

ACC

10000/142/616
(VOL. 20)

PETITIONS FOR GRAC
(APR. 1944 - FEB. 1945)

10000/142/616
(VOL. 20)

PETITIONS FOR GRACE & CLEMENCY, AMG COURT CASES
(APR. 1944 - FEB. 1945); MAR. - JUN. 1946

ACQUISITION/ISSUE

Vol 20

OPENED : 24 May 46
CLOSED : 30 June 46

SECTION 4 - INTERVIEW FOR CHARGE AND DISMISSAL
(A.I.C. COURT CASES)

HEADQUARTERS A.G. CASE NO. 16

1946 m

ALSO: INTERIOR AND HMC. AND DIVISION (S.A.G. COMM. CASES)

ALSO: INTERIOR AND HMC. AND DIVISION

RECOMMENDERS A.G. CASE NO. 16

1942

10000/942/616

THIS FOLDER
CONTAINS PAPERS
FROM MAR 1946
TO JUNE 1946
CATALOGUE

DESCRIBABLE ITEM SLIP

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File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

AC/4083/23/1

T/NS
17 June 1946

SUBJECT : NIZZI Manoel di Silvio.

TO : Pontificia Commissione Assistenza
Ufficio di Presidenza

1. Reference is your 4855/AV of 29 May 1946.

2. NIZZI Manoel di Silvio was charged with the violation of Proclamation 1, Article V, Section 39; making a false statement in connection with an official matter, in that he, at Padova, on or about 11 June 1945, did make a false answer to a question in a scheda personale submitted to AMG.

3. He was tried before an Allied Military Court sitting at Padova on 14 September 1945 and found NOT GUILTY.

HAROLD J. ATKINSON,
Lt. Colonel, 160,
Chief Counsel.

FILE

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

FILE

AG/4083/23/L.

SUBJECT : VANDI Pietro

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Genoa (Italia) on 5 March 1945

2. He was sentenced as follows:-

To serve 3 years imprisonment

On review 28 March 1945 the sentence was affirmed

3. On reconsideration the above sentence has been modified as follows:-

The sentence is reduced so as to end on
31 July 1945

4. Unless held for other lawful cause, the above named person will be released on 31 July 1945

5. It is believed that the defendant is confined at Forli

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

John K. Weiger 191
JOHN K. WEEGER,
Colonel, Infantry,
Chief Legal Advisor.

20 June 1945, 1946.

FILE

FILE

FILB

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL SUB-COMMISSION

P.H.F.

AC/1063/23/L.

SUBJECT : TOMMASELLI Antonio di Raffaele
TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at ~~Catolapugno~~ on 21 August 1945

2. He was sentenced as follows: -

To serve 1½ year imprisonment
On review 8 October 1945 the sentence was affirmed

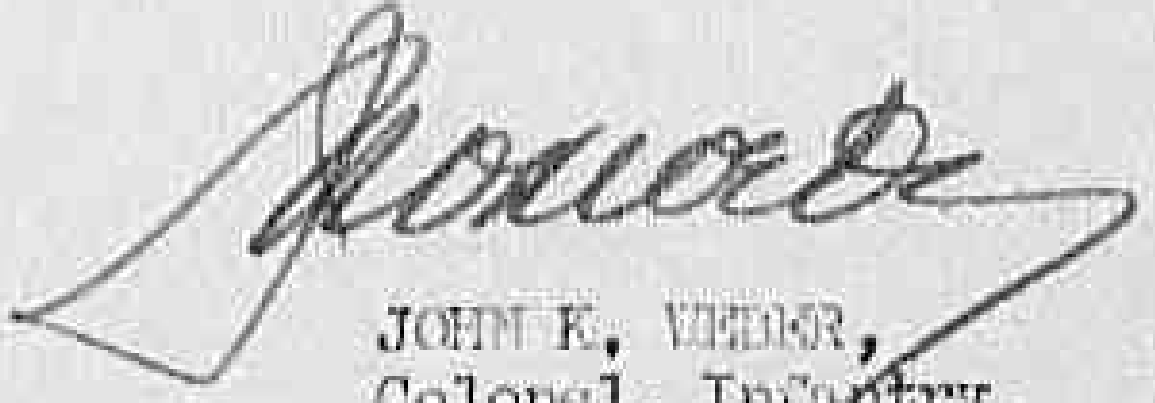
3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 8 July 1946

4. Unless held for other lawful cause, the above named person will be released on ~~8 July 1946~~

5. It is believed that the defendant is confined at Naples 19

6. Please issue the necessary instructions for the release of the defendant. Please confirm.


JOHN E. VETTER,
Colonel, Infantry,
Chief Legal Advisor.

FILB

29 June, 1946.

FILE

HEADQUARTERS ALLIED COMMISSION
APC 394
LEGAL SUB-COMMISSION

FILE

AC/4003/23/L.

SUBJECT : PALAZZINI Guerrino

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Cesena (Emilia) on 5 March 1945

2. He was sentenced as follows:-

To serve 3 years imprisonment
On review 28 March 1945 the sentence was affirmed

3. On reconsideration the above sentence has been modified as follows:-

The sentence is reduced so as to end on
31 July 1946

4. Unless held for other lawful cause, the above named person will be released on 31 July 1946

5. It is believed that the defendant is confined at Forlì

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

Monweta
JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

183

23 June, 1946.

FILE

FILE

FILE

FILE

HEADQUARTERS ALLIED COMMISSION
APO 594
LOCAL SUB-COMMISSION

AC/4083/23/1.

SUBJECT : GOLIARO Antonio

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Naples on 18 April 1944.

2. He was sentenced as follows: -

To serve 4 years imprisonment and to pay 50,000 lire fine, in default of payment thereof, 2 years additional imprisonment.

On review 8 June 1944 sentence was affirmed.

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 7 July 1946, the fine, if unpaid, is remitted.

4. Unless held for other lawful cause, the above named person will be released on 7 July 1946.

5. It is believed that the defendant is confined at Palma Campania

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

Monweta
JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

29 June, 1946.

FILE

FILE

FILE

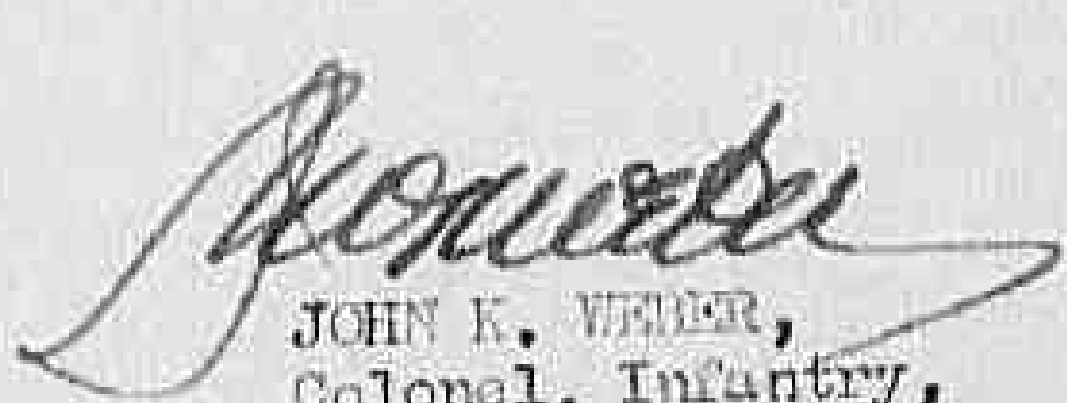
FILE

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/1083/23/L.

SUBJECT : DE MARTINO Masquale di Salvatore
TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Naples on 24 March 1944
2. He was sentenced as follows: -
To serve 3 years imprisonment
On review 1 May 1944 the sentence was affirmed.
3. On reconsideration the above sentence has been modified as follows: -
The sentence is reduced so as to end on 15 July 1946
4. Unless held for other lawful cause, the above named person will be released on 15 July 1946.
5. It is believed that the defendant is confined at Naples
6. Please issue the necessary instructions for the release of the defendant. Please confirm.


JOHN K. WEIMER,
Colonel, Infantry,
Chief Legal Advisor.

29 June, 1946.

HEADQUARTERS
NAPLES LIAISON GROUP
ALLIED COMMISSION
LEGAL DIVISION
APO 794

L - 5040

29 June 1946

SUBJECT: Petitions for pardon.

TO : Chief Legal Adviser, Headquarters,
Allied Commission, Legal Sub-Commission,
APO 794, U.S. Army.

1. Transmitted herewith are the following petitions
for your consideration:

ABRUZZESE Alfonso di Pasquale
ASSANTE Vincenzo di Enrico
MORRA Gennaro di Antonio
OREFICE Leopoldo fu Pasquale
MOSCHINO Cosimo di Alessio

For the Chief Liaison Officer.

Rosario A. Gaziano
ROSARIO A. GAZIANO
Captain, Infantry
Senior Legal Officer

5 Incls.
RAG/ms

180

FILE

4083/1

FILE

MINISTERO DI GRAZIA E GIUSTIZIA
Direzione degli Affari Penali delle
Grazie della Statistica e del
Casellario

Roma, 28 giugno 1946

UFF. III^a A.P.
Prot. 128.24.316/1418/46
Risp. al P^o AC/4043/1/L
del 12.4.1946

ALLA COMMISSIONE ALLEATA
Sottocommissione Legale

R O M A

e per conoscenza:

OGGETTO: Provvedimenti relativi
a sterline d'oro confis-
cate a SERRA Gennaro.

ALL'UFFICIO DI COLLEGAMENTO
S E R R A

ALL. VARI

Facendo seguito alla Ministeriale pari numero in data 6 corrente, si restituiscono gli atti originali in lingua inglese relativi all'individuo in oggetto come richiesto nel foglio suindicato trasmettendo, ad ogni buon fine, copia della nota 22 c.m. n. 23162/228/1517 del Ministero del Tesoro che fornisce chiarimenti circa la consegna delle sterline auree sequestrate a suo tempo al SERRA.

Si comunica che a seguito della decisione del Ministero del Tesoro di non procedere contro il nominato SERRA Gennaro per traffico clandestino di valute estere (Art. 1 n. L.L. 31.7.1945 n. 460), questo Ministero ha inviato, in pari data, copia tradotta dell'unico incartamento all'Autorità Giudiziaria di Napoli affinché inizi il procedimento penale contro il SERRA per il reato di commercio clandestino di oro previsto e punito dal R.D.L. 3.7.1941 n. 882 e D.L.L. 26.4.1946 n. 343.-

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per il M I N I S T R O

Sgd.:

72

See 4083/1
13
46

FUE FUE FUE

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

/mja.

AG/4063/23/L.

28 June 1946.

SUBJECT : PONCU Mario and MAURIZZI Giuseppe.

TO : Chief Liaison Officer, MILAN
(Attn: Public Safety Officer).

1. Reference is your PS/41 of 21 June 1946.
2. A careful search of the LOMBARDIA Region files by Archives Branch has failed to disclose any information concerning the two above mentioned persons.

By Command of Rear Admiral STONE:

H.J. ATKINSON,
Lt. Colonel, IGB,
Chief Counsel.

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HEADQUARTERS ALLIED COMMISSION
AFC 794
LEGAL SUB COMMISSION

AC/4083/23/L

T/ns
28 June 1946

SUBJECT : VENTIMIGLIA Fiorenzo.

TO : Secretariat of State of the Holy See.

1. The case of the above mentioned person has been recently reviewed and the following decision announced :

"The sentence of the accused, VENTIMIGLIA, Fiorenzo, is reduced so as to end on 30 August 1947."

R.J. ATKINSON,
Lt. Colonel, ICD,
Chief Counsel.

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17

S. a. S. S. 7

LEGA DI PREGHIERA E DI CARITÀ PER I LERATI
CENTRO NAZIONALE ITALIANO
OPERA "MADONNA DEL GRAPPA"
FIRENZE - RIFREDI

St. Quite -
Castell, Faringe -
June 26th 1948.

4083/23

file

10030 of 10

Mayor Ingent -
Chief Counsel for -
Chief Legal Advisor - Allied
Legal Sub. Commission -

Permit me to thank you in the name of
the last prisoner for whom we appealed for
the pardon conceded by the Allied Commission -
the joy and gratitude of this unfortunate
from no bounds when he was told that he
was again a free man -

And now may I again ask your kindly
intercession for two other prisoners whose
families are in great distress and who, it would
seem, had merit to be pardoned. 18.

I refer to Biagi Costenio and Piccioli Mario,
both condemned on July 30th 1945 for having
purchased goods stolen from the Allies & Italian
Soldiers, Biagi sentenced to 2 years, and Piccioli to
four years imprisonment. They have now served most
of their terms and this would have

Prayer Request.

Chief Counsel for.

Chief Legal Advisor - Allied

Legal Sub. Commission.

Permit me to thank you in the name of the last prisoner for whom we appealed for the pardon conceded by the Allied Commission. The joy and gratitude of this unfortunate prisoner no words when he was told that he was again a free man.

And now may I again ask your kindly intercession for two other prisoners whose families are in great distress and who, it would seem, tend merit to be pardoned. 18.

I refer to Biagi Antonio and Piccoli Mario, both condemned on July 30th 1945 for having purchased goods stolen from the Allies by Italian Soldiers, Biagi sentenced to 2 years, and Piccoli to four years imprisonment. They have now served nearly eighteen months, and during this period have

+

mitted the confidence of the officer; and of the Director of the Prison whose certificate of good conduct I enclose. They had hoped to be released when the amnesty was declared, but it appears that they are not included because they were condemned for an offense against the allies - having purchased stolen Allied goods -

The Italian Tribunal declares that nothing can be done unless the Allied Commission intervenes with a request for pardon. Both cases had been brought to the consideration of His Majesty, Mr. Umberto, and recommended to him to the attention of the Minister of War and to the Minister of Justice, the pardon seemed assured when, with the Elections, the Old Regime came to an end. The two young wives of the prisoners, left with little children's support have been reduced to a pitiful condition - They are personally known to me, and we have been deeply moved by their heart-rending appeal.

If you can do anything to help them or can give me any advice as to how to proceed, I will be truly grateful. I include a statement of each case together with the certificate of good conduct of the Director of the Prison and the letters of appeal brought to me to-day by the two women -

Hoping that you will kindly reply to my letter as soon as possible, and confident that you will

was declared, but it appears that they are not included because they were condemned for an offense against the allies - having purchased stolen Allied Goods -

The Italian Tribunal declares that nothing can be done unless the Allied Commission intervenes with a request for pardon. Both cases had been brought to the consideration of His Majesty, Be Umberto, and recommended by him to the attention of the Minister of War and to the Minister of Justice, the pardon must assuredly, with the Elections, the Old Regime came to an end. The two young wives of the prisoners, left with little children to support, had been reduced to a pitiful condition - They are personally known to us, and we have been deeply moved by their heart-rending appeal.

If you can do anything to help them or can give me any advice as to how to proceed, I will be truly grateful.

I include a statement of each case together with the certificate of good conduct of the Director of the Prison and the letters of appeal brought to me today by the two women -

Hoping that you will kindly reply to my letter as soon as possible, and confident that you will give whatever help or advice that may be possible.

Sincerely,
Secretary of the League of
Prayer & Charity for Prisoners
Spirited Mother Francesca Chiara,
A.S.S.T.

HEADQUARTERS ALLIED COMMISSION
AKC 794
LEGAL SUB-COMMISSION

/mln.

AC/4082/23/L.

27 June 1946.

SUBJECT : Petitions for pardon.

TO : The British Embassy, Rome.

1. Reference is your 57/14/46 of 12 June 1946.
2. Receipt is hereby acknowledged of the three petitions for pardon forwarded here with your above mentioned letter.
3. The petition in favour of SPANO Paulino, together with a copy of your above mentioned letter has been forwarded to the Italian Authorities as the case falls under their jurisdiction.
4. The other two have been retained and will be duly considered.

R.J. ATKINSON,
Lt. Colonel, ICD,
Chief Counsel.

4083/53
 HEADQUARTERS
 BARI LIAISON GROUP
 ALLIED COMMISSION
 C.M.F.

Ref : LB/53/544

27 June 1946

SUBJECT: Clementina ARMUZZI,
 Tried and Convicted by an AMG Court.

TO : Legal Sub-Commission,
 HQ. ALLIED COMMISSION,
 C.M.F.

*Patition filed
 in 11 under 2 per file*

The attached application by Giuseppe ARMUZZI, father of
 the a/m, is forwarded to you for consideration and any action
 you may deem necessary.

	LEGAL SUB-COMMISSION
	CLO
	DCLO
RFL/fh	Chief Counsel
→	CLO
	Italian - Section
	CL RKS
	JUN 29 1946

R. F. Lewis
 Capt., RE
 R.F. LEWIS
 Executive Officer

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Copy

FILE

SEGRETERIA DI STATO
DI SUA SANTITA'

Vatican City, June 25, 1946

FILE

No. 130918/SA

Dear Lieut. Colonel Atkinson,

The Secretariat of State of His Holiness takes the liberty to recommend for the kind consideration of the competent authorities the request of Anna Uccello Russo, Via Giovanni Battista De Benedictis 12, Naples, for the liberation of her husband Salvatore Russo, presently detained in the prison of Avellino.

Signora Russo states that her husband was arrested by the Allies for the possession of arms and sentenced, April 22, 1944, to three years imprisonment. An appeal was made to the Allied Command and its consent for liberation was granted by the Italian authorities, but no action has been taken thus far.

Thanking you for the consideration you may deem to give this request,
I am

Sincerely yours

s/ Rt. Rev. Mons. Joseph F. McGeough
Secretariat of State of His Holiness

Lt. Colonel ATKINSON, Chief Counsel
Legal Sub-Committee
AC HQ - Via Veneto

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FILE

HEADQUARTERS
NAPLES LIAISON GROUP
ALLIED COMMISSION
LEGAL DIVISION
APO 794

L-5040

25 June 1946

SUBJECT: RICCIO Domenico di Giuseppe.

TO : Chief Legal Adviser, Headquarters,
Allied Commission, Legal Sub-Commission,
APO 794, U.S. Army.

1. The attached petition filed by the wife of the
above mentioned sentenced prisoner is forwarded to you for
your consideration.

For the Chief Liaison Officer.

Rosario A. Gagliano
ROSARIO A. GAGLIANO
Captain, Infantry
Senior Legal Officer

1 incl.
RAG/ms

CLO

DCLO

Chief Counsel

CJO

Legal Section

CL RKS

JUL 1 - 1946

178



12083/123
file Roma 25 giugno 1946
 Ministero di Grazia e Giustizia

UFF. IV 624213

Mod. 145 MG
 1946
 Alla Commissione Alleata
 sottocommissione legale
 ROMA

Int. N° 3265/46

OGGETTO: *Ripetuto del*
 Mazetti Wolmer ed altri
 Istanza per grazia.

Allegato

Con riferimento a precedente nota, pari numero, del 23.2.1946, 13.5.1946, 25.5.1946, si trasmette l'acclusa lettera del Prefetto di Ferrara il quale rende grazie dell'avvenuta liberazione dei condannati a nome anche dell'associazione Provinciale Partigiani.

D'Ordine del Ministro

fel bio



R. PREFETTURA DI FERRARA

3965/46

Prot. N. 2710 Gab.

Risc. a nota del

N.

Dir.

Sez.

Ferrara, li

24 aprile 1946

Allegati N.

OGGETTO: Masetti Wolmer ed altri sei partigiani condannati dal Tribunale Militare Alleato-Gra-

AL MINISTERO DI GRAZIA E GIUSTIZIA
Ufficio IV - Grazie

ROMA

In relazione alla corrispondenza intercorsa circa l'oggetto e per ultimo alla nota di questa Prefettura in data 11 febbraio c.a. N.0964 si comunica che in seguito a disposizioni impartite, per tramite di codesto Ministero dal Quartier Generale della Commissione Alleata - Sottocommissione Legale - è stato disposto il rilascio dei sette partigiani a suo tempo condannati dal Tribunale Militare Alleato per detenzione di armi.

Essi, pertanto, sono stati liberati il 5 maggio corrente.

Ringrazio codesto Ministero dell'efficace interessamento svolto in favore dei giovani predetti e prego rendersi interprete presso la Commissione Alleata dei sentimenti di gratitudine degli interessati e dell'Associazione Provinciale Partigiani.

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IL PREFETTO

4083/2

HEADQUARTERS
NAPLES LIAISON GROUP
ALLIED COMMISSION
LEGAL DIVISION
APO 794

24 June 1946

L-5040

SUBJECT: Petitions for pardon.

TO : Chief Legal Adviser, Headquarters,
Allied Commission, Legal Sub-Commission,
APO 794, U.S. Army.

1. Transmitted herewith are the following petitions
for your consideration:

PMIUSO Giuseppe fu Raffaele
SANNINO Aniello di Salvatore.

For the Chief Liaison Officer.

Rosario A. Gazzino
ROSARIO A. GAZZINO
Captain, Infantry
Senior Legal Officer

2 Incls.
RAG/ms

LEGAL SUB-COMMISSION	
LO	
LCIO	
Chief Counsel	
CIO	
Relation - Securon	
CL RKS	
JUL 1 - 1946	

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4083
 Ministero di Grazia e Giustizia
 DIREZIONE GENERALE DEGLI AFFARI PENALI
 DELLE GRAZIE E DEL CASELLARIO
 Roma 22/6.1946
 Alla Commissione Alleata
 S.C.L.
 ROMA

Ufficio IV Grazie
 10651 / 45
 Oggetto: TOLETTI Mario : istanza per grazia
 all. 1

Di seguito alla ministeriale del 30.11.1945
 pari numero, si trasmette, per competenza, l'u-
 nita nuova istanza per grazia del nominato in
 oggetto condannato dalle Corti Alleate di Ce-
 sena e di Ravenna.

D'ORDINE DEL MINISTRO
 SUB-COMMISSION

Ref Counsel

in Section

RKS

JUL 1 - 1946

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4083/50P
 Ministero della Giustizia

UFF. IV GRAZIE

Roma, 21 GIUGNO 1946

Alla Commissione Alleata
 Sottocommissione Legale
 R C M A

Tel. N. 2410/45

138-58

8.3.1946
 AC 74083/23/1

Oggetto: Moncada Salvatore :istanza per grazia.

In riferimento alla nota su ... si
 prega cotesta Commissione di voler ...
 con precisione la data della sentenza di condanna
 pronunciata dalla Corte Militare di Palermo a carico del ricorrente ...

LEG. SOTT. COMAND. O

D'Ordine del Ministro

UG

GO

Chief Counsel

FD

Union Section

RKS

FILE

12 June 46

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4093/23

Ministero di Grazia e Giustizia

Sottosegretario di Stato al Ministro

Roma, 21. 6. 1949. 19

FILE

Protocollo 100/4243-1

OGGETTO Cause di Petrucci Polilla e di Simoncini Augusto.

FILE

ALTA COMMISSIONE ALLIATA
Sottocommissione Legale

R. G. M. A.

Con riferimento al foglio AC/4033/23/L del 14.5.49.,
si trasmette copia dell'unita lettera del Direttore Gene-
rale degli Affari Civili, facendo riserva di ulteriori co-
muniquazioni.

LEG. AND. COMMISSION	
CLIO	
DOLO	
Chief Counsel	

L'UFFICIALE DI COLLEGAMENTO
(Dr. G. Bonelli)

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Seen
12 Julyno action
file

72 July 40

Mod. 266 MG.



Roma, 29 maggio 1946

Ministero di Grazia e Giustizia

DIREZIONE GENERALE DEGLI AFFARI CIVILI
E DELLE LIBERE PROFESSIONIAl Sig. PROCURATORE DEL REGNO
presso il Tribunale di

PESARO

Ufficio VII

Prot. N.° 635/51

OGGETTO: AVV. UGO NORTON.

Risposta al Foglio del

Dir. Sec. N.°

2 allegati.RISERVATARACCOMANDATA

Nel trasmettere gli uniti atti si prega la S.V. di assumere le informazioni del caso per riferirne a questo Ministero. La S.V. vorrà intanto compiacersi di restituire all'avv. Norton la sua lettera 5 gennaio u.s. ed esaminare se non convenga comunicarla in copia al consiglio dell'ordine per gli eventuali provvedimenti di competenza.

Si gradirà un sollecito riscontro.

PEL MINISTRO

G. Milazzo 171

Subject: Trial against PETRUCCI BAXILLA
and SIMONCINI AUGUSTO.

With reference to letter AC/4083/23/L of the 14th May 1946, the Ministry of Pardon and Justice forwards the following copy of letter, which the General Director of Civil Affairs has addressed to the Procurator of Pesaro:

Subject: Arr UGO WARMAN.

Confidential.

This Ministry forwards to you the file and further information on the case of the asks for "Arroccato". You are hereby requested to return to him his letter of the 5th January 1946 and to examine, whether a copy of said letter should be communicated to the lawyers' Council for eventual disciplinary action.

An urgent answer is requested.

Mr. [unclear] read and
all of these papers
Is it OK?

Send copies
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4883/23

HEADQUARTERS LOMBARDIA REGION LIAISON GROUP ALLIED COMMISSION

APO 394

Public Safety Liaison Office
Montecatini Building
Via Albania, 20 - Milan -
phone 12641 ext. 2058.

21 June 1946.

PS/41.

SUBJECT : AMG Courts { PORCU MURO
MAURIZZI GIUSEPPE

TO : Headquarters Allied Commission
Legal Sub-Commission

1. The attached is a copy of a letter received from HQ 59 Area which is self explanatory.
2. As all AMG files and records have already been sent to Rome, the necessary information is not available in Milan.
3. May this information please be sent to this office in order that a reply may be sent to 59 Area.

For the Chief Liaison Officer,

J.B. Forster

J. B. FORSTER, Capt.
Liaison Officer
Public Safety.

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SUB-COMMISSION

Chief Counsel

Communication Section

CL RKS

24 June 46

Copy to : HQ. 59 Area (your 29 A1 of 19 June 1946 refers.)

s/e.

C O P Y

SUBJECT : Italian Troops - Discipline

HQ. 59 Area
29 A1

19 June 1946

AC Liaison Sec Milan

FORCU MURO
MAURIZZI GIUSEPPE

Would you kindly inform this HQ whether the a/n were tried and convicted by AMG Court on a charge of disposing of WD Property from 19 Vehicle Park Monza.

The offence was committed late 1945.

LVC/PH

Lt. Col.
AA & QMG

168

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

AC/4083/23/L

AF/ns
21 June 1946.

SUBJECT : Case of PALFSE Vincenzo and PALFSE Anna.

TO : Ministry of Pardon and Justice.

1. The defence counsel in the above mentioned case has informed this Sub Commission that up to date no steps have been taken to notify the appropriate Prison Directors as to the reduction of sentence granted on Review to the above mentioned accused.

2. In view of the above this Sub Commission is enclosing a certified True Copy of letter AC/4083/23/L of 10 May 1946 which was forwarded to the Procuratore del Regno Milan, informing him of the decisions taken in Review in said case.

3. It would be very much appreciated if you can immediately contact proper quarters and notify them of the contents of letter AC/4083/23/L mentioned in para 2 above.

4. Please inform this Sub Commission of the outcome.

G.G. HANNAFORD,
Lt. Colonel,
Deputy Chief Legal Advisor.

Encls.: letter AC/4083/23/L
of 10 May 1946

letter from Avv. V. Torio
of 17 June 1946.

XII

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

AC/4083/23/L.

AP/ns.
20 June 1946.

SUBJECT : Case of VETERE Francesco and others.

TO : Ministry of Pardon and Justice.

1. Reference your letter 184355/9 Uff. VI of
18 June 1946.

2. May inquiries please be made as to what authority
issued orders for the release of DI FORZIO Mario on conditional
liberty.

3. It would be also very much appreciated if the
document ordering such release could be obtained.

4. Please consider the matter as very urgent.

H.J. ATKINSON,
Lt. Colonel, RGD,
Chief Counsel,

160

17

Mod 25 quater



Gorgona, 11 19 giugno 1946 193

DIREZIONE

DEL

COLONIA AGRICOLA PER UOMINI

Alla Commissione Alleata
Sottocommissione Legale

N. 1538-3-I-0028

e p.c.

R O M A

Risposta alla lettera

MINISTERO DI GRAZIA E GIUSTIZIA
Direz. Gen. Ist. di Prev. e di Pena

del

R O M A

N.

Oggetto: Detenuto SILVESTRINI Adelmo.

Si accerta Cotesta Commissione Alleata di aver preso atto della comunicazione del Superiore Ministero in data del 13 Giugno 946 n. 142544/93762 con la quale viene modificata per riesame la pena irrogata all'individuo in oggetto con sentenza del Tribunale Mil. Alleato di Livorno in data 10 Agosto 945.

La condanna è stata ridotta da 5 a tre anni dalla data dell'arresto per cui il Silvestrini sarà escarcerato il 26 giugno 1948.

LEG. SUP. COMMISSIO
Con osservanza

IL DIRETTORE ff
(Rag. Ducceschi Gustavo)

Chief Counsel

CIO

Italian Section

CI. RKS

24 June 46

163

4083/23



Mod. N. 25 (Carceri)

Mod. N. 51 (Riformatori)

MINISTERO
DI GRAZIA E GIUSTIZIA

GORGONA

19 GIUGNO 1946

DIREZIONE
DEL

COLONIA AGRICOLA PER UOMINI

Sottocommissione Legale A M G

97552 Cit. 3 Fase I Lett 0029

R O M A

Risposta alla lettera

Ministero di Grazia e Giustizia
Direz. Gen. Ist. di Prev. e di Pena

R O M A

del

Ufficio

Numero

Allegati 2

Oggetto: Condannato BUTI Piero di Silvio.

Si comunica che il nominato in oggetto condannato
con sentenza del Tribunale Mil. Alleato alla pena di mesi
12 di reclusione e alla multa di lire 60.000= per viola-
zione del proclama Alleato, in data odierna è stato posto
in libertà giusto ordine telegrafico del Superiore Mini-
sterio n. 143174 del 18 c.m. su conforme richiesta della
Commissione Alleata.

Con osservanza

IL DIRETTORE ff

16

Division Section
RKS

24 June 46

4083/13



Mod. N. 25 (Carceri)

Mod. N. 51 (Riformatori)

MINISTERO
DI GRAZIA E GIUSTIZIA GORGONA

add. 19 GIUGNO 1946

DIREZIONE
DEL

COLONIA AGRICOLA PER UOMINI

N. 552 Lit. 3 Fasc. I Lett. 0034

Sottocommissione Legale A M G

R O M A

Risposta alla lettera

del

Ministero di Grazia e Giustizia
Direz. Gen. Ist. di Prev. e di Pena

Ufficio

Numero

R O M A

Allegati N.

Oggetto: Condannato CASTELLANI Luigi di Giuseppe.

Si comunica che il nominato in oggetto condannato con sentenza del Tribunale Mil. Alleato alla pena di mesi 12 di reclusione e alla multa di lire 60.000= per violazione del proclama Alleato, in data odierna è stato posto in libertà giusto ordine telegrafico del Superiore Ministero n. 143174 del 18 c.m. su conforme richiesta della Commissione Alleata.

Con osservanza

IL DIRETTORE ff

163

23 June 46

HEADQUARTERS
NAPLES LIAISON GROUP
ALLIED COMMISSION
LEGAL DIVISION
APO 794

19 June 1946

L-5040

SUBJECT: Petitions for pardon.

TO : Chief Legal Adviser, Headquarters,
Allied Commission, Legal Sub-Commission,
APO 794, U.S. Army.

1. Transmitted herewith are the following petitions
for your consideration:

CARRASCON Mario di Salvatore
MARANIBULO Giovanni di Antonio
ASCIONE Ciro fu Vincenzo
PELUSO Giuseppe fu Raffaele

For the Chief Liaison Officer.

Rosario A. Gajano
ROSARIO A. GAJANO
Captain, Infantry
Senior Legal Officer

LEGAL SUB-COMMISSION

CLO

DCLO

Chief Counsel

CJO

→ Liaison Section

CL RKS

JUL 1 - 1946

4 Incls.
RAC/ms

162

zdr

HEADQUARTERS ALLIED COMMISSION
APO 796
LEGAL SUB-COMMISSION

/ada.

AG/1003/23/L.

12 June 1946.

SUBJECT: Remission of Fines.

TO: Chief Liaison Officer, ICHOKU
(Attaching Senior Legal Officer).

1. Reference is your USG/1980 of 31 May 1946.
2. On 6 June 1946 the Record of Trial of the case against GASTRILAWI Inagi, GASTRILAWI Sergio, and BUTI Pietro was reviewed by Col. W. B. B. Chief Judicial Officer.
3. The same decision was announced for each defendant, and is as follows: The fine, if unpaid, is remitted; the sentence is reduced so as to end 15 June 1946.
4. The Minister of Pardon and Justice has been duly notified.

By Command of Rear Admiral SMITH:

H. J. ATKINSON,
Lt. Colonel, ICG,
Chief Counsel.

161

File
4083/23

C O P Y

MINISTERO
DI GRAZIA E GIUSTIZIADirezione
Generale per gli Istituti
di Prevenzione e di Pena
Uff. VI°

Roma, 18 giugno 1946

ALLA COMMISSIONE ALLEATA
Sottocommissione Legale

Prot. 184355/9

ROMA

Risp. al P° del 22/3/1946
N° AC/4083/23/L

Oggetto : Detenuto VETTERE Francesco.

In riferimento alla nota sopra indicata, si trascrive qui di seguito quanto ha comunicato la Direzione delle carceri giudiziarie di Napoli, con nota n. 17098 dell'8 c.m. :

"In riscontro alla nota sopradistinta si comunica che il detenuto VETTERE Francesco il 22/10/1945 venne tradotto al manicomio giudiziario di S. Firano (Napoli) per sfollamento, NUNZIATO Giuseppe il 26/4/1946 venne tradotto alle carceri giudiziarie di Avellino, TUCCHILLO Domenico il 31/5/1944 venne tradotto alla carceri mandamentali di Palma Campania, DI PORZIO Mario il 3/4/1945 venne escarcerato per liberazione condizionale e CHIAROLANZA Pasquale il 26/4.1944 venne tradotto alle carceri giudiziarie di Avellino."

Sgd.:

Fel Ministro
Amicucci

168

See 4083/23

20 June 46

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LOCAL SUB-DIVISION

/ml.

10/1005/23/L.

18 June 1946.

SUBJECT: RIFSA Luigi Di Giovanni.

TO: 1. Procura Generale presso la Corte
d'Appello di Torino.

1. Reference is your 2/46 Circular of 10 May 1946.

2. The above mentioned person was charged as follows:
1st charge - Violation of Proc. I, Art. IV, Sec. 17 in that the accused on or about 9-25 May 1945 at Cannino (Cavonata) did loot the premises and houses of the DeVance family, known as Villa Riva, of personal property of great value, to wit: 500,000 lire; 2nd charge - Violation of Proc. I, Art. 5, Sec. 15, in that the accused acted to the prejudice of good order of the occupied territory by entering the premises known as Villa Riva stealing and carrying away personal property of great value, to wit: 500,000 lire; 3rd charge - Violation of Proc. I, Art. IV, Sec. 5 in that the accused was in wrongful possession of firearms.

3. RIFSA Luigi was tried before a Superior Allied Military Government Court sitting at Alessandria on 10 August 1945. He was found guilty as charged and sentenced as follows: 1st charge - 5 years, 2nd charge 5 years, 3rd charge - 2 months imprisonment. The sentences are to be served concurrently.

4. On 30 October 1945 the Record of Trial was reviewed by the Chief Judicial Officer, Allied Commission and the following decision was announced. Convictions and sentences of charges one and two are affirmed. Conviction and sentence on charge 3 are quashed. The sentences are to run concurrently. The total term of imprisonment is five years.

5. We regret the delay in replying to your letter which was occasioned by circumstances beyond our control.

159

H.J. WHEATON,
Lt. Colonel, IGP,
Chief Counsel.

FS

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

AC/4083/23/L

MF/rs
18 June 1946.

SUBJECT : CAMPUSE Gaetano.

TO : Ministry of Pardon and Justice.

1. Herewith enclosed for your consideration and necessary action copy of a petition from the above mentioned with attached documents.

2. Our records indicate that on 20 June 1945 the bail of 40,000 lire has been turned over to the Procuratore del Regno of Florence.

H.J. ATKINSON,
Lt.Colonel, IGD,
Chief Counsel.

Encl.

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CAMPUSE
GAETANO

27 MAG. 1946

R. O. No. _____

Informal Route Sheet. Number each memo consecutively. Fill in each column, initial memo, draw one line across sheet. Use entire width of sheet for long memos

1. Forwarded as a matter pertaining to you.

2. 24 May. Leg. U.S.
1946 / Out. C.S.
A.C.

On 20 June 1945, the 156
40,000 lire was refunded
to the Procuratore
del Regno (Florence) for
disposition on the final
outcome of the case.

The claimant should
present his claim to that
officer.

November
Colonel Infantry
Chief Legal Advisor

Mod. n. 9 a
(riveduto)

Form n. 9 a
(revised)

GOVERNO MILITARE ALLEATO
Atto di Obbligo con Malleveria (BAIL BOND)

Caso n. 5341

Premesso che CAMPESE GAETANO di Michelangelo è incolpato
(Nome dell'Imputato-Name of Accused)

di violazione al proclama/ordine = per cui è stato deferito dal
Tribunale Militare a Firenze (luogo - place)

il 15/6/45 (date-Date) (place & date of court granting bail);

Che tale Tribunale ha ordinato che al detto

(Imputato-Accused) CAMPESE GAETANO di Michelangelo abitante a

Genova, in via Federico Alizieri n. 2 C. int. 25 sia concessa la
libertà provvisoria previa malleveria della somma di L. 40.000
(Amount of Bail) garanzia da due solvibili mallevatori solidali,
con obbligo all'imputato istesso di ricomparire dinanzi al Tri-
bunale Militare (Genesale/Superiore/Sommario) Firenze - Corte
d'Appello, Via Cavour n. 57 - (date-date) da fissare alle ore =
(Type of Court, place, date an hour to which referred), e in altro
luogo, giorno ed ora che saranno ordinati dall'Autorità Militare
competente.

152

Ciò premesso io CAMPESE GAETANO (Imputato-Accused) mi ob-
bligo di comparire davanti detta autorità nella data, luogo ed o-
re di cui sopra e noi

(Mallevadore-Name of Surety) Avv. GATTESCHI Edoardo, Piazza Duomo
n. 1 - Firenze (Indirizzo-Address)

rinunziando al beneficio delle escussione preventiva contro il de-
bitore principale imputato suddetto, ci obblighiamo solidalmente
ed indivisibilmente tre di noi, di pagare al Governo Militare Al-
leato la somma suddetta, qualora il ripetuto imputato non dovesse
adempiere all'obbligo della presentazione come sopra.

Consentiamo all'uopo, fin da ora, che per il soddisfacimen-
to della somma suddetta di Lire 40.000. = (Amount of Bail) il Gover-
no Militare Alleato, proceda, senz'altro, all'espropriazione for-
zata di ogni nostro valore e bene mobile od immobili.

Firenze li 15 Giugno 1945

CAMPESE GAETANO

Date e luogo-Date & Place

(Firma Imputato-Signature of Accused)

GOVERNO MILITARE ALLEATO
Atto di Obbligo con Malleverie (BAIL BOND)

Caso n. 5341

Premesso che CAMPESE GAETANO di Michelangelo è incolpato
(Name dell'Imputato-Name of Accused)

di violazione al proclama/ordine = per cui è stato deferito al
Tribunale Militare a Firenze (luogo - place)

il 15/6/45 (date-date) (place & date of court granting bail);

Che tale Tribunale ha ordinato che si detto

(Imputato-Accused) CAMPESE GAETANO di Michelangelo abitante a

Genova, in via Federico Alizieri n.2 C.itt.25 sia concessa la
libertà provvisoria previa malleverie della somma di L. 40.000
(Amount of Bail) garanzia da due solvibili mallevedori solidali,
con obbligo all'imputato istesso di ricomparire dinanzi al Tri-
bunale Militare (Genofale/Superiore/Sommario) Firenze - Corte
d'Appello, Via Cavour n. 57 - (date-date) da fissare alle ore =
(Type of Court, place, date on hour to which referred), o in altro
luogo, giorno ed ora che saranno ordinati dall'Autorità Militare
competente.

153

Ciò premesso io CAMPESE GAETANO (Imputato-Accused) mi ob-
bligo di comparire davanti detta autorità nella data, luogo ed o-
ra di cui sopra e noi

(Mallevedore-Name of Surety) Avv. GATTESCHI EDOARDO, Piazza Duomo
n. 1 - Firenze (Indirizzo-Address)

rinnunziando al beneficio della esenzione preventiva contro il de-
bitore principale imputato suddetto, ci obblighiamo solidalmente
ed indivisibilmente tra di noi, di pagare al Governo Militare Al-
leato la somma suddetta, qualora il ripetuto imputato non dovesse
adempire all'obbligo della presentazione come sopra.

Consentiamo all'uopo, fin da ora, che per il soddisfacimen-
to delle somme suddette di Lire 40.000. = (Amount of Bail) Il Gover-
no Militare Alleato, proceda, senz'altro, all'espropriazione for-
zata di ogni nostro valore e bene mobile od immobile.

Firenze li 15 Giugno 1945

Data e luogo-Date & Place

CAMPESE GAETANO

(Firma imputato-Signature of Accused)

Avv. GATTESCHI EDOARDO

(Firma Mallevedore-Signature of Surety)

Teste: (Witnessed by)

C. Amgedi Augusto -

Case 5341

ORIGINAL

ALLIED MILITARY GOVERNMENT OF OCCUPIED TERRITORY
Governo Militare Alleato del Territorio Occupato

RECEIPT VOUCHER

Quietanze

Date 15/6/1945

A - n. 146542

Received from : CAMPESE GAETANO
Ricevuto da

The sum of (in words) : QUARANTAMILA LIRE
La somma di (scritto in lettere)

In payment of : c o s t a z i o n e
In pagamento di

Amount (in figures) : 40.000
La somma di (in cifre)

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District : F i r e n z e

C. Amgedi Auguste

Receiving officer's signature & rank

IN NOME DI S.M.E. UMBERTO DI SAVOIA
PRINCIPE DI PIEMONTE LUCOVENTE DEL REANO.

IN PRESENZA DI PRATO

ha pronunciato la seguente

SENTENZA

nella causa penale

Contro

CAMPESSE GASTANO di Michelangelo e fu Marco Misabotta, nato a Buenos Aires il 25-8-1915, domiciliato a Genova, Via Alizieri, 11.2, interno 25, rappresentante di commercio

Imputato

- a) del reato di cui all'art. 699 C.P. per detenzione abusiva di una rivoltella;
- b) del reato di cui all'art. 70 cap. II del Codice Stradale R.D. 2412-1933, N. 1740, per avere circolato in Prato il 19-5-1945 con una auto Lancia 15008 CC. senza la licenza di circolazione;
- c) del reato di cui all'art. 650 C.P. per essersi allontanato da Genova senza l'autorizzazione dell'autorità Alleata

in Prato il 19-5-1945

In seguito all'odierno dibattimento sentiti il P.M. il difensore e l'imputato

ritenuto in fatto e in diritto

Con rapporto del 19-1-1945 la Polizia Alleata denunciava in stato di arresto il Campese Gastano perché trovato in Prato a guidare una automobile proveniente da Genova senza licenza di circolazione, sprovvisto del permesso dell'autorità Alleata, si allontanava dalla città oltre 10 Km. detenendo una pistola che teneva in una buca laterale della macchina. Il rapporto col ritorno della Provincia di Firenze alla giurisdizione italiana venne trasmesso alla Autorità giudiziaria italiana, per competenza alla Procura di Prato, ed il Campese che si trovava detenuto alle Murate di Firenze fu rimesso in libertà dal Tribunale di Firenze all'uopo delegato dall'AG. il 15 giugno 1945. Portato a giudizio per rispondere dei reati di cui sopra, in epigrafe il Campese ha esibito il permesso di porto di rivoltella rilasciato dalla Autorità Militare Alleata di Genova, presso la quale prestava servizio come militare addetto alla polizia alleata di Genova, di cui ha lasciato una copia tradotta in italiano; ha dichiarato di essere in possesso di libretto di circolazione restituitogli dal Pretore di Firenze come risulta dagli atti; ha sostenuto di essere autorizzato alla guida come autista militare confluente di automezzi militari, ma non ha potuto dimostrare di essere stato autorizzato ad allontanarsi più di 10 Km. da Genova dalla competente Autorità Alleata.

Per tanto il Giudice mentre reputa di doverlo assolvere con formula piena

Contro

CAMPESSE GASTIANO di Michelangelo e su figlio Elisabetta, nato a Buenos Aires il 25-8-1913, domiciliato a Genova, via Alinari, N.2, interno 29, rappresentante di commercio

Imputato

- a) del reato di cui all'art. 699 C.P. per detenzione abusiva di una rivoltella;
 b) del reato di cui all'art. 70 cap. II del Codice Sardo del 18-12-1933, N. 1740, per avere circolato in reato il 19-5-1945 con una auto senza 15808 C3, senza la licenza di circolazione;
 c) del reato di cui all'art. 650 C.P. per essersi allontanato da Genova senza l'autorizzazione dell'autorità Alleata

in reato il 19-5-1945

In seguito all'ordine di cattura emesso il 19.5. il difensore e l'imputato

riferuto in fatto e in diritto

Con rapporto del 19-1-1945 la Polizia Alleata denunciava in stato di arresto il Campese Gastone perché trovato in reato a guidare una automobile proveniente da Genova senza licenza di circolazione, sorvegliato dal permesso dell'autorità Alleata, si allontanava dalla città oltre 10 Km. detenendo una pistola che teneva in una buca laterale della macchina. Il rapporto col ritorno della Provincia di Firenze alla giurisdizione italiana venne trasmesso alla Autorità giudiziaria italiana, per competenza alla Pretura di Prato, ed il Campese che si trovava detenuto alle Murate di Firenze fu rimesso in libertà dal Tribunale di Firenze all'ora delegata dall'U.S. il 15 giugno 1945. Portato a giudizio per rispondere dei reati accreditati, in epigrafe il Campese ha esibito il permesso di porto di rivoltella rilasciato dalla Autorità Militare Alleata di Genova, presso la quale prestava servizio come militare addetto alla polizia alleata di Genova, di cui ha lasciato una copia tradotta in italiano; ha dichiarato di essere in possesso di libretto di circolazione restituitogli dal Prefetto di Firenze come ricambio degli atti; ha sostenuto di essere autorizzato alla guida come autista militare conducente di automezzi militari, ma non ha potuto dimostrare di essere stato autorizzato ad allontanarsi più di 10 Km. da Genova dalla competente autorità Alleata.

Per tanto il Giudice mentre reputa di doverlo assolvere con formula piena dal reato di porto d'arma abusivo di una rivoltella non solo perché egli era autorizzato a portarla, ma anche sotto il riflesso che l'arma venne trovata in una borsa interna della vettura, e ritiene di doverla pronunciare ancorché in formula dubitativa, sentenza di assoluzione per il reato di cui all'art. 70 del C.S., in quanto i militari addetti alla guida di automezzi militari alleati, non sono soggetti a tale autorizzazione e non risulta con esattezza sugli atti se egli avesse definitivamente lasciato il servizio di polizia alle dipendenze degli alleati, ritenga invece di doverne affermare la responsabilità per quanto riflette l'inesoranza al bando allento di non allontanarsi oltre dieci Km. dalla propria residenza senza il permesso delle autorità militari alleate. E per tale reato reputa pe-

Allegato al fascicolo 103 CASE NO. 16

na adeguata quella di L.500 di ammenda con le di lui pedissequa condanna al pagamento delle spese processuali.

R. D.M.

Letti ed applicati gli art. 650 C.P., 472-483-488 C.P.P.

Dichiaro

Campese Gaetano colpevole del reato ascrittogli e lo

condanna

alla pena di L.500.- di ammenda ed al pagamento delle spese processuali.

Letto l'art. 479 C.P.P.

assolve

il Campese del reato di cui all'art. 697 C.P. perche' il fatto non costituisce reato e del reato di cui all'art. 70 Codice Stradale per insufficienza di prove.

Ordina

la restituzione della rivoltella sequestrata e della cauzione da lui versata all'A.M.C. per ottenere la liberta' provvisoria.

Prato, 7 Febbraio 1946.

E.to Bernardi

Il Cancelliere
E.to Liverani

28 copia conforme all'originale che si rilascia a richiesta dell'interessato per restituzione di deposito cauzionale.

Prato, 2-5-46

152

Il Cancelliere
E.to Liverani.

Letti ed applicati gli art. 650 C.E., 472-483-483 C.P.P.

Dichiaro

Campese Gaetano colrovoce del reato esortato e lo

condanna

alla pena di 4.500.00 di multa ed al pagamento delle spese processuali.

letto l'art. 479 C.P.P.

assolve

il Campese del reato di cui all'art. 697 C.P.P. perché il fatto non costituisce reato e del reato di cui all'art. 30 Codice penale per insufficienza di prove.

Ordino

la restituzione della rivoltella sequestrata e della cauzione da lui versata all'A.S.G. per ottenere la libertà provvisoria.

Prato, 7 febbraio 1946.

L. to Bernardi

Il Cancelliere
F. to Liverani

Es copia conforme all'originale che si rilascia a richiesta dell'interessato per restituzione al deposito cauzionale.

Prato, 2-5-46

Il Cancelliere
F. to Liverani.

152

16
HEADQUARTERS A.G. CASE NO.

A certain CAMPESE gx Gaetano appeals for the restitution of the bail money which was paid by him to the AMG Finance Office of PRATI (Firenze District) on the 15th June 1945.

Said man was tried by the Italian Court of Prati: he was acquitted because the facts of which he was charged did not constitute an offence so the Pretore ordered the restitution of the pistol sequestered and of the bail money of 40.000 lire paid to the AMG Finance Officer.

Copy of the receipt for the bail is attached.

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

/ada.

AO/1083/23/L.

13 June 1946.

SUBJECT : GROSS Carlo.

TO : The Minister of Prison and Justice.

1. Reference is your D22, VI Prot. No. 141973/68226 of 10 June 1946.

2. As a credit for time served has been given to the defendant, GROSS Carlo, the date of release has been fixed as 20 July 1948. The sentence has been reduced so as to end 20 July 1948.

for JOHN F. WEISS,
Colonel, Infantry,
Chief Legal Advisor.

File

HEADQUARTERS ALLIED COMMISSION
LPG 794
LEGAL SUB-COMMISSION

/mdn.

AG/4085/23/L.

18 June 1946.

SUBJECT : GIACCHETTASIO Ugo.

TO : The Minister of War and Justice.

1. Reference is your UFF. VI Prot. No. 141955/94335 of 10 June 1946.
2. As a credit for time served has been given the defendant, GIACCHETTASIO Ugo, the date of release has been fixed as 15 August 1946. The sentence is reduced so as to end on 15 August 1946.

for JOHN E. WHELAN,
Colonel, Infantry,
Chief Legal Advisor.

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HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

AG/4083/23/L

MF/na
13 June 1946.

Con riferimento a V/ lettera del 9 maggio 1946 questa Sotto Commissione si pregia comunicare che la somma di L 40,000.- fu versata alla Procura del Regno di Firenze in data 20 giugno 1945.

H.J. ATKINSON,
Lt.Colonel, 102,
Chief Counsel.

Sig. CAMPESE Gaetano
Via Alizieri 26 Int 25 Genova

Copia : To Ministry of Pardon and Justice.

4083/23 0

FUE

FUE

MINISTERO DI GRAZIA E GIUSTIZIA

Direzione Generale per gli Istituti
di Prevenzione e di pena.

Prot. No. Uff. VI - 136144/65284

Roma - 17 Giugno 1946 -

Alla Commissione Alleata
Sottocommissione Legale
R O M ARisposta al foglio del - 30/1/1946
AC/4083/23/L.

OGGETTO : Detenuti VULLO Matteo e MONGIOVI Francesco.

Alleg. 1

In riferimento alla nota sopra indicata, si
trascrive qui di seguito quanto ha comunicato il Pretore di Ara-
gona, con nota No. 323 del 28/3/1946:

"I detenuti in oggetto sono stati rimessi in
liberta' il 28 - 10 - 1944, giusta ordine di cui si allega copia".

Pel Ministro

firm.to Volpe

147

FUE

10



Ministero
di Grazia e Giustizia

DIREZIONE GENERALE
PER GLI ISTITUTI DI PREVENZIONE E DI PENA

UFF. VI

Prot. N. 142844/60960

OGGETTO Detenuto resante Francesco.-

Roma 17 GIU 1946

Alla Commissione Alleata
Sottocommissione Legale
ROMA

Respostori del

Gen. Te. N.º

alleg. 2

*Cent to Procura
Militare*

Si trasmette l'unita istanze del detenuto in oggetto, pervenute dalla Direzione della casa penale di Sulmona, con nota n. 4226 del 6 c.m.-

LEGAL SUB.COM

Fel Ministro

nel Consiglio

Italian Section

RKS

18 June 46

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Petition for Parole, date: 5.VI.1946

Prisoner: PESANTE FRANCESCO

Prison of Sulmona.

Sentence: four years and six months imprisonment and
Station Master Court of Bari, 4.V.1944.

5000 lire fine, ~~unauthorized use of uniform~~ continued abuse
Charge: unauthorized use of uniform; continued abuse
of public functions; theft.

Grounds:
The petitioner states that was born in U.S.A.,
at Washington, and all his family is living there.
One brother is chief warden of Washington prison,
another is actually a sergeant of the 5th R.A.
rendering service in the Hamburg Area.

He himself entered into the service of the
5th Squad of the Cassino Police Station and
afterwards was transferred to the 1st Informa-
tion Police Coy in Barletta. He was legally
attached to the Investigation Police of Caserta
during said service, a Canadian gang-
ster, the same who killed Capt. Taylor - Wil-
son, injured him on the right leg.

amounted 20.000

Sentence: 4 year prison
5000 lire fine, ~~10000 lire fine~~ Italian Military Court of Bari, 7.V.1944.

Charge: unauthorized use of uniform; continued abuse of public functions; theft.

Grounds: The petitioner states that was born in U.S.A., at Washington, and all his family is living there. One brother is chief warden of Washington prison, another is actually a Sergeant of the 5th R.A. rendering service in the Hamburgh Area.

He himself entered into the service of the 5th Squad of the Casino Police Station and afterwards was transferred to the 1st Informa- from Police Coy in Barletta. He was originally attached to the Investigation Police of Caserte.

During said service, a Canadian gangster, the same who killed Capt. Taylor - Wil- son, injured him on the right leg.

When Pesante was arrested, 20.000 lire of his own money, which represent

t.o.p.

2

his wages, were sequestered by the Informa-
from Post.

The petitioner lodged three applications,
requesting the restitution of this money and
to be questioned by the Commission of Persons,
but had yet no reply.

He repeatedly requests that this favour
be granted.

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FILE

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
13 CORPS
LEGAL DIVISION

FCSB/eb

8443

TELEPHONE No: 29701 Ex: 124.

Date 17 June 1946.

REFERENCE No: 13-AMG/LD/184/1117

SUBJECT : Case of GASPARINI GIOVANNI, Superior Court Pola, No 19.

TO : Chief Legal Adviser, H.Q. Allied Commission, APO 394, Rome.

1. Accused GASPARINI GIOVANNI having been sentenced to imprisonment for over two years, the following documents are forwarded herewith for you to review :

GASPARINI GIOVANNI Record and Form 11.

Judge's notes of evidence and exhibits are also enclosed.

For the Senior Civil Affairs Officer.

SUB-COMMISSION

Chief Counsel

Legal Section

RK5

A.E. GOLD
MAJOR, A.U.S.
CHIEF LEGAL OFFICER.

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Encl.: 2/m documents.

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

AC/4083/23/L

HJA/ns
17 June 1946.

SUBJECT : MARANGIO Franco di Luciano.

TO : AFHQ. G-5.

1. Reference is your G-5: 934.42 of
10 June 1946.

2. The above mentioned person was charged with a violation of Proclamation 2, Article 2, Section 45 (Negotiation of and the taking of 15,000 or more lire. Allowed Mr. Ruggiero to return home without the proper authority. He advised and assisted in an act of conspiracy by intending to recover goods by illegal confiscation and then to resell the confiscated goods), and Proclamation 2, Article 3, Section 1 (in that the said MARANGIO, Francesco did take a bribe of 15,000 lire from Mrs. Ruggiero Immacolata while acting under the authority of the Allied Forces, for such being induced not to perform his duty).

3. The accused was tried before a Superior Allied Military Court at Naples on 26 June 1944, convicted and sentenced to 6 years imprisonment.

4. The conviction and sentence were affirmed on 12 August 1944.

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5. On re-review 20 October 1945 the sentence was reduced to 2 years.

6. On further reconsideration on 23 March 1946 the sentence was reduced so as to end on 14 May 1946.

7. In addition to above facts in this case the following information is given in connection with proposed reply :

./.

(a) Col. John K. Weber, Chief Legal Advisor, who is temporarily absent on a trip, informed the undersigned that from the record it appeared that the accused was fairly tried and that there was sufficient evidence to sustain the conviction.

(b) The undersigned was further informed by Colonel Weber, who reviewed this case, that sentence was reduced solely because it was believed excessive, and not because of errors in law.

(c) Our right to try Franco MARANGIO (and others) is based on Proclamations issued under International Law. The extent of Allied Military Government judgments is for occupational purposes only. Our judgments are only for term of occupancy and they cannot affect rights, voting privileges, etc. of accused.

(d) If there is any disability based on our judgments it is not ours but that of the Italian Government or others. We have no power to request the Italian Government to rescind them any more than we could request them to inflict or enforce them.

(e) What effect, if any, the Carabinieri give our sentences is their affair and it is not believed that we could request any change for reasons stated.

For the Chief Commissioner :

H.J. ATKINSON,
Lt. Colonel, ICD,
Chief Counsel.

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file

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

AG/4083/23/L

TW/ns
17 June 1946

SUBJECT : RIZZO Ugo fu Carmelo

TO : The Minister of Pardon and Justice

1. The above mentioned person was tried before an AMG Court sitting in Toscana Region on 28 April 1945.

2. He was charged with the violations of the 2 following proclamations :

- (1) Proc I, Art. V, Sec 39
- (2) " 1, " VI, " 1

3. He was sentenced to serve 4 years imprisonment. On review 12 June 1945 the sentence was reduced to 2 1/2 years imprisonment.

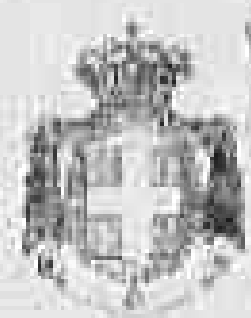
4. It is called to your attention that the prison list furnished by Volterra Prison show that RIZZO Ugo is still listed as having to serve the original sentence viz., 4 years.

5. Will you please communicate the above ¹⁴⁰ decision to the Prison Director of Volterra and may it be confirmed to this office that his records have been corrected.

H. J. Allen
Sgt. P.D.

for JOHN F. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

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*Ministro
di Grazia e Giustizia*

DIREZIONE GENERALE
PER GLI ISTITUTI DI PREVENZIONE E DI PENA

UFF. VI

Let. A° 142566/68779

Oggetto: Detenuto Milillo Giovanni.

15 GIU 1946

alla Commissione Alzata
Sottocommissione Legale
R O M A

Regista al f. del 23/5/1946

Da 15/4083/23/L

In riferimento alla nota sopra indica-
ta, si comunica che la direzione delle carceri
giudiziarie di Bari dove il detenuto in ogget-
to trovasi ristretto, ha assicurato che il me-
desimo è stato escarcerato il 5 c.m.-

Il Milillo è rimasto in carcere per la
espiatione di giorni 15 di reclusione, cui il
suddetto fu condannato con sentenza 15-11-44
della Pretura di Matera per il reato di infra-
zione sanatoria.-

Del Ministro

139

file

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

AG/4083/23/L

/ns
15 June 1946

SUBJECT : DE BLASIO Giovanni

TO : Chief Liaison Officer (Attn: S.L.O.)
LIVORNO.1. See your letter HEO/1946 of 6 June
1946.2. The case of DE BLASIO Giovanni, Tuscany
No 2867, (Livorno No 30/8) was reconsidered by the Review
Board, and the sentence was reduced to end on 1 September
1946. The Minister of Grace and Justice has been officially
notified.

By command of Rear Admiral STONE :

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

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X

4983/23

HEADQUARTERS
NAPLES LIAISON GROUP
ALLIED COMMISSION
LEGAL DIVISION
APO 794

14 June 1946

L-5040

SUBJECT: PAELLA Pasquale di Antonio.

TO : Chief Legal Adviser, Headquarters,
Allied Commission, Legal Sub-Commission,
APO 794, U.S. Army.

1. The attached petition on behalf of PAELLA Pasquale
is forwarded to you for your consideration.

For the Chief Liaison Officer.

Rosario A. Gagliardi
ROSARIO A. GAGLIARDI
Captain, Infantry
Senior Legal Officer

1 Incl.
RAG/ms

LEGAL SUB COMMISSION

TO

TO

Chief Counsel

TO

Italian Section

CL RKS

17 June 46

*Petition with alphabetical file on
CORRETTIO Giorre*

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15

File

HEADQUARTERS ALLIED COMMISSION
AFC 794
LEGAL SUB COMMISSION

AC/1083/23/L

JEW/ns
14 June 1946.

SUBJECT : BETTI Ciro.

TO : Chief Liaison Officer, LIVORNO
(Attn: Senior Legal Officer).1. See your letter LLO/1996 of 12 June
1946.

2. The record of trial imposes a fine of 40,000 lire, but fails to fix the term of imprisonment in event of default of payment. Under the circumstances it is not within the power of the reviewing authority to enlarge on the sentence imposed. To foreclose the question, the fine of 40,000 lire, if unpaid at the expiration of the sentence, is hereby remitted. The prison authorities will be so informed.

By command of Rear Admiral STONE :

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

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FS

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

TW/NS

14 June 1946

AG/4032/23/L

SUBJECT : VENDITTI Bartolo.

TO : Public Safety Liaison Officer.

1. Reference is your PS/11.1 of 24 May 1946.

2. The above mentioned person was tried before a General Allied Military Government Court sitting at Naples on 10 October 1944.

3. He was charged as follows :

1st charge : Violation of Proclamation No 2, Art. 1, Sec. 16, in that he at Pietravairano, on the 28 April 1944, at approximately 2230 hrs., did kill one, No 7617296 Craftsman Diggins, M.B., late of 10th Infantry Brigade Workshops, R.E.M.B. a member of the Allied Forces.

2nd charge : Violation of Proclamation No 2, Art. 1, Sec. 17, in that he at Pietravairano on the 28 April 1944 at or about 2230 hrs., did assault one No 7617296 Craftsman Diggins by shooting him with intent to kill him or inflict upon him serious bodily harm.

4. The following sentence was given :

Imprisonment for a period of (10) ten years on each charge; the sentences to run concurrently, and that on such sentence, accused be credited with the time served in prison while awaiting trial.

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- 2 -

5. The following statement was made by the trial Court :

"Regarding criminal responsibility, the Court conceived the question to be whether the shooting was fairly and reasonably necessary for the performance of the duty assigned to accused on the night in question. The Court did not credit the claim that accused was acting in self defence or had reason to believe that he was in personal danger.

The Court found that the shooting was not reasonably necessary but resulted from gross carelessness or excessive zeal or both.

The proof seemed to warrant the conclusion that the soldier was shot while running, with his back to the accused.

Accused's orders on the night in question, were to watch the house then under surveillance and to follow any persons regarded as suspicious. They did not contemplate stopping or challenging any one who approached the vicinity, nor, of course, did they embrace promiscuous shooting."

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

JKW/ns
14 June 1946.

AC/4083/23/L

SUBJECT : TUCCILLO Domenico.

TO : The Minister of Pardon and Justice.

1. See your letter Prot. No UC/3941 - 3
of 10 June 1946.

2. The case of TUCCILLO Domenico is
prepared for review and awaits its turn. When the decision
is rendered you will be notified.

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

LOMBARDO, Constantine

AC/4083/23/L

JKW/ns
14 June 1946.

Memo to Chief Commissioner :

The letter in question complains of a conviction of an accused by the Italian Court of Assise, in Naples. It is urged that he is innocent of the crime because the Allied Superior Court of Naples had "discharged" him for the same crimes.

A diligent search of the records in Archives fails to disclose a case wherein this accused was ever before an Allied Superior Court in Naples, much less that he was tried and acquitted for an offence. At the time given in the letter, 16 February 1946, there were no Allied Superior Courts in operation at Naples. Further, for some time prior to the 16 February 1946, it was the policy to hand over to Italian authorities whenever and however possible, cases involving Allied interests.

The writer is not claiming that the accused is an American citizen, but contents himself with the assertion that the accused was born in the United States. A person can be born in the United States, and can thereafter change his citizenship. Incidentally, the rights of citizenship are bottomed on more secure grounds than those of what a person may "consider" his status to be.

I see nothing in the letter which occasions any action in the matter. 132

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

AG/4083/23/L

JKW/ns.
14 June 1946.

SUBJECT : ESPOSITO Carmela

TO : The Minister of Pardon and Justice.

1. See your letter 141812/69761 of
10 June 1946.

2. The prison records furnished by the Ministry
do NOT disclose the name of ESPOSITO Carmela. The trial record
reveals that her husband, GIUSEPPE ARCANDELLI resides in
TRAVERSA SORIANO N° 3, ACERRA.

3. It is suggested that in order to ensure
that the accused is not detained, that inquiry be made of
the husband to the end that the place of imprisonment be
learned.

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

Copy

7/10/46
4082/23HEADQUARTERS
LIVORNO LIAISON OFFICE
ALLIED COMMISSION

Ref : LHO/1996

Livorno, Date: 12 June 1946.

SUBJECT: Payment of fine.

TO : H.Q. Allied Commission, AEO 794, U.S. Army
attn: Chief Legal Advisor, Legal Sub Commission.

1/ Enclosed correspondence is forwarded for Your information and necessary instructions.

2/ The Director of the Pistoia jail informed this Office through telephone that the trial Judge (Lt.Col. Purcell) omitted to fix the term of imprisonment to be served in default of payment of the fine.

3/ May this Office obtain the necessary instructions as soon as possible, due to the fact that the detention term expires on 18 June 1946?

For the Chief Liaison Officer, A.C.

s/ Lt. Eric Feldman,
Exec.ass't to the Legal Liaison Officer

23

4083/23

7/14/46

12th June, 1946.

To: Legal Sub-Commission, Allied Commission, Rome.
 From: The British Embassy, Rome.

Enclosed herein are three letters received by the Ambassador requesting remission of the sentences passed by an Allied Court on three inhabitants of Naples who were apparently found guilty of the theft of allied material. All three letters show considerable signs of common authorship although at least two of the signatures are in different handwriting! The letters have been formally acknowledged and are passed on herewith for such action as may be considered appropriate.

To MMASELLI Antonio
 MANFREDI Mario
 SPANO Pasolino

W. Wilson

W. Wilson.

Particular in SPANO Pasolino
 has been sent to Italian
 authorities on 22 June 46.
 A. Fisher

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W83P3

Roma

Mod. 345 HG

312 1311 1946

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*Ministero
di Grazia e Giustizia*

DIREZIONE GENERALE
PER GLI ISTITUTI DI PREVENZIONE E PENA

Art. VI

Prot. N. 142330/67.89

Supplemento

21-3-1946

Da

Da

N. 14043/23/1

OGGETTO : *condanna Tuzzani Leopoldo*

In riferimento alla nota sopra indicata di
avviso che la Direzione della casa penale di
Fossano, dove il detenuto in oggetto trovava vi-
sive, ha comunicato che il medesimo è imputa-
to di omicidio aggravato per cui non si è potu-
to metterlo in libertà.

del Ministro

Albe

128

file



1083/83

MOD. 845 MG

Roma

194

Ministero
di GiustiziaDIREZIONE GENERALE
PER GLI ISTITUTI DI PREVENZIONE E DI PENAAlla Commissione Nazionale
Sottoscrizione Legale
20/13

Rel. N. 1083/83

Registrazione del 25-1-1946

In... Per... N. 1083/83/A

OGGETTO: Detenuto Trovati Spasato in Vittorio.

In riferimento alla nota sopra indicata, si trasmette qui di seguito quanto ha comunicato la Direzione della Corte Penale di Cassazione, con nota numero 127 del 27 maggio 1946.

In riferimento alla nota sopra indicata, si trasmette qui di seguito quanto ha comunicato la Direzione della Corte Penale di Cassazione, con nota numero 127 del 27 maggio 1946.

Si prega pertanto il Ministero voler far conoscere la sentenza della Corte Penale di Cassazione, con nota numero 127 del 27 maggio 1946, alla Commissione Nazionale Sottoscrizione Legale.

Per il Ministro

127

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL CUE COMMISSION

AO/4083/23/L

JEM/ns
11 June 1946

SUBJECT : FERNANI Giovannina

TO : The Minister of Grace and Justice.

letter of 20 May 46

1. There is attached hereto an order authorizing the release on 20 June 1946 of FERNANI, GIOVANNINA di Ferdinando.
2. Your attention is called to the fact that the name of this prisoner is not listed on ANY of the prison lists which you have furnished.
3. It is suggested that to ensure the release of the accused, the order should be sent to ALL prisons where she may be imprisoned.

JOHN A. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

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File

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

SUBJECT : **VALOTTI Pasquale fu Domenico**

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Naples on 19 March 1946

2. He was sentenced as follows: -

To serve 30 years imprisonment

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 30 September 1946

4. Unless held for other lawful cause, the above named person will be released on 30 September 1946.

5. It is believed that the defendant is confined at Castellana

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

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John K. Vetter
JOHN K. VETTER,
Colonel, Infantry,
Chief Legal Advisor.

11 June, 1946.

Ind 8/23

Project 2/4
file plan

14 June 1965

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LEGAL SUBCOMMISSION

O

O

Chief Counsel
Rums

O

→ Station Section
EL RKS

15 June 46

To the Chief Commissioner

It is to be noted that as of now, my husband is provided with permission from the Lieutenant of the Realm to marry, permission which lasts only six months, modified to him on December 30th, 1945 and therefore, expiring on June 30th, 1946. The wedding was held and delayed for three months because we were waiting to move back into my home again; all this was very well known to Capt. Stuart to whom my fiancée and my mother had spoken already.

Therefore, I take the liberty to ask your Excellency to be good enough to make the necessary steps, if you believe it should be given to my family the possibility to live in our home again.

Respectfully yours,

Cristiella Ladda

(Cristiella Ladda)

Remova-Peru, June 11th, 1946

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

AC/4083/23/-

JMW/ns
11 June 1946

SUBJECT : FUGARDI Francesco.

TO : AMHQ G-5 Section.

"6"

1. See your letter G-5 : 932.21 of 10 June 1946.
2. FUGARDI Francesco is in Allied Custody. He is presently confined in PISCIA PRISON, where he is serving a sentence of fifteen years imprisonment by reason of having been convicted on 14 - 15 July 1944 at CAMPOBASSO by a General Military Court for having violated Proclamation No 2, Article 1, Section 1. (serving the enemy as a spy).
3. From the record it is shown that the accused was arrested on or about 26 April 1944 at or near FORLI'. The arresting agent was Sgt. C.A. COURTNEY 203430 of the 278 FIELD SECURITY SECTION (BRITISH). In his testimony SGT COURTNEY stated he searched the accused and took from him documents, a letter, and some papers.

For the Chief Commissioner :

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JOHN A. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

ME/ns
11 June 1946.

OGGETTO : Carcere Giudiziario di Alghero

A : Ministero di Grazia e Giustizia
(Dott. Bonelli)

Si fa riferimento alla convenzione sul medesimo oggetto tra il Dott. Bonelli e il Dott. Fiore.

Dallo spoglio di corrispondenza questa Sotto Commissione ha potuto accertare che la Direzione del Carcere Giudiziario di Alghero non ha inviato la lista completa dei detenuti per ordine alleato.

Questa Sotto Commissione sarebbe molto grata se codesto On. Ministero volesse accertare quanto sopra e fornire ulteriori dettagli.

Con perfetta osservanza

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

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File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

AC/4083/23/-

Tn/no
11 June 1946

SUBJECT : Recommendations for Pardon.

*W. J. P. P.*TO : Rt. Rev. Mons. Joseph F. Mc Geough
Secretariat of State of His Holiness.

1. Reference is your letter of 6 June 1946 viz.,
123484/SA, 127232/SA, 127245/SA.

2. Receipt is acknowledged of the above mentioned
letters. However it is called to your attention that the enclosure
as referred to in your No. 127245/SA was omitted.

3. Please be assured that your recommendations
will receive proper consideration.

H. J. ATKINSON,
Lt. Colonel, ICD,
Chief Counsel.

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F

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

AC/4033/23/L

JAW/ns
11 June 1946.

SUBJECT : PIGNALOSA Gennaro fu Enrico

TO : The Minister of Pardon and Justice.

1. See your letter Uff VI Prot. No 141567/66977 of 5 June 1946.
2. The date of release of PIGNALOSA Gennaro fu Enrico was fixed by this office as 16 September 1946 and NOT 16 September 1942 as stated in the prison director's letter.
3. It is requested that the Ministry of Grace and Justice check our original order of release. In all probability the error in date was made in copying our order in your office.

JOHN R. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

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Copia

MINISTERO DI GRAZIA E GIUSTIZIA

Roma, 10 Giugno 1946.

UFF. VI

Alla Commissione Alleata
Sottocommissione Legale

PROT. N. 141973/68226

ROMARisposta al P. del 23/4/1946
N. AC/4083/23/L.

OGGETTO : Detenuto Ottuso Carlo.

In riferimento alla nota sopra indicata, si trascrive qui di seguito quanto ha comunicato la Direzione della casa penale di Asinara, con nota n. 6902 del 17 maggio u.s.:

"In riferimento al foglio sopradistinto, mentre si assicura di aver preso nota della scadenza pena nei riguardi del detenuto in oggetto, fissata per il 20 luglio 1948, si fa presente, però, che la medesima, essendo stata confermata in anni 5, dovrebbe scadere il 12 febbraio 1949, perché decorrente dal 12 febbraio 1944, come già fissata in precedenza.

Si resta in attesa di un cortese cenno di riscontro al riguardo."

Fel Ministro

f.to Volpe

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Subject: OTTUSO CARLO

With reference to letter AC/4083/23/L of the 23rd April 1946, the Ministry of Gordon and Justice forward the following copy of the note, which they have received from the person director of Binara:

Taking notice of expiration of the penalty inflicted upon the above named person and fixed on the 20th July 1948, we draw your attention to the fact that this penalty being confirmed to five years and having initiated on the 12th February 1944, should expire on the 12th February 1949, as it was previously ordered.
Further informations are being requested.

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

AC/4082/23/L

JKW/ns.
10 June 1946.

SUBJECT : Prisoners at Alghero.

TO : The Minister of Pardon and Justice.

1. See your letter Off VI 141408/57181 of 2 June 1946.
2. For the official files of the prison, we are attaching hereto in separate sheets the particulars relating to each prisoner.
3. The attention of the Prison Director should be called to the reduction on review of the sentences in two cases.
4. Please request the Prison Director to notify us that he has received this letter.

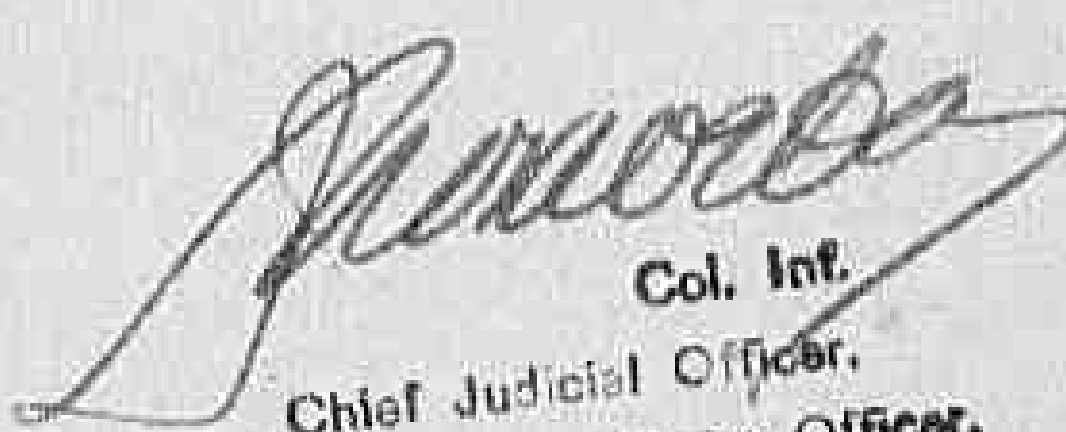
John K. Weber
JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

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D'ANTONIO ARMANDO
Son of Giacinto

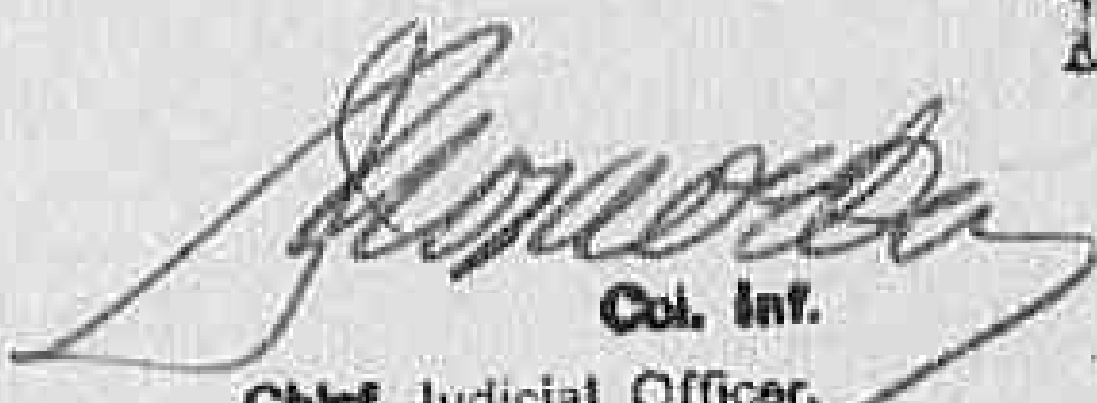
Date of arrest : 24 January 1945.
Date of trial : 13 February 1945
COURT : Superior Military Court No 7, Naples
Judge : Major A.E. GOLD
1st charge : Violation of Proclamation 2, Article 1,
Section eleven.
2nd charge : Violation of Proclamation 2, Article III,
Section one.
3rd charge : Violation of Proclamation 2, Article 2,
Section thirty-four.
Decision : Guilty of charges I and II
Not Guilty of charge III
Sentence : Imprisonment for a term of five years on
charge I and II, each sentence to run
concurrently, and from date of arrest.
Total imprisonment : Five years.

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

VELOTTI, PASQUALE
Son of the late Domenico.

Date of arrest : 26 February 1945.
Date of trial : 12 March 1945/
COURT : Superior Military Court No 7, Naples.
Judge : Major A.E. GOLD.
1st charge : Violation of Proclamation 2, Article III,
Section one.
2nd charge : Violation of Proclamation 2, Article I,
Section eleven.
DECISION : GUILTY on both charges.
Sentence : On each charge imprisonment for three
years and six (6) months, from date of
arrest; sentences to run concurrently.
Total imprisonment : Three (3) years and
Six (6) months.

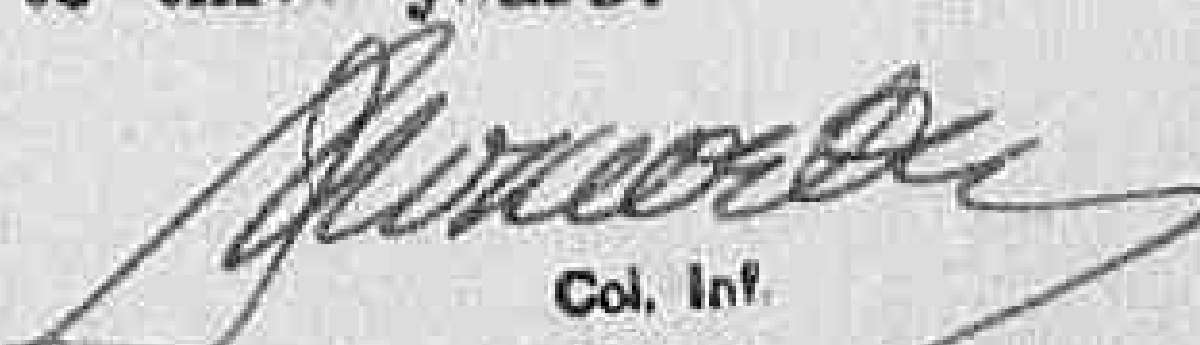

Col. Inf.
Chief Judicial Officer.
for Chief Civil Affairs Officer.

IACOLORO, Giuseppe
Son of the late Vincenzo.

Date of arrest : 8 April 1944
Date of trial : 31 May 1944
COURT : Superior Military Court No 6, Naples.
Judge : Captain P.L. PRYTON
1st charge : Violation of Proclamation 2, Article I,
Section eleven.
2nd charge : Violation of Proclamation 2, Article 1,
Section thirteen.
DECISION : On first charge: NOT GUILTY
On second charge: GUILTY.
SENTENCE : To serve ten (10) years imprisonment from
date of arrest
ON REVIEW : SENTENCE IS REDUCED TO IMPRISONMENT FOR 413
(24 July 1944) TERM OF THREE (3) YEARS FROM THE DATE OF
ARREST.

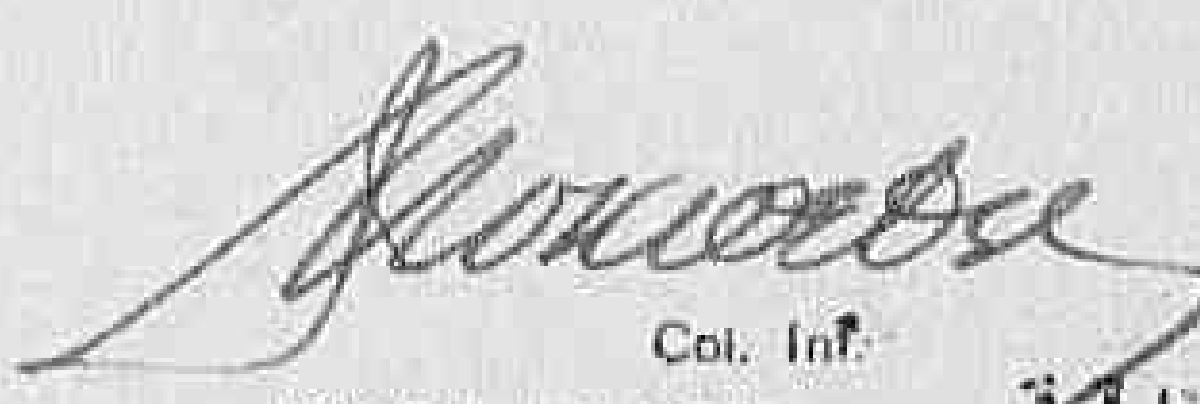
NOTE TO PRISON DIRECTOR:

Your record does NOT show that this sentence
was modified from ten years to three years.


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

DE CICCIO SALVATORE
Son of Antonio

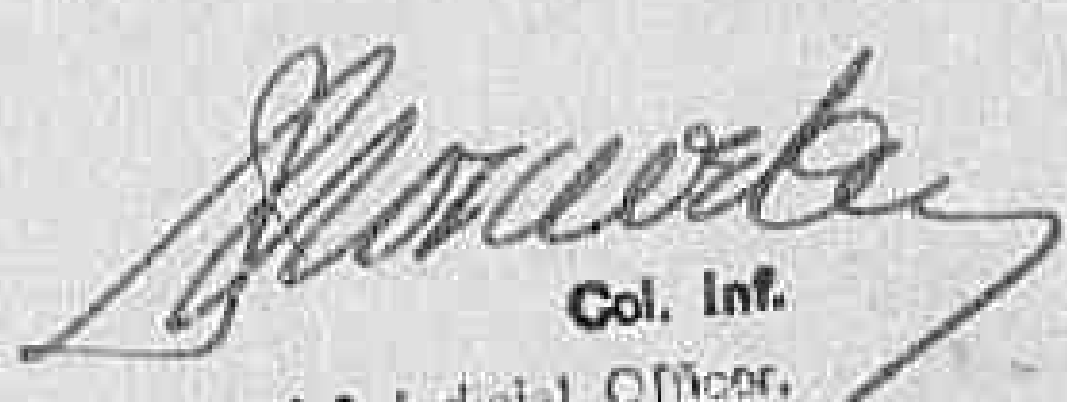
DATE OF ARREST : 6 July 1944.
DATE OF TRIAL : 5 AUGUST 1944
COURT : Superior Military Court No 5, Naples.
JUDGE : Captain Ewing T. KERR.
CHARGE : Violation of Proclamation 2, Article 2,
Section eleven.
DECISION : Defendant plead "Guilty". The finding
of the Court was "Guilty"
SENTENCE : Imprisonment for a term of five (5) years
from date of trial, 5 August 1944.


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

112

MARINELLI, VITO
Son of Angelo.

DATE OF ARREST : 6 July 1944
DATE OF TRIAL : 5 AUGUST 1944
COURT : Superior Military Court No 5, Naples.
JUDGE : Captain Ewing T. KERR.
CHARGE : Violation of Proclamation No 2, Article 2,
Section eleven.
DECISION : The defendant plead "GUILTY"; the finding
of the Court was "GUILTY".
SENTENCE : Imprisonment for a term of five (5) years
from date of trial, 5 August 1944.


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

111

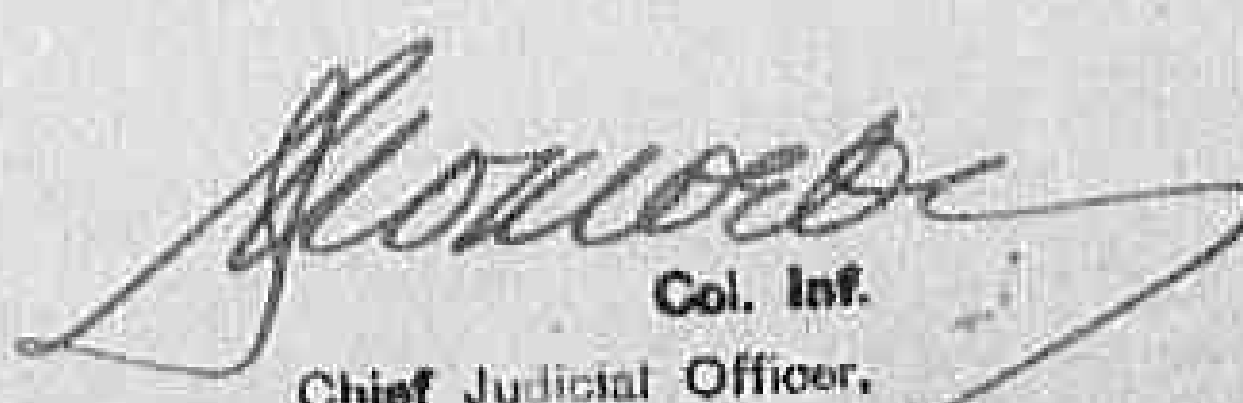
CASERTO, GENNARO
Son of Salvatore

DATE OF ARREST : 6 April 1944.
DATE OF TRIAL : 12 - 15 MAY 1944.
COURT : Superior Military Court No 5, Naples.
JUDGE : Major Edward H. MARXEN.
1st CHARGE : Violation of Proclamation 2, Article 1,
Section 10
2nd CHARGE : Violation of Proclamation 2, Article I,
Section eleven.
3rd CHARGE : Violation of Proclamation 2, Article III,
Section two.
DECISION : Guilty on all three charges.
SENTENCE : Imprisonment for a term of seven (7) years
from date of trial, 15 May 1944.
ON REVIEW : The sentence of seven (7) years was reduced
to four (4) years imprisonment from date of
arrest, 6 April 1944.

NOTE TO PRISON DIRECTOR:

110

Your record does NOT show this sentence of imprisonment
was reduced from seven (7) years to FOUR (4) years.


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

Mod. 2



Ministero di Grazia e Giustizia

Gabinetto di S.E. il Ministro

Roma, 10.6.1946 19

Protocollo N. 04/3941-3

OGGETTO TUCCHILLO DOMENICO.

Alla Commissione Alleata
Sottocommissione Legale
ROMA

Si trasmette per competenza l'ultima istanza di grazia
relativa a TUCCHILLO Domenico, condannato dalla Corte Militare
di Napoli il 6.1.1944 ad anni tre di reclusione.

Si prega in proposito voler esaminare la fondatezza
dei motivi addotti tendenti ad ottenere un cenno di riscontro allo scrivente.

L'UFFICIALE DI COLLEGAMENTO
(Dr. E. Bonelli)

Bonelli

109

LEGAL SUB-COMMISSION

CLO

DCLO

Chief Counsel

CLO

Italian Section

21. RKS

11 June 46

HEADQUARTERS
NAPLES LIAISON GROUP
ALLIED COMMISSION
LEGAL DIVISION
APO 794

10 June 1946

L-5040

SUBJECT: Petitions for pardon.

TO : Chief Legal Adviser, Headquarters,
Allied Commission, Legal Sub-Commission,
APO 794, U.S. Army.

1. The attached petitions received from Procura del
Regno, Naples, are forwarded to you for your consideration:

1. GRASSO Tommaso fu Antonio
2. ESPOSITO Cosimo fu Raffaele
3. SESSA Giovanni fu Gaetano
4. BRACCO Francesco fu Donato

For the Chief Liaison Officer.

Rosario A. Gaziano
ROSARIO A. GAZIANO
Captain, Infantry,
Senior Legal Officer

4 Incls.
RAG/ms

SUB COMMISSION

TO

FROM

Chief Counsel

Legal Section

MARKS

13 June 46

208

4083/23

HEADQUARTERS
NAPLES LIAISON GROUP
ALLIED COMMISSION
LEGAL DIVISION
APO 794

L - 5040

10 June 1946

SUBJECT: Petitions for pardon.

TO : Chief Legal Adviser,
Headquarters, Allied Commission,
Legal Sub-Commission,
APO 794, U.S. Army.

1. The following petitions are forwarded to you
for your consideration:

- 1) BOCCHETTI Vincenzo
2) CORORITO Antonio.

*can it get reviewed
with Capt. Bern from
14 Mar 46*

For the Chief Liaison Officer.

Rosario A. Gaziano
ROSARIO A. GAZIANO
Captain, Infantry
Senior Legal Officer

2 Incls.
RAG/eb

LEGAL SUB COMMISSION	
TO	
FROM	
Chief Counsel	
CIO	
Admission - Section	

13 June 46

107

file 4083/23

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
13 CORPS
LEGAL DIVISION

Legal s/c
FCSB/ gb
vs. 28

TELEPHONE No.: 29701 Ex: 124.

Date: 10 June 1946.

REFERENCE No.: 13-AMG/LD/184/1627

SUBJECT: Case of VIVODA Giovanni et al.

TO: Chief Legal Adviser, H.Q. Allied Commission, APO 394, Rome.

1. Reference your letter AC/4083/23/L dated 6 June 1946.
2. Receipt for record and decision on Review in enclosed herewith.

For the Senior Civil Affairs Officer.

SUB-COMMISSION

A.E. Gold
A.E. GOLD
MAJOR, A.U.S.
CHIEF LEGAL OFFICER.

17 June 46

106

Encl.: a/m Receipt.

Copia

MINISTERO DI GRAZIA E GIUSTIZIA

Roma, 10 Giugno 1946

Alla Commissione Alleata
Sottocommissione LegaleR O M A

UFF. VI

Prot.N. 141955/94335

Risposta al r.del 3/5/1946
N. AC/4083/23/L.

OGGETTO : Detenuto Giannattasio Ugo.

In riferimento alla nota sopra indicata, si trascrive qui di seguito quanto ha comunicato la Direzione delle carceri giudiziarie di Firenze, con nota n. 7761 del 25 maggio u.s.:

"In riferimento al foglio a margine indicato e relativo alla modifica apportata alla condanna inflitta dal Tribunale Alleato di Toscana il 17/11/44 e con la quale essa viene ridotta ad anni due, si prega di voler controllare le date onde poter stabilire un esatto rapporto tra la scadenza e la decorrenza della pena che appaiono discordanti. Si resta quindi in attesa di conferma.

For reply
see 4083/23 of 19 June 46

Pel Ministro

f.to Volpe

203

4083/231

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 934.42

10 June 1946

SUBJECT: Appeal against Sentence -- Franco MARAUCIO

TO : Chief Commissioner
Allied Commission
(Attn: Legal Sub-Commission)
APO 794

1. Attached is a copy letter from the above named person.
2. Will you please give an outline of the facts of this case in order that a reply may be drafted for the Theater Commander's signature.

BY COMMAND OF LIEUTENANT GENERAL MORRIS:

Shen
Major

W. A. L. HARRIS
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5.

Incl:
as above.

204

f

7-12

ALLIED FORCE HEADQUARTERS
G-5 Section
APO 512

G-5: 932.21

10 June 1946

SUBJECT: FUGARDI Francesco

TO : Chief Commissioner,
Allied Commission,
(Attn: Legal S/C),
APO 794.

"C"

Reference is made to your AG/1083/23/1, 15 May 46 and attached letter (with translation).

1. Enquiries have been made from both British and U.S. Provost Marshals but no trace can be found of the above named having been in Allied custody.

2. In the absence of further details it is regretted no assistance can be given.

BY COMMAND OF LIEUTENANT GENERAL MORGAN:

Shen
Captain

/s/ A. L. HANDELIN
Brigadier General, G.S.C.
Assistant Chief of Staff, G-5

1 'B'

7-1

103

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

/mda.

10 June 1946.

AG/AGS/23/L.

SUBJECT : MORGENTHAU Dino de Alberto.

TO : Giorgio Brunelli,
Ministry of Pardon and Justice.

1. Reference is your letter of 5 June 1946.
2. The case of the above mentioned person is under consideration at the present time and a decision is expected in the near future.

JOHN E. THORN,
Colonel, Infantry,
Chief Legal Advisor.

M. 312

Roma, 7 giugno

19 46



Ministero dell'Interno

DIREZIONE GENERALE
DELLA PUBBLICA SICUREZZA

Divisione Polizia Sec. Prima

Prot. N. 10.31818 Allegati
11200Al QUARTIERE GENERALE DELLA
COMMISSIONE ALLEATA
Sottocommissione Legale
ROMA

Risposta al Foglio del 27.4.1946

Dir. Sec. N.A.C.
4083-23.L.

OGGETTO

Liberezione di partigiani condannati dal

Tribunale Militare Alleato, per detenzione

di armi =

(Materi Bruno Volner, Corti Giuseppe,
Michelini Mario, Biondi Emilio, Gatti Mario, Baravelli
Lesani, Zappalà Giulio) -

In relazione alla lettera su indicata, si comunica che
il Prefetto di Ferrara, nel dare notizia della liberazione
dei sette partigiani, prega il Ministero di ringraziare, a
nome dei predetti giovani, cotesta On. Commissione Alleata; e
di rendersi interprete dei sentimenti di gratitudine degli in-
teressati e dell'Associazione Provinciale Partigiani .-

PEL MINISTRO

101

file

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

/nda.

AG/A083/23/L.

7 June 1946.

SUBJECT : SEXTON, Mariano.

TO : HQ., AMC, 13th Corps
(Attn: Senior Legal Officer).

1. See your letter 15c/AMC/1D/184/1536 of 3 June 1946.
2. The above case has been reviewed prior to the receipt of the enclosed appeal. In this connection, to avoid review prior to the expiration of the filing time of an appeal, the rules require that the record be retained until the expiration of the time for the filing of the appeal before forwarding it for review, unless, of course, the appeal is duly filed before the expiration date.
3. We have duly considered the various grounds advanced therein. On our own motion the first contention made therein was duly sustained.
4. The other contentions made in the appeal were duly considered by us. Under the proclamations, an attempt to do an act which constitutes an offense shall likewise constitute an offense which shall be punishable to the same extent as though the act had been committed. In view of this provision, and the direction set out in paragraph 21, "Rules of Procedure for Allied Military Courts" contained in Consolidated Instructions, we are not moved to alter the decision heretofore rendered.
5. Please file this appeal with the record of trial heretofore returned to you.

By Command of Rear Admiral STONE :

100

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

File

HEADQUARTERS ARMY COMMISSION
APO 724
LEGAL SUB-COMMISSION

/sda.

6 June 1946.

AC/1083/25/1.

SUBJECT : Petitions.

TO : Chief Liaison Officer, LIVERMO.
(Attar Senior Legal Officer).

1. See your letter LMO/1939 of 13 May 1946.
2. All the cases mentioned in your letter have been dealt with by the Review Board, and the Ministry of Grace and Justice has been officially notified.

By Command of Rear Admiral STONE :

*DUTI Pietro
Castellani Luigi
Condotti Giuseppe
De Martino Mario
Silvestrini Adelmo*

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/1.

SUBJECT : CASTILLA Sergio

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at on 4 Sept 45

2. He was sentenced as follows: -

1st charge - To serve 9 months imprisonment plus 60,000 fine to be paid by 15 Oct 45 or 6 months additional imprisonment.
2nd charge - 9 months imprisonment.
Sentences to be served concurrently

3. On reconsideration the above sentence has been modified as follows: -

The fine if unpaid is remitted.
The sentence is reduced so as to end on 15 June 1946.

4. Unless held for other lawful cause, the above named person will be released on 15 June 1946.

5. It is believed that the defendant is confined at LIVIGNO

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

98

John K. Weber
JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

FA
6 June

, 1946.

File

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL SUB-COMMISSION

AC/4083/23/L.

SUBJECT : GASTELLANI Luigi

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at BOLOGNA on 4 Sept. 45

2. He was sentenced as follows: -

1st charge - To serve 9 months imprisonment and to pay a fine of 50,000 lire
by 15 Oct 45 or 6 months additional imprisonment in default thereof.
2nd charge - 9 months imprisonment. Sentences to be served concurrently.

3. On reconsideration the above sentence has been modified as follows: -

The fine, if unpaid is remitted.
The sentence is reduced so as to end 15 June 1946.

4. Unless held for other lawful cause, the above named person will be released on 15 June 1946.

5. It is believed that the defendant is confined at Gorgona

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

97

John K. Weber
JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

6 June, 1946.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

File

AC/4083/23/L.

SUBJECT : *CHATELAIN Arthur*

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Toulon, France on 31 Oct 44.

2. He was sentenced as follows: -

1st charge - To serve 7 years imprisonment.

2nd charge - To serve 5 years imprisonment. To be served concurrently

3. On reconsideration the above sentence has been modified as follows: -

1. It occurs in the recommendation made in this case.

2. The sentence of accused is reduced so as to end on 15 June 1946.

4. Unless held for other lawful cause, the above named person will be released on 15 June 1946.

5. It is believed that the defendant is confined at St. Cyprien.

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

96

Monro
JOHN K. WHEELER,
Colonel, Infantry,
Chief Legal Advisor.

6 June

, 1946.

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL S.E. COMMISSION

AG/4083/23/L.

6th June 1946

OGGETTO : PASSERI Riccardo,

AL MINISTERO DI GRAZIA E GIUSTIZIