELA

The attached application regarding the
 a/m person is forwarded for decision please.

LEGAL SUB-COMMISSION	
CLO	
DOLO	
Chief Counsel	
CID	
Legal Section	
S. 105	
19 JUL 1945	

S. Miller

S. A. Miller, Col.
 Allied Commission
 Liaison Officer

*pet. joined
 with case*

file
HEADQUARTERS ALLIED COMMISSION
APO 594
LEGAL SUB-COMMISSION

AG/4083/73/L.

AG/rm.
16 July 1945.

SUBJECT : Cases of MANNA Salvatore
CAPOZZI Vincenzo
IORIO Giuseppe

TO : Commissioner (attn. Legal Officer)
AMC NAPLES Zone.

1. Enclosed petition on behalf of MANNA is not understood.
2. The above named persons were tried by AMG Superior Court No 1 Napoli on 19 June 44 and were sentenced:

IORIO to one year
MANNA and CAPOZZI to 6 years each.

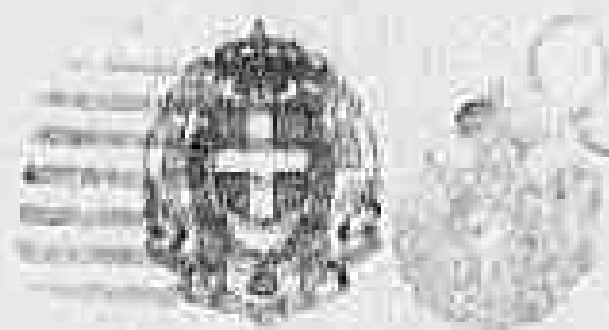
3. On review the convictions were affirmed, as also the sentence on IORIO who should be out of prison by now. The sentences on MANNA and CAPOZZI were reduced to 18 months each and they are accordingly to be released on 18 Dec. 45.

4. Will you please ensure that the decision is notified to Prison Authorities and to the prisoners in order that the decision on review be carried into effect.

5. The place of detention is said to be Foggia Castle.

By command of Rear Admiral STONE:

W.R.W.
A.C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.



4083/23

Penna

15 LUG 1945

Mod 805 MG.

Ministero di Grazia e Giustizia

DIREZIONE GENERALE
PER GLI ISTITUTI DI PREVENZIONE E DI PENAAlla Commissione Alleata
Sottocommissione Legale

ROMA

Ufficio
Let. A

VI

139018/60387

Rapporto NAC/AOPB/23/I.
del 7/1/45

OGGETTO detenuto Contini Ubaldo.

Con riferimento al foglio sopra indicato, si comunica che, con dispaccio telegrafico del 13 corrente mese, inviato alla direzione delle carceri giudiziarie di Pesaro, è stata disposta la escarcerazione per il 15 luglio prossimo del condannato in oggetto, se non detenuto per altra causa.

Il predetto ordine telegrafico è stato inviato alla direzione delle predette carceri, in quanto si presume che il Contini, di cui non vi sono precedenti presso questo Ministero, sia ristretto in tale stabilimento, essendo stato condannato dal Tribunale Militare Alleato di Cagliari, provincia di Pesaro.

CC - UN COMMISSION

CLO

Rel. Ministro

DCIO

Chief

+ 21

21 JUL 1945

18.1.71
24 JUL 45

7939



IL MINISTRO DELLA REAL CASA

Roma, li 15 luglio 1945

On.le SOTTOCOMMISSIONE LEGALE
della Commissione Alleata

R O M A
Via Veneto

Secondo le intenzioni di Sua Altezza Reale 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 la signora Felicità Bernardini, domiciliata in Bari, invoca il patrocinio di Sua Altezza Reale in favore del marito condannato a 2 anni di carcere dalla Corte Alleata di Bari.

LEGAL SUBC. Con anticipate grazie e con la migliore considerazione.

CLO

DCL

Chief Counsel

CIA

Litt

F. Lucifero

(Ministro della Real Casa)

20

18 JUL 1945

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

JL/rm.
14 July 1945.

SUBJECT : Informal Petitions.

TO : The Minister of Pardon and Justice.

1. The Petitions submitted on behalf of;

ANGIOLI	Lorenzo	LOCONTE	Pocco
GABANINI	Paquale	MATTIOLI	Vincenzo
LOBUNO	Leonardo	PATRACOLA	Chiara
	SILVIGNI	Augusto	

are returned herewith.

2. The cases of the above said defendants have been re-reviewed and their petitions denied.

A. C. W.
A. C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

NAME	SOURCE OF LETTER	REFERENCE	DATE
ANGIOLI	Lorenzo Minister of G & Justice	8196/45 (carceri)	29 June 45
CABANINI	Pasquale "	5209/45	5 July 45
LOBUONO	Leonardo "	8197/45	29 June 45
LOCONTE	Rocco "	4698/45	30 June 45
MATTIOLI	Vincenzo "	107	2 July 45
PIETRACOLA	Chiara "	131.268/1256/45	21 June 45
SIMONCINI	Augusto "	5045/45	30 June 45

The above letters are returned to Minister
with letter of 14 July 45 AC/4083/23/L.

file
HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4663/23/1.

AOH/rm.
14 July 1945.

SUBJECT : VISIONE Felice (confiscated truck).

TO : R. Prefettura di C B I E S I.

1. Reference your letter of 7 July 45; a copy is enclosed.
2. This H.Q. has no objection to the return of the truck in its present condition to Sig. VISIONE Felice from whom it was originally confiscated, it being of course quite clearly understood that no responsibility is incurred by A.C. in respect of the use to which said truck has been put since confiscation nor in respect of its present condition.

A.P.W.

A.C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.



R. PREFETTURA DI CHIETI

Div.

N. di Prot.

Chieti. 7 luglio 1945

Risposta a nota

Allegati

Oggetto:

Prof. Avv. Ettore Fallagrassa

C h i e t i

In relazione alla sua lettera del 19 giugno p.p. Le comunico che nulla osta da parte di questa Prefettura a che il Comando Militare Alleato disponga la restituzione o la cessione dell'automezzo CH. 3745 al proprietario Visione Felice.



Il Prefetto

Quaranta



CHIETI 19 GIU 1945

Ente Naz. Autotrasporti Cose

ISTITUTO DI DIRITTO PUBBLICO
D. L. L. 17 AGOSTO 1944 N. 1000
DIREZIONE PROVINCIALE DI CHIETI

Ser. _____ Rep. _____

Prot. N. _____ Alleg. _____

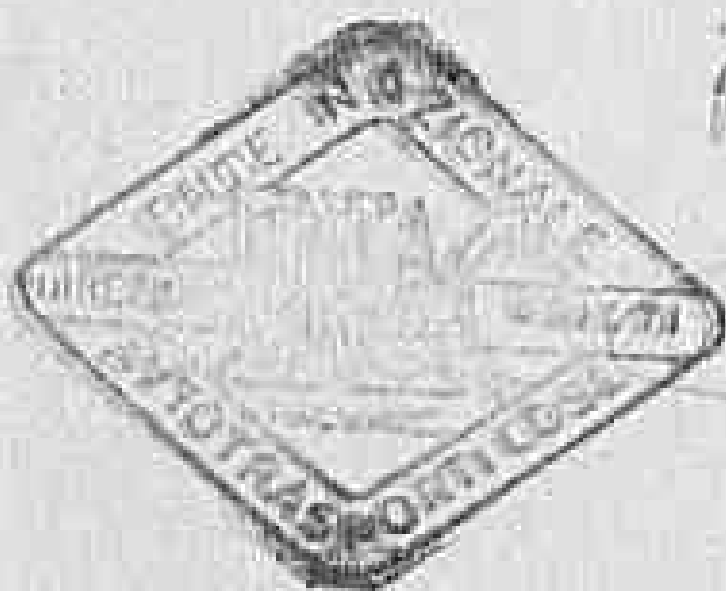
Risposta al N. _____

Del _____

OGGETTO

DICHIARAZIONE

A richiesta dell'interessato si dichiara che il camion targato n° 3745 CH Fiat di proprietà del Sig. VISIONE FELICE di Francavilla a Mare, confiscato dal Tribunale A.M.G. di Chieti ed a suo tempo passato a disposizione di questa Direzione da parte della R. Prefettura di Chieti per la sua presa in carico e conseguentemente per il suo utilizzo, è stato successivamente rimesso a disposizione della R. Prefettura essendo detto camion risultato inefficiente, a seguito di un sopralluogo effettuato da personale tecnico di questo Ente.

IL DIRETTORE PROVINCIALE
(Dr. F. Soriano)

65

TO : P.C. CHIETI PROVINCE (FOR P.L.O.)

FROM : H.Q., REGION V, A.M.G.

R5/511/14/

1. You are hereby notified of the following decisions on review:-

CASE	AREA	REF.	DECISION
See No. 219 VISIONE FELICE	CHIETI	51	Conviction and sentence affirmed. Wine ordered restored
223 to Casalbordino Prison Bocchini Ariano	Casalbordino	233	Conviction & sentence affirmed.

23 Aug. 44

2. The decisions were made on 15 August 1944 by CLO for Chief Commissioner

RC
RIO for RC

Date: 19 Aug. 1944

RLO Region 5

2539

TO : H.Q. A.M.C. REGION 5. (For R.L.O.)
FROM : P.O. CHIETI PROVINCE.

Decision on review has been received and appropriate action taken in the following cases : -

VISIONE FELICE

REF : 51

Bocchini Floriano " 233

.....1944.

P.L.O. for P.O.

63

Illmo. Signor PRESIDENTE

della COMMISSIONE ABILITA' : R O M A

Il sottoscritto VISIONE TULLIO fu Domenico, domiciliato e residente in Chieti, Via Cesare de Iolulis 56 presso lo studio legale dell'Avv. Prof. Pallagrasa Etore, esordisce quanto segue:

Con sentenza n. 51 del Tribunale A.M.G. di Chieti veniva confiscato l'automerzo " Fiat 501 - targato OH 3745" di proprietà dello scrivente.

Il Sig. Capitano Dodrke dell'Ufficio Provinciale A.C. di Chieti con nota M.H./I/T/ del 1. marzo 1945, informava la Prefettura di Chieti che, su ordine del Quartier Regionale dell'A.C., il detto automezzo veniva passato alla Prefettura stessa "per l'ulteriore uso", essendo stato fino a quell'epoca "lasciato in uso al Comune di Chieti".

La Prefettura di Chieti disponeva con nota in data 12/3/1945 n. 2075 Prot. Verb. che l'automezzo suddetto fosse preso in carico da questo Ufficio Provinciale dell'P.M.A.C., al quale lo scriveva, in data 16/3/1945, a mezzo del suo legale Avv. Prof. Pallagrasa Etore, rivolgeva istanza affinché, tenuto presente che il

Il sottoscritto VINCENZO POLICE fu DOMENICO, domiciliato e residente in CHIETI, Via Cesare de Lollis 56 presso lo studio legale dell'Avv. Prof. PALLAGRESCA NITORE, espone quanto segue:

Con sentenza n. 51 del Tribunale A.M.G. di CHIETI veniva confiscato l'automezzo " Fiat 501 = targato CH 3745" di proprietà dello scrivente.

Il Sig. Capitano DONNIGI dell'Ufficio Provinciale A.C. di CHIETI con nota n. N. / 1 / 12 / del 3 marzo 1945, informava la Prefettura di CHIETI che, su ordine del Quartier Regionale dell'A.C., il detto automezzo veniva passato alla Prefettura stessa "per l'ulteriore uso", essendo stato fino a quell'epoca " lasciato in uso al Comune di CHIETI".

62

La Prefettura di CHIETI disponeva con nota in data 12/3/1945 n. 2075 Prov. Gab. che l'automezzo suddetto fosse preso in carico da questo Ufficio Provinciale dell' D.M.A.C., al quale lo scriveva, in data 16/3/1945, a mezzo del suo legale Avv. Prof. PALLAGRESCA NITORE, rivolgeva istanza affinché, tenuto presente che il cessionario in oggetto era divenuto nel frattempo inservibile, e che la sua inettitudine è così grave che oggi esso è un cumulo di rottami, venisse disposta la ces-

sione del canioncino allo scrivente, ex proprietario,
a prezzo da convenirsi.

Questo Ufficio dell'E.N.A.C., previa constatazione del
lo stato di inefficienza da parte di un proprio ispet-
tore, ed a seguito di istruzioni pervenute da parte
della propria Direzione Generale di Roma con lettera
del 24/4/1945, la quale dichiarava che " la questione
non interessa l'Ente", in data 15 maggio 1945 scriveva
alla Prefettura di Chieti affinché, quale consegnataria
dell'automezzo in oggetto a nome del cessato Ufficio
Provinciale A.C., esaminasse benevolmente la domanda
di cessione avanzata dallo scrivente.

Ma la Prefettura di Chieti, con sua lettera in data

22 maggio 1945 n. 4033/2075 Gab., rispondeva all'E.N.A.C.

di Chieti che " quale consegnataria nell'interesse de-
l'Amministrazione Alleata " non può disporre la cessione
in proprietà del canioncino richiesto dallo scri-
vente.

Di conseguenza il sottoscritto, di professione autista,
rimasto privo di ogni mezzo di lavoro a seguito della
confisca del canioncino sudescritto, prega vivamente

a prezzo da convenirsi.

Questo Ufficio dell'E.N.A.C., previa constatazione dello stato di inefficienza da parte di un proprio ispettore, ed a seguito di istruzioni pervenute da parte della propria Direzione Generale di Roma con lettera del 24/4/1945, la quale dichiarava che "la questione non interessa l'Ente", in data 15 maggio 1945 scriveva alla Prefettura di Chieti affinché, quale consegnataria dell'automezzo in oggetto a nome del cessato Ufficio Provinciale A.C., esaminasse benevolmente la domanda di cessione avanzata dallo scrivente.

Ma la Prefettura di Chieti, con sua lettera in data 22 maggio 1945 n. 4033/2075 Gab., rispondeva all'E.N.A.C. di Chieti che "quale consegnataria nell'interesse dell'Amministrazione Alleata" non può disporre la cessione in proprietà del camioncino richiesto dallo scrivente.

Di conseguenza il sottoscritto, di professione autista, rimasto privo di ogni mezzo di lavoro a seguito della confisca del camioncino sudescritto, prega vivamente la S.V. affinché voglia autorizzare la Prefettura di Chieti a vendergli, nelle condizioni in cui si trova, il camioncino medesimo, tenendo presente che nello stato in cui è ridotto dopo lunghi mesi di abbandono,

e dopo l'uso fattone a suo tempo dal Comune di Chieti,
le difficoltà e le spese per la sua eventuale messa
in efficienza saranno rilevantisime.

Nell'attesa fiduciosa dell'esito desiderato, invia
ringraziamenti.

Chieti 30 maggio 1945

Vincenzo Felici

VISIONE FERRER

COSTA ~~MASSA~~

MASCIARRAKKI

17

AGUILA

17-11-11

fly

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

JL/rm.
14 July 1945.

AC/4083/23/L.

SUBJECT : PERELLI Nicola.

TO : The Ministro of Real Casa.

1. Reference your letter 7564 of 6 July 45.
2. May this Sub-Commission please be furnished with the "posizione Giuridica" and a copy of the mandato under which he is detained.

A.C.W.
A.C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

BE 30 July

54

60

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

AC/1083/23/L

JL/rm.
14 July 1945.

SUBJECT : D'ENRICO Pietro and FERRARO Domenico.

TO : The Minister of Pardon and Justice.

1. Reference your letters "Ufficio IV Grazie Prot. n. 4421/45" of 4 July 45 and "Ufficio IV Grazie Prot. n. 3750/45" of 3 July 45.

2. By this Sub-Commission please be provided with the "posizioni Giuridiche" of the above named and a copy of the Mandato under which each of them are detained.

A. P. W.

A. C. WRIGHT,
Major,
Judicial Branch,
for Chief Legal Advisor.

*B E
30 June*

54

E. PAUL YASELLI

AMERICAN LAWYER

NEW YORK OFFICE
51 CHAMBER STREETFORMERLY DEPUTY U. S. ATTORNEY
FOR THE SOUTHERN DISTRICT OF
NEW YORK.RESIDENCE:
6 VIA LOVANO
TEL. 807.120OFFICE:
45 A. VIA A. DEPRETIS
TEL. 41.012

ROME, ITALY July 14th. 1945.

To Col. W.E. Behrens,
Chief Legal Adviser,
Legal-Sub- Commission,
Via Veneto,
Rome.

Subject: Case of Cavallaro Umberto. (AC/4083/23/L)

Sir;

Receipt is acknowledged of your letter of July 11th. 1945 regarding the above matter, contents of which have been duly noted.

I thank you for the information contained in paragraph two of your said letter. With regards thereto, I called at your office to ascertain the procedure in such a case, but; was told that no information could be given and as a favor, your Sergeant gave me the address of the Region where I could file an application.

With regards to the rest of your letter, if you do not consider that any further action is necessary in the case, my client requests me to take the matter up with the Washington, D.C. authorities and I will accordingly comply with his request.

May I, on this occasion, call to your attention to a letter dated March 17th. 1945, addressed to you, which letter I delivered personally at your office, a copy of which I herewith enclose and to which letter I never received a reply. About three weeks after delivering the said letter and not having had a reply, I called at your office and requested to see you. I was asked what I wished to see you about. I stated that I desired a reply to the above mentioned letter. When the clerk returned, presumably from your office, he told me that you could not see me and would answer the letter if you thought it necessary. I have never received any reply to the said letter and wish to renew the request made in said letter, because some of the officials of the C.I.C. in Rome, still abuse their power.

Respectfully yours,


E. Paul Yaselli

March 17th. 1945.

To. Col. W. E. Behren,
Legal Division,
A.C.
Via Veneto,
Rome.

From.

E. Paul Yesselli.

Subject- Rights of persons arrested to be represented by Counsel.

Dear Sir;

I am an American lawyer, a member of the Bar of the State of New York and Washington, D.C. and admitted to practice before the Supreme Court of the United States of America, at Washington, D.C.

During my forced stay in Europe, for lack of transportation, I have represented several persons arrested by G.2. and C.I.C. of the Allied Command, as well as persons interned in concentration camps and cases on review.

In arrest and concentration camp cases by G.2. at Piazza Venezia, my appearance as attorney has been resented and considered unfriendly and was not allowed to see the prisoner I represented.

My understanding of the procedure in ~~allied~~ cases is that a man arrested has the same constitutional rights to be ~~represented~~ ^{represented} by counsel as he has in the United States. Since I don't want to act contrary to the rules and regulations, I would very much appreciate your ruling in the matter, in order to avoid any misunderstandings.

Respectfully yours,

HEADQUARTERS ALLIED COMMISSION
APO 394

WEB/rjp

LEGAL SUB-COMMISSION

AC/4033/23/L

11 July 45

SUBJECT: Case of Cavallaro Umberto,

TO : E. Paul Yaselli,
6 Via Lovanio,
Rome

1. The Chief Commissioner has referred to me your letter of 2 July 1945 on the case of Cavallaro Umberto with instructions to reply there to.

2. At the outset I must draw to your attention the provisions of Rule 23 of the Rules of Procedure for Allied Military Courts which stipulates, inter alia, that petitions ~~of~~ review of cases tried in the courts must be signed either personally by the accused or by the lawyer who appeared for him at the trial. You did not appear for the accused at the trial, and it is therefore only by courtesy that your petitions on behalf of the accused have been considered.

3. Furthermore this case has been very carefully reviewed by several legal officers. I have not myself personally been interested in or concerned with the case at any time.

4. As a result of the reviews which have been made the legal officers who studied the case came to the conclusion

(a) that it was a pure question of fact whether or not your client was a party to the conspiracy with Catullo to bribe the soldiers. There was plenty of evidence upon which the court could come to the conclusion that he was a party to such conspiracy, and in fact the reviewing officers considered that such conclusion was **NATURA** and proper on the evidence; and

(b) that the further evidence which it was desired to submit on behalf of Cavallaro could not assist the case. Indeed the statement which the proposed witness was prepared to make appeared to prove conclusively the guilt of Cavallaro.

5. In these circumstances I do not consider that any further action is necessary in this case.

W. E. BEHRENS,
Colonel,
Chief Legal Adviser

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/1009/23/L.

JL/rm.
14 July 1945.

SUBJECT : VITTI Mario, CASSARO Giuseppe and
VITTI Ettore, VACCA Francesco.

TO : The Ministro della Real Casa.

1. Reference your letters 7459, 7562 and 7597 of 5, 6, 7 of July respectively.
2. The cases of each of the above have been considered and their petition denied.
3. The petitions are returned herewith.

A. P. W.

A.C. WEIGHT,
Major,
Judicial Branch,
For Chief Legal Advisor.

Mod. 1348 M.G.



Ministero di Grazia e Giustizia

DIREZIONE GENERALE PER GLI ISTITUTI DI PREVENZIONE E DI PENNA

Roma, 13 LUG 1945

Ufficio VI

Prot.n. 138496/55175
 Resp.al P.n.AC/4083/23 L.
 del 24/4/1944.

Alta Commissione Alleata
 Sottocommissione Legale

ROMA

OGGETTO: Caputo Giuseppe o Virgilio.

Con riferimento al foglio suindicato, si informa che la Direzione della casa di lavoro all'aperto di Castiasca, ha comunicato che in quello stabilimento non si trova detenuto Caputo Giuseppe di Luigi ma Caputo Virgilio di Luigi e di Pavone Concetta, nato a Caserio il 13-9-1909.

Dai documenti giuridici del Caputo Virgilio, risulta che lo stesso fu condannato dalla Corte Superiore Alleata di Napoli, con sentenza del 22 marzo 1944, ad anni 3 (tre) di prigione e non ad anni cinque.

Pregasi far conoscere se il provvedimento di riduzione di pena di un anno, di cui alla nota sopra richiamata, si riferisce al detenuto Caputo Virgilio e quale sia precisamente la pena inflittagli dalla Corte Superiore Alleata di Napoli.

54

Tel. MINISTRO

LEGAL SUB-COMMISSION

GLO

DCLO

Chief Counsel

CIO

Italian Section

CL RKS

10. Aug

29 55 263



Roma, li 13 luglio 1945

IL MINISTRO DELLA REAL CASA

On.le SOTTOCOMMISSIONE LEGALE
della Commissione Alleata

R O M A
Via Veneto

Secondo le intenzioni di S.A.R. il Luogotenente Generale del Regno segualo a codesta On. Sottocommissione, per il miglior conto che - nei limiti del giusto e del possibile - crederà di farne, l'accolta istanza con la quale tale Anna Pastore da Bari, Via Glommerelli 5, invoca il patrocinio di Sua Altezza Reale in favore del marito condannato a due anni di reclusione dal Tribunale Militare Alento.

Con anticipate grazie e con la migliore considerazione.

Lucifero

F. Lucifero

(Ministro della Real Casa)

LEGAL SUB COMMISSION

CLO

DCLO

Chief Counsel

CID

Italian Section

CL RKS

14 JUL 1945

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HEAD-QUARTERS ALLIED COMMISSION
 1944
 LEGAL SUB-COMMISSION

AG/AD33 /23/L.

JL/rm.
13 July 1945.

SUBJECT : TOMMASO ARONATO IN ANGLO.

TO : The Minister of Pardon and Justice.

1. TOMMASO ARONATO was tried by an Allied Military Court at Perugia on 30 October 44. He was convicted and sentenced to pay a fine of 2000 lire. He was released from prison on 5 November 44, the fine remaining unpaid.

2. Under cover of a letter from P. Questura of Perugia, Div. 2 No. 3045 of 25 March 45, a warrant of arrest, issued by the Allied authorities on 11 November 44, was sent to P. Questura of Rome. The accused was apprehended and re-arrested on 10 July 45. TOMMASO is now lodged in Questura Sant'Antonio, San Luigi dei Francesi.

3. On reconsideration, the accused having spent 5 days in prison, the conviction is affirmed and the unpaid portion of the fine of 2000 lire is remitted. The accused is to be released.

4. Will you kindly issue the necessary instructions ordering the release of the accused unless detained for any other lawful cause.

[Signature]
 JOHN A. WILSON,
 Colonel, Infantry,
 Chief Judicial Officer,
 for Chief Legal Advisor.

Copy to : Signore JOSEPH ARONATO
 P. Questura Roma
 (per. Sant'Antonio).

C O P I A

R. QUESTURA DI PERUGIA

Addi: 26 Marzo 1945

Div. 2 No. 3043

Oggetto: TURELLA Ernesto fu
Angelo.

Risposta a nota N. 213658/2

Allegati n. 5

ALLA R. QUESTURA DI

R O M A

Con riferimento alla nota sopraindicata, si comunica che il Comando Militare Alleato di Perugia interpellato in merito a quanto richiesto da codesto Ufficio, ha informato che le unite copie dei mandati di cattura emessi l'11 gennaio 1944 a carico di TURELLA Ernesto sono ancora eseguibili ed ogni sforzo dev'esser fatto per mandarli in esecuzione.

Si gradira' conoscere esito indagini rintraccio e arresto del medesimo.

IL QUESTORE

Firmato (illegibile)

Form No. 3

ALLIED MILITARY GOVERNMENT

WARRANT
(MANDATO DI CATTURA)

TO ALL POLICE
(A tutta la Polizia)

You are hereby empowered and required to arrest one DONELLA ZARFAGO ^(name) age 29

112524 Campo di ^(address) Perugia forthwith and bring him without delay before the

Summary Military Court at Perugia to answer charges made against him.

(Siete a mezzo di ciò autorizzati e richiesti di mettere sotto arresto un tale

senza indugio davanti il Tribunale Militare inferiore a ^(nome) Perugia ^(indirizzo) Perugia e di condurlo

^(indirizzo della Corte)

per rispondere ad accuse fatte contro di lui).

Perugia 11/11/44

By order
(Per ordine)

[Signature]

Signature of authorized person
(Firma dell'individuo autorizzato)

RETURN OF WARRANT
(RAPPORTO DI MANDATO DI CATTURA)

I do hereby certify that on this 11 day of November 1944

I (was unable to serve warrant as defendant was (not found), (dead), (missing); duly served this warrant of which this is a true copy upon the defendant, and he is now confined at 50 ^(number)

awaiting order of trial before 10 ^(name of Court) Perugia ^(non mi è stato) 1945 ^(ho debitamente)

(Io a mezzo di ciò attesto che addì 10 Perugia ^(non mi è stato) 1945 ^(ho debitamente) possibile di presentare il mandato di cattura per ragione che l'accusato non è stato trovato, presentato questo mandato di cattura del quale questa è una copia ~~(non)~~ (mancante) all'accusato, ed egli è ora benelno in custodia

MANUALE DI CATTURA

(Siete a mezzo di ciò autorizzati e richiesti di mettere sotto arresto un tale

Рембра 11/11/44

W. H. L.

2500

RETURN OF WARRANT

(RAPPORTO DI MANDATO DI CATTURA)

194

(1.000) *for three*
(name of Compt.)

(non mi è stato)
(ho debitamente)

(nome della Corte)

Parvone Andreea 9 3-9-9
ure of officer serving warrant

Signature of officer serving warrant
Firma dell'Ufficiale che ha presentato il mandato di cattura

Mod 40

Revised 13.7.1945 PM A

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

ALLA COMMISSIONE ALLEATA
SOTTOCOMMISSIONE LEGALE
ROMA

IV Grazie
48II/45

Resposta ref. del 25.6.1945

OGGETTO: FERRARA Nunzia
Istanza per grazia

Con riferimento alla nota sopra indicata, si comunica che il Procuratore Generale di Napoli ha assicurato, che la condannata in oggetto è stata scarcerata il 25.6.1945 a seguito di ordine della locale Corte Alleata, per pena sospesa.

PEL MINISTRO

(A. Spallanzani)

CLO

DELO

Chief Counsel

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Italian Section

CL RKS

13 JUL 1949

Vol. C.W.

90-40648

45

HEADQUARTERS
LIGURIA REGION
ALLIED MILITARY GOVERNMENT
APO 394

Lig/Leg/04

WGE/pm
13 July 1945

SUBJECT : Review of cases - Lucca -
DANTRACCOLI Caterina - Case No. 954

TO : C.L.A. - H.A.C.
(Attn: Legal Sub-Commission)

1. Attached is petition and record of the above case. This case has already been reviewed but apparently before petition was received as would appear from endorsed remarks of the F.L.O on this petition.

2. Attention is invited to Form 2 in the substitution of name as to the accused and the fact she gave evidence. It is not clear whether the amendment was made before or after the taking of evidence and whether she was safeguarded as to her rights.

3. It might further be pointed out that this woman swore she took the baskets at the request of Belli not knowing what was in it. This evidence is not contradicted even by her statement to the Sgt. as in evidence that this accused said the articles belonged to her which could mean as opposed to the woman who immediately had them in her possession. The conviction of Belli (if as to the same articles) would afford in the evidence supporting his conviction some corroboration as to her sworn testimony of lack of knowledge or intent. Mere possession without intent would hardly, it is submitted, justify the sentence.

4. Should you be of a similar opinion you might see fit to remit the balance of the sentence.

For the Regional Commissioner

WG. ELLER,
Lt. Col., Cdn. Prov. C.,
Regional Legal Officer.

LEGAN S/C

4083/23

Are Belli's remarks being held
this testimony prejudicial?

more possession is unlawful
see Proc 1 ad 5 action 27

was shown by Belli's testimony
there is no other evidence

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TEMPORARY ALLIED COMMISSION
APU 394
LEGAL SUB-COMMISSION

JL/rm.
13 July 1945.

AD/4052/23/L.

SUBJECT : Case of JANNONE Salvatore
CABINIS Francesco
RECCIA Domenico

TO : Commissioner (attn. Legal Officer),
APO NAPLES Zone.

1. Reference your letter -3028 of 10 July 45.

2. As per your request the following information has been extracted from the record of the case:

- (a) - Name - JANNONE Salvatore di Carmine
- Age at time of trial - 50
- Address - 25 Via Conte, San Bartolomeo in Galdo, province of Benevento.
- Name - CABINIS Francesco (no paternity given)
- Age at time of trial - 17
- Address - 50 number, San Bartolomeo in Galdo, province of Benevento.
- Name - RECCIA Domenico (no paternity given)
- Age at time of trial - 22
- Address - San Bartolomeo, province of Benevento.
- (b) Trial took place at San Bartolomeo, province of Benevento, on 22 Dec. 43, before an Allied Superior Military Court. Case was known as San Bartolomeo in Galdo Riots.
- (c) - Sentences imposed were:
- | | |
|---------|----------------------|
| JANNONE | 3 years imprisonment |
| CABINIS | 3 years imprisonment |
| RECCIA | 3 years imprisonment |

3. The petition which led to the suspension of the balance of the sentences was submitted by Avv. Ettore LEO, Piazza della Borsa, n. 22 Naples.

By command of Rear Admiral TOLIN

JOHN A. BRINK,
Colonel, Infantry,
Chief Judicial Officer,
For Chief Legal Advisor.

Brink

4083/23

ALLIED COMMISSION
LIAISON OFFICE
HARI

Tel.: 14152

July 13, 1945

Subject: Application for release from Jail.

Ref.: LB/53/54

To: Legal Sub-Commission,
H.Q. Allied Commission, C.M.F.

The attached application is passed to
you for decision please.

S. W. Miller

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

LEGAL SUB-COMMISSION	
CIO	
CCO	
Chief Counsel	
CM	
Legal Section	
RECEIVED	
JUL 13 1945	

file
discovered
Vito

4083/23
HEADQUARTERS ALLIED COMMISSION
Public Safety Sub-Commission
APO 394

Tel : 478709

13 July 1945

AC/14211/PS

SUBJECT : Appeal

TO : Legal S/C HQ.AC

The attached communications received by
this Sub-Commission are forwarded for any action
considered advisable.

John W. Chapman, Col.
JOHN W. CHAPMAN
Colonel, J.A.G.D
Director

RMF/pl

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

JL/rm.
12 July 1945.

AC/4083/23/1.

SUBJECT : Case of BARBUTO Ereditato fu Raffaele.
TO : Commissioner (atta. Legal Officer),
AMG NAPLES Zone.

1. Reference your letter L-5040 of 9 July 45.
2. On recommendation, and due to the impending death of the accused, the balance of the sentence is suspended, conditioned upon the accused's continuing good behavior during continuance of Allied Military Government.
3. Will you please issue the necessary instructions releasing BARBUTO Ereditato fu Raffaele immediately. May it please be confirmed that the above has been carried out.

By command of Rear Admiral STONE:

W. E. DEBBERS,
Colonel,
Chief Legal Advisor.

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4083/83

PSAFETY
#471ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

CR/J

G-5: OM4.5

La Coppola Giambattista

12 July 1945

SUBJECT: Release of Italian Civilian Prisoner

TO : Headquarters, Allied Commission, APO 394

Attached is a petition regarding a civil prisoner, Iaccopola
Giambattista, for any action deemed necessary.

For the Asst Chief of Staff, G-5:

13 JUL 1945

C. J. MacGarrara
C. J. MACGARRARA,
Major, P. C.

Encl: as above

43

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

JKW/rjp

AG/4083/23/L

12 July 45

SUBJECT: Mastello Vincenzo di Gastano

TO : Commissioner (attn. Legal officer)
AMC Naples Zone

1. Your letter L-3028/A of 9 July 45 has been received and noted.

2. The fine as remitted by this H.Q., (AG/4083/23/L, of 3 July 45) should be refunded to the accused.

By command of Rear Admiral STONE

W.E. Behrens

W. E. BEHRENS,
Colonel,
Chief Legal Adviser

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

12 July 45

SUBJECT: Case of Fantera Domenico

TO : Monsignore Joseph F. Mc Geough

1. Colonel Behrens has referred your letter of 9 July 45 to the Chief Judicial Officer's branch with instructions to reply thereto.

2. FANTERA, a prison guard, was guilty of the serious offence of smuggling messages in and out of prison for reward. Several petitions on his behalf have been received and considered. It is impossible to interfere with the sentence on the ground of hardship to his family, a consideration which applies to almost every person sentenced.

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

NR

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4083/23 ✓

HEADQUARTERS
LIVORNO PROVINCE ZONE
ALLIED MILITARY GOVERNMENT

20/4

11 July 1945

File: L.O.1455
Subject: Transmission of files
To: Hq, Allied Commission, APO 394
(Attn: Chief, Legal Sub-Commission)

Herewith inclosed find 37 files of Summary Court cases.

For the Zone Commissioner:

Arber Johnson
ARBER JOHNSON
1st Lt. Infantry
Legal Officer

40

**STUDIO LEGALE
RICCARDO CAPOZZI**

PERUGIA

Via Bontempi, 8 - Telefono 51-91

Recapiti | Città della Pieve (Sabato)
| Castiglione del Lago (Mercoledì)

11 / 7 / 1945 /

4083/23

ON/ CHIEF LEGAL ADVISOR
Legal Subcommission
Hqs Allied Commission

R o m e

In data 21 Maggio u.s. fu spedito a codesto On. Ufficio appello interposto da Liutprandi Amos, evverse sentenza del Tribunale alleato di Perugia emessa in data 25 Aprile precedente.

Poiché sino ad oggi ne il Liutprandi, ne io, quale difensore dell'imputato abbiamo avuto comunicazione dell'appello stesso, sarò grato a codesto On. Ufficio ove voglia farmi conoscere quelle cose in merito, onde poter essere in grado di soddisfare alle richieste dell'cliente.

Nella contempo gradirò conoscere se il giudizio di revisione sarà celebrato costà o, possibilmente; qui a Perugia.

Con i più deferenti ossequi.

Dr. Capozzi

11/10
14/3/45

HEADQUARTERS ALLIED COMMISSION
APO 394

WER/rjp

LEGAL SUB-COMMISSION

AC/4085/23/L

11 July 45

SUBJECT: Case of Cavallaro Umberto,

TO : E. Paul Yaselli,
6 Via Lovenio,
Rome

1. The Chief Commissioner has referred to me your letter of 2 July 1945 on the case of Cavallaro Umberto with instructions to reply there to.

2. At the outset I must draw to your attention the provisions of Rule 23 of the Rules of Procedure for Allied Military Courts which stipulates, inter alia, that petitions ^{for} review of cases tried in the courts must be signed either personally by the accused or by the lawyer who appeared for him at the trial. You did not appear for the accused at the trial, and it is therefore only by courtesy that your petitions on behalf of the accused have been considered.

3. Furthermore this case has been very carefully reviewed by several Legal officers. I have not myself personally been interested in or concerned with the case at any time.

4. As a result of the reviews which have been made the Legal officers who studied the case came to the conclusion

(a) that it was a pure question of fact whether or not your client was a party to the conspiracy with Catullo to bribe the soldiers. There was plenty of evidence upon which the court could come to the conclusion that he was party to such conspiracy, and in fact the reviewing officers considered that such conclusions was ~~material~~ ^{natural} and proper on the evidence; and

(b) that the further evidence which it was desired to submit on behalf of Cavallaro could not assist the case. Indeed the statement which the proposed witness was prepared to make appeared to prove conclusively the guilt of Cavallaro.

5. In these circumstances I do not consider that any further action is necessary in this case.

W.E. BEHRENS, ^H
Colonel,
Chief Legal Adviser

4083/23

AUTORITÀ MITTENTE		DATA	
Genio	106	10/10/45	10/10/45

N. di protocollo 138544/60311

Ufficio VI Alla Direzione delle carceri giudiziarie di Nicastro

e p.o. alla Commissione Alleata-Sottocommissione Legale ROMA

La Commissione Alleata-Sottocommissione Legale, comunica quanto appreso:

" OGGETTO: Zeffina Pietro

La causa di Zeffina Pietro è stata riesaminata ed in base a ciò il residuo della condanna viene coperto col 25 luglio 45, nel quale giorno egli dovrà essere scarcerato a meno che non sia trattato per causa legittima.

Zeffina Pietro si suppone detenuto nelle carceri giudiziarie di Nicastro.

Vogliate impartire le necessarie istruzioni a ciò che la decisione di cui sopra venga eseguita a confermare l'avvenuta scarcerazione."

Si prega di provvedere in conformità, assicurando.

D'ordine del Ministro

V.P.W.

11 JUL 45

Baran

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

L-5040

10 July 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) COMISSO Vincenzo
- 2) REZZA Tommaso
- 3) DE CE ARE Ferdinando
- 4) NERI Nicola
- 5) PENNELLI Giuseppe
- 6) ANGELONI Alfonso
- 7) RUSSO Salvatore

For the Commissioner:

CCE/pv

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

TRANSLATION L.S.

Legal S-C

MINISTER OF GRACE AND JUSTICE
Minister Cabinet

Liaison Office with AC

10 July 45

UC/741

SUBJECT - Gaetano Neglieri

TO : Allied Commission
Sub-Commission for P.S./
R o m e

We enclose a petition of the a/m subject, sentenced
by the Allied Court.
Kindly give notice if his petition will be granted.

Liaison Officer
Dr. Giorgio Bonelli

LEGAL SUBCOMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
3 AUG 1945	

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4083/23
✓
ALLIED COMMISSION
LIAISON OFFICE
BARI

Tel.: 14152

July 10, 1945

Subject: Case of COLAIANNI Saverio
CHIRICO Pietro
MARCIANO Edoardo

Ref.: LB/53/46

To: C.L.A., Legal Sub-Commission
H.Q. Allied Commission, C.M.F.

1. Ref. your letter No. AB/4083/23/L of 29.6.45.
2. MARCIANO Edoardo was released from Acquaviva delle Fonti Gaol on 7.7.45 under authority of the above quoted letter.
3. COLAIANNI Saverio These men were illegally
CHIRICO Pietro released from ANDRIA Gaol
by a mob on 27.7.45 and
have therefore anticipated
their legalized freedom.

John Miller

Sgt. Miller, Col.
Allied Commission
Liaison Officer

13 JUL 1945

34(1)

7825



IL MINISTRO DELLA REAL CASA

Roma, li 10 luglio 1945

On.le SOTTOCOMMISSIONE LEGALE
della Commissione Alleata

R O M A
Via Veneto

Secondo le intenzioni di S.A.R. il Luogotenente Generale del Regno, mi permetto segnalare a codesta On. Sottocommissione per il miglior conto che, pur nei limiti del giusto e del possibile, crederà di farne, l'accluso ricorso mediante il quale il Sig. Davide Gruenberg di Lazzaro suddito Cecoslovacco condannato a 3 anni di reclusione dalla Corte Superiore Alleata di Cosenza, sollecita il patrocinio di Sua Altezza Reale al fine di ottenere la propria liberazione.

Con anticipate grazie, e con i migliori saluti.

Lucifero
F. Lucifero

(Ministro della Real Casa)

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

L-3028-A

10 July 1945

SUBJECT: Cases of PARLATO Giuseppe,
MILONE Gennaro and PELOSI Pietro.

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

1. Reference is made to your letters
AC/4083/23/L, JL/rm, relative to the above subject.

2. You are informed that the release of the
above named subject has been effected.

For the Commissioner:

CCB/pv

32
Frank L. Vecchiolla
FRANK L. VECCHIOLLA, *by CCB*
Major, J.A.G.D.,
Senior Legal Officer.

11 JUL 1945

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-3028

10 July 1945

SUBJECT: Case of PANNONE Salvatore
CASIERO Francesco
RECCHIA Domenico.

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

1. Reference is made to your letter
AC/4083/23/L, JL/rm, relative to the above subject.

2. Please inform us of the following:

a. the full name and paternity of the above
named persons.

b. The date of the trial, the court before
which they were tried and the sentences that they
received.

For the Commissioner:

CCB/pv

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, 6869
Major, J.A.G.D.,
Senior Legal Officer.

31

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

L-5040

9 July 1945

SUBJECT: DE JULIO Dederico.

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

Placed with record of case.
1. Transmitted herewith is letter relative
to the above subject for your consideration and
advice.

For the Commissioner:

Case 22-9-64

CCG/pv

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

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LEGAL SUB-COMMISSION	
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HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMBINE
LEGAL DIVISION
APO 394

To
Ministry
of Justice

L-5040

9 July 1945

SUBJECT: Petitions for Pardon (BARBUTO Espedito)

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

1. Transmitted herewith is application for pardon filed on behalf of BARBUTO Espedito.
2. The Director of the Prison recommends favorable consideration in that BARBUTO suffers from an incurable disease and has but a short time to live.

For the Commissioner:

Frank D. Vecchiolla
FRANK D. VECCHIOLLA, by 860
Major, J.A.G.D.,
Senior Legal Officer.

CCB/pv

LEGAL SUBCOMMISSION

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10 JUL 1945

Release



No : 85087 S/A.

Dal Vaticano, li July 9, 1945

Dear Colonel Behrens :

The Secretariat of State of His Holiness has been asked by Signora Antonia Fantera to present a request to the competent Allied Authorities for the release of her husband Sig. Domenico Fantera at present serving a two year sentence in the Regina Coeli prison, Rome. It is stated that, due to the sad plight of his wife and three small children, Sig. Domenico Fantera's presence is urgently needed for their support.

Thanking you for any possible attention you may give this matter I am,

Sincerely yours,

Joseph F. Mc Geough 28
Mons. Joseph F. Mc Geough,
Secretariat of State of His Holiness.

Colonel Behrens,
Legal Sub-Commission,
Allied Commission,
Via Veneto,
Rome.

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4083/230

ALLIED COMMISSION
LIAISON OFFICE
BARI

Tel.: 14152

July 9, 1945

Subject: Application for Release
from Jail.

Ref.: LB/53/44

To: Legal Sub-Commission,
H.Q. Allied Commission, C.E.F.

1. The attached application for the release of ROSSINI Nicola is forwarded for decision please.
2. A similar application was sent to you on 2 Mar '45 but a reply cannot be traced here.
3. Will you please let me know in due course what you wish ~~to be~~ done.

*S.W. Miller*S.W. Miller, Col.
Allied Commission
Liaison Officer

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

L-3028/A

9 July 1945

SUBJECT: MAGIELLO Vincenzo di Gaetano.

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

1. Reference is made to your letter
AC/4083/23/L, JL/rm, 3 July 1945, relative to the
above subject.

2. The above named was released on 28 June
1945, on which day the fine of 25,000 lire was
paid.

3. Under the circumstances may we have your
advice as to whether the fine should be refunded.

For the Commissioner:

CCB/pv

Frank L. Vecchiolla
FRANK L. VECCHIOLLA, *by 660*
Major, J.A.G.D.,
Senior Legal Officer.

28

10 JUL 1945

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/1083/23/1.

7 July 1945.

SUBJECT : Case of GRUBENEG David.

TO : Minister of Pardon and Justice.

1. I have received from Avv. Franco Bugliari a petition on behalf of GRUBENEG David who was sentenced by an Allied Military Court in Cosenza to 5 years imprisonment on 24 Dec 1943 on a charge of dealing in currency at illegal rates.

2. In view of the statements contained in the petition I have decided to order the remission of the balance of the sentence and the immediate release of the accused.

3. As the accused is now in prison in Cosenza, I should be grateful if you would communicate this decision to the appropriate authority and see that it is put into effect.

Copy to: Avv. Franco Bugliari.

W. E. BERRIS,
Colonel,
Chief Legal Advisor.

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*File*HEADQUARTERS ALLIED COMMISSION
APO 294
LEGAL SUB-COMMISSION

10/4385/23/L.

/rm.
9 July 1945.SUBJECT : *DETENUTI Severo.*

TO : Procura Militare del Regno

1. Reference your letter 823/45, of 20 June 45
2. This Sub-Commission has no information relating to above named.
3. It is pointed out that AM Courts have no jurisdiction over charges of collaboration with the Germans.

*A. P. G.*W. E. BRIDGES,
Colonel,
Chief Legal Advisor.

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file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

8 July 1945.

AC/4083/23/L.

SUBJECT : Riot in Trabia on 23 November 1943.
TO : The Minister of Pardon & Justice.

1. The undermentioned eleven persons are still in gaol in Sicily as a result of sentences imposed upon them by an Allied Military Court for offences committed during the riot in Trabia, Sicily, on 23 November 1943 :-

	<u>Sentence</u>
TERESI Giuseppe	3 years
VALLERUNGA Pietro	3 years
BONDI Vito	3 years
CANCILLA Diego	3 years
GIRAUO Raffaele	4 years
TURTURICI Giuseppe	5 years
LIMA Giuseppe	5 years
MANCUSA Salvatore	6 years
VALLERUNGA Salvatore	7 years
TONDA Carmela	7 years
CANCILLA Vito	7 years

2. I have personal knowledge of the case as I tried it myself and I think that the sentences were deserved at the time that they were imposed. Moreover the men used such violence in the course of the riot that if any leniency is shown to them I feel that it should be upon the terms that they are kept under supervision for some future period.

3. I think, however, that the time has now come when the sentences can be reviewed and I am disposed to suggest that in each case half the prison sentence should be suspended during good behaviour. The effect of this would be that the first four would be immediately released and that the others would have considerably less time to serve in gaol.

4. I understand from what you told me at our last conference that you would be prepared in cases of this nature to make some suitable order which would ensure that supervision is exercised over these men after they are freed from imprisonment. If, therefore, you are prepared to do this and will so notify me I will make an order on the terms I have mentioned.

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

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/4089/23/L.

/rm.
7 July 1945.

SUBJECT : Case of CONTINI Ubaldo.

TO : The Minister of Pardon and Justice.

1. Above named was tried by Allied Military Court at Cagliari, Sassari-Urbino on 12 Oct. 44 and sentenced to imprisonment for one year and a fine of L. 10,000 or in default three months additional.
2. On reconsideration of his case the balance of his sentence as from 15th July 45 is suspended and the fine if not paid is remitted.
3. Will Your Excellency kindly ensure the above named is released on 15th July if not detained for other lawful cause.

W.L. BENNETT,
Colonel,
Chief Legal Advisor.

file

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

II/12.
7 July 1945.

AE/4083/23/L.

SUBJECT : Case of PANNONE Salvatore
CASIERO Francesco
PACCHIA Domenico

TO : Zone Commissioner (attn. Zone Legal Officer),
NAPLES Command.

1. The cases of the above mentioned persons have been re-considered and it has been decided to suspend the balance of the sentences as of 7 July 45 conditioned upon the accused's good behavior during Allied Military Government.

2. The detained CASIERO and PANNONE are said to be imprisoned at Benevento jail; PACCHIA is also believed to be imprisoned at Benevento. They were all residents of San Bartolomeo, Benevento.

3. Will you please obtain the release of PANNONE Salvatore, CASIERO Francesco and PACCHIA Domenico unless detained for any other lawful cause and please confirm that the release has been effected.

By command of Rear Admiral STONE:

A.P.W.

A.E. REINKE,
Colonel,
Chief Legal Advisor.

26

B/E/len
25/10

fm



Mod. 40

Roma 7 luglio 1945 1+++

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIOOp. COMMISSIONE AILEATA
Sottocommissione Legale
ROMA

Ufficio I° A.P.

Prot. N° 131.254/1178/45

Ricevuto f. del 30.5.945

Dir. Dir. RC/4083/3/I

OGGETTO: Causa di PALIERI Filippo

e per conoscenza:

ALL'UFFICIO DI COLLEGAMENTO
GABINETTO

Facendo seguito al foglio pari numero in data 15.6.945, si comunica che il Procuratore Generale del Regno presso la Corte di Appello di Bari ha, con foglio del 21.6.c.a.; assicurato l'esatto adempimento di quanto venne richiesto da codesta On. Sottocommissione con la nota sopra distinta, avente per oggetto il detenuto PALIERI Filippo

per MINISTRO
(A. Spallanzani)

20

13 11 JUL 1945

W. W.

*not
file*

HEADQUARTERS ALLIED COMMISSION
APO 394
MILWAUKEE SUBCOMMISSION

10/4083/23/L.

/ra.
7 July 1945.

SUBJECT : RISSERANDO Cesare.

TO : Procuratore del Regno - S. A. L. E. X. O. -

1. Reference your letter of 22 June 45 to Legal Officer
JED Naples.

2. Above named was sentenced to 12 months imprisonment from
the 17 Jan. 44, expiring therefore on 16 July 45.

3. 1. you please advise Prison Authorities as this P.C.
does not know where above named is detained.

A. P. (w)

W. E. WILLIAMS,
Colonel,
Chief Legal Advisor.

19 : 3

4088/23
7597

IL MINISTRO DELLA REAL CASA

Roma, 11 7 luglio 1943

Alla Sottocommissione Legale
della Commissione AlleataR O M A

Via Veneto

Secondo le intenzioni di S.A.R. il Luogotenente Generale del Regno segnalo a questa Sottocommissione, per il miglior conto che - nei limiti del giusto e del possibile - crederà di farne, l'acciusa istanza con la quale il Signor Vitti Stefano, residente a Portici, invoca il patrocinio di Sua Altezza Reale in favore dei suoi due figli condannati dalla Corte Alleata di Napoli.

Con anticipate grazie e con la migliore considerazione.

F. Lucifero
(Ministro della Real Casa)

167



IL MINISTRO DELLA REAL CASA

Roma, li 6 luglio 1945

S. M. LEGAL OFFICE NO 11281

7560

On. SOTTOCOMMISSIONE LEGALE
della Commissione Alleata
Via VenetoR O M A

Secondo le intenzioni di Sua Altezza Reale il Luogotenente Generale del Regno segnalo a questa On. Sottocommissione, per il miglior conto che - nei limiti del giusto e del possibile - credersi di farne, l'acciolla istanza con la quale tale Marchi Lola, residente a Borgo a Buggiano, invoca il patrocinio di S.A.R. in favore del marito Marchi Romeo, condannato a sei settimane di carcere o lire 5.000 di multa dal Tribunale Alleato di Nonsummano (Pistoia)

- 1 -

Con anticipate grazie e con la migliore considerazione.

F. Lucifero

(Ministro della Real Casa)

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45



7562

Roma, 11 6 Luglio 1945

IL MINISTRO DELLA REAL CASA

On. SOTTOCOMMISSIONE REALE
della Commissione Alleata
Via Veneto

R O M A

Secondo le intenzioni di Sua Altezza
Reale il Maresciallo Generale del Regno segnalo
a codesta On. Sottocommissione, per il miglior
conto che - nei limiti del giusto e del possibile -
crederà di farne, l'acclosa istanza con la quale
tale Cassaro Rita, domiciliata in Palermo via Ore-
to 241, invoca il patrocinio di Sua Altezza Reale
in favore del marito Giuseppe condannato a 3 anni
di carcere dal Comando Alleato.

Con anticipato grazie e con la migliore
considerazione.

F. Lucifero

F. Lucifero

(Ministro della Real Casa)

16

Legal S/C

Answers

- File



A. R. TRONELL

50 Section, 'A' Group S.I.B.

10 JUN 1945

SECRET

Ref:No.

SIB60/A-Gp/MS/45/26.

H.Q., 'A' Group, 60 Section,
Special Investigation Branch,
c/o A.P.M.'s Office, 61 Area,
Central Mediterranean Forces.

SUBJECT :- PASSAMONTI Mariano

To :-

Major. A.W.L. FRANKLIN,
Legal Officer, A.M.G., ANCONA.

1. TOCCHETTI Raffaele, of Corso CAVOUR 46, FERMO, today, a lawyer named regarding the above named. TOCCHETTI defended PASSAMONTI before an A.M.G. Court at ASCOLI PICENO on 19 April, 1945. PASSAMONTI was charged with being in possession of an Italian rifle and he was sentenced to twelve months imprisonment. A few days before A.M.G. left Ascoli Piceno recently, a note was handed to the Procuratore, by a person who said he was the ASCOLI Legal Officer's interpreter, stating that a four months remission of sentence had been authorized. The note, however, was not signed or stamped and the Procuratore would not act upon it.

2. I informed TOCCHETTI that I would report the matter to you, for what action you may consider necessary.

14 June 1945.

D.A. THORN Lieut.
60 Section, S.I.B.

Copy to :- File.

DATE/GBC

Copy

To :-

Major. A.W.L. FRANKLIN,

Legal Officer, A.M.G., ANCONA.

1. At the Procura, FERMO, today, a lawyer named TOCCHETTI Raffaele, of Corso CAVOUR 45, FERMO, spoke to me regarding the above named. TOCCHETTI defended PASSAMONTI before an A.M.G. Court at ASCOLI PICENO on 19 April, 1945. PASSAMONTI was charged with being in possession of an Italian rifle and he was sentenced to twelve months imprisonment. A few days before A.M.G. left Ascoli Piceno recently, a note was handed to the Procuratore, by a person who said he was the ASCOLI Legal Officer's interpreter, stating that a four months remission of sentence had been authorized. The note, however, was not signed or stamped and the Procuratore would not act upon it.

2. I informed TOCCHETTI that I would report the matter to you, for what action you may consider necessary.

14 June 1945.

Copy to :- File.

DAT/GBC.

D.A. THORN
60 Section, S.I.B.

Copy



7489

Roma, 11 5 luglio 1945

IL MINISTRO DELLA REAL CASA

4083/23 ✓

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.le Sottocommissione per il miglior conto che - nei limiti del giusto e del possibile - crederà di farne, l'acclusa istanza con la quale tale Anna Ventola da Bionto (Bari) - Piazza Cattedrale - invoca il patrocinio di Sua Altezza Reale in favore del marito Francesco Vacca, condannato a 18 ^{mesi} ~~anni~~ di carcere dal tribunale Militare Alleato di Bari.

Con anticipate grazie e con la migliore considerazione.

F. Lucifero

Ministro della Real Casa

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13/

4583/23
LEGAL S/C
ALLIED MILITARY GOVERNMENT

Subject: GALEAZZI Guido.

To: HQ AC Legal Sub-Commission, Rome.

From: Public Safety Liason Officer, AMG, Ancona.

Ref: Anc/P/8.

Date: 5th July, 1945.

PUBLIC SAFETY OFFICE,
A. M. G.
PROVINCIAL HEADQUARTERS,
Ancona.

On the 8th May, 1945, the above named pleaded 'guilty' to a charge of being in wrongful possession of Allied property. He was sentenced to 18 months imprisonment, and a fine of 100,000 lire.

The amount was not paid within the stipulated date, and accordingly the commitment was amended for him to serve the additional term of imprisonment in default.

Avv. Catalini who represented Galeazzi at the trial has submitted the attached documents with a request that although the time for payment of the fine has passed, that the payment which ihh he is now prepared to make, be accepted.

In view of the physical condition of the prisoner, it is recommended that consideration be given to the request, and if possible a review of the sentence.

Giampaolo
Major,
Public Safety Liason Officer,
A.M.G. Ancona Commune.

Please return the documents with reply.

8 JUL 1945

FROM : COLONEL W. E. BERRANS

LEGAL SUB-COMMISSION

HQ. ALLIED COMMISSION

APO 394

4 July 1945.

Dear Monsignor:

Upon receipt of your letter, No. 95991/3A, of 28 June 1945 I re-examined the case of VPMI Mario and Ottore.

These men were sentenced to 3 years imprisonment in December 1944 for a large and well organized theft of military material from a depot near Naples.

There is no doubt of their guilt, and in view of the seriousness and prevalence of crimes of this nature I do not feel that the sentence was unduly heavy.

I regret that I cannot entertain an application for clemency or pardon at the present time.

Yours very truly,

Monsignor Joseph F. McGEOUGH
Segretario di Stato di Sua Santita'

CITTA' DEL VATICANO

28 June 1945

No. 95991/SA

Dear Colonel Behrens:

The Secretariat of State of His Holiness has been requested by the mother of Mario and Ettore VITTI to transmit to the competent authorities her petition for clemency and pardon in favor of these two young men, who are now detained at the Poggioreale Prison in Naples and upon whom she must depend for support.

In presenting this request the Secretariat of State does not enter into the intrinsic merits of the case but, in the pursuance of its humanitarian and charitable mission, takes the liberty to refer it to the judgment of the proper authorities.

With sentiments of high esteem, I am

Very sincerely yours,



Monsignor Joseph F. McGeough.

Colonel W.E. Behrens
Legal Sub-Commission
A.C. Headquarters
Via Veneto, Rome.

80

4583/23

Mod. 1342 MG



Ministero di Grazia e Giustizia

DIREZIONE GENERALE PER GLI ISTITUTI DI PREVENZIONE E DI PENA

Roma,

4 LUG 1945

Ufficio VI
Prot. n. 137918/15

All'Ispettorato Carceri Regione
Meridionale

NAPOLI

e per conoscenza:

Alla Commissione Alleata - Sottocom-
missione Legale ROMA

OGGETTO: Riduzione pena.

La Commissione Alleata - Sottocommissione Legale comunica quanto
appresso:

" Ac/4083/23L.

20 giugno 1945

Cause di:

De Novellis Vincenzo -
Chiarriello Antonio -
Gaetano Mario -
Sevittio Ciro -
Amfitano Claudio -
Metrangelo Umberto -

Balladino Carmine -
Accardo Pasquale -
Precentese Luigi -
Di Celmo Paolo -
Menga Gaetano -
Di Celmo Giustino -
Grilla Giuseppe -

I nominativi di cui in oggetto vennero processati dalla Corte Su-
periore Alleata n. 7 di Napoli in data 5 aprile 1944 e vennero tutti
condannati a:

Cinque anni di carcere dei quali due sospesi e lire 12.000 di mul-
ta od in mancanza due anni di più.

Nel riesame delle loro cause tutte le condanne sono state modifica-
te come segue:

Le multe sono condonate

Le condanne vengono tutte ridotte a tre anni con termine il 4 apri-
le 1947. F/to Magg. A.C. Wright."

Si prega di provvedere in conformità, assicurando.

D'ordine del Ministro

G. F.W.

fill

HEADQUARTERS ALLIED COMMISSION
AND
LEGAL SUB-COMMISSION

AG/1975/23/L.

3 /rm.
3 July 1945.

SUBJECT : ZAFFINO, Pietro.

TO : The Minister of Pardon and Justice.

1. The case of ZAFFINO, Pietro has been re-reviewed and on reconsideration the balance of the sentence is suspended as of 25 July 45, on which day he is to be released unless detained for insular cause.

2. ZAFFINO, Pietro is believed to be imprisoned in the "Carceri di Nazieria di Nicastro".

3. Will you please issue the necessary instructions so that the above decision will be carried out; also please confirm that the release has been effected.

J. K.W.

W.E. BARNES,
Colonel,
Chief Legal Advisor.

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HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SOV. COMMISSIONJL/TH.
3 JULY 1949.

AC/4082/23/1.

SUBJECT : Case of PERRINI Giuseppe.

TO : H.E. A. BUCCHIO,
Ministro della Real Casa.

The petition submitted on behalf of PERRINI Giuseppe
has been considered and denied. The petition is returned herewith.

A.P.W.
A.E. HARRIS,
Colonel,
Chief Legal Advisor.

77
Incl : 1 Petition.

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REPUBLICAN VILLAGED COMMISSION
LOCAL SUB-COMMISSION

AO/4.83/23/L.

JL/ra.
3 July 1951

SUBJECT : Informal petitions.

TO : The Minister of Pardon and Justice.

1. The petitions submitted on behalf of *MALETTI* Antonio, *MALETTI* Enrico, *MALETTI* Sebastiano and *MALETTI* Gennaro have been considered and denied.

2. The petitions are returned herewith.

J.P.W.

W.E. LARSEN,
Colonel,
Chief Legal Advisor.

Incls : 4 Petitions.

Following letters returned to Ministry
office at Port 26103/43 23 June 45
" " " 5035/45 " " "
" " " Port 29929 7 17 June 45
" " " Port 10717 26 June 45
(+)

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

file
AD/4083/23/L./rm.
3 July 1945.

SUBJECT : BRIGNOLETTI Raffaele.

TO : The Minister of Pardon and Justice.

1. Reference enclosed Petition the sentence imposed on above named by Superior Military Court at Poggia on 12 May 44 was three years imprisonment and a fine of L. 75,000 payable by 12 Nov. 44 or in default one year additional.

2. The conviction and sentence were confirmed on review on 13 June 44.

W. S. BERNARD,
Colonel,
Chief Legal Advisor.

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HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

JL/ra.
3 July 1945.

10/1032/3/L

SUBJECT : Case of MILANO Cannaro and PAOLO Pietro.

TO : Zone Commissioner (attn. Zone Legal Officer),
Naples Command.

1. The case of MILANO Cannaro and PAOLO Pietro has been reviewed and on reconsideration the balance of the sentence suspended as of 3 July 45.

2. The accused are believed to be imprisoned in Poggioreale prison. The home addresses as given by the accused are:

MILANO - Corso Umberto I 43
PAOLO - Via Trem 69
(Both in S. Pietro a Paterno)

3. Please order their release as of 3 July 45 unless detained for any other lawful cause; may it please be confirmed that the release has been effected.

By command of Rear Admiral. BROWN:

U.P.W.
W.E. BROWN,
Colonel,
Chief Legal Advisor.

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HEADQUARTERS ALLIED COMMISSION
APO 3-4
LEGAL SUB-COMMISSION

JH/rm.
3 July 1945.

10/4083/25/4.

SUBJECT : FARIATO Giuseppe.

To : Zone Commander (attn. Zone Legal Officer),
NAPLES Command.

1. On review it has been decided to suspend the balance of the 3 years sentence imposed on FARIATO Giuseppe as of 10 July 45.
2. The address of FARIATO as it appears on the record is Via Italo Balbo, Torre Annunziata. He is said to be imprisoned "nel carcere giudiziario di Avellino".
3. Will you please order his release unless detained for lawful cause and please confirm that the release has been effected.

4. Command of Rear Admiral [illegible]

U. F. W.

U. F. W.,
Colonel,
Chief Legal Advisor.

BF
25 July

47

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

JL/rm.
3 July 1945.

AG/4083/23/L.

SUBJECT : MATTELLI Vincenzo di Gaetano.

TO : Zone Commissioner (also, Zone Legal Officer),
NAPLES Command.

1. The case of MATTELLI Vincenzo, tried by an Allied Military Court of Naples (Superior # 3) on 28 Dec. 44, has been reconsidered.

2. The unpaid fine of 25,000 lire is remitted and his immediate release ordered unless detained for lawful cause.

3. Will you please issue the necessary instructions ordering the release of MATTELLI Vincenzo who is believed to be at Poggioreale prison. His home address, as it appears on the record, is Via S. Liborio 39, Naples.

4. May it please be confirmed that the release has been effected.

In command of Rear Admiral TUNNEY

J.P.W.
W.S. WILLIAMS,
Colonel,
Chief Legal Advisor.

BF 25 July

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
NAPLES COMMUNE
LEGAL DIVISION
APO 394

L-4014

2 July 1945

SUBJECT: ROSSOMANDO Cesare di Carmine.

TO : HQ, Allied Commission, (Attn: Legal Sub-
Commission)

1. Enclosed herewith for your consideration
and action is letter received from Procura del Regno
of Salerno.

For the Commissioner:

CCB/pv

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

LEGAL SUBCOMMISSION

CLO

1945

3 JUL 1945

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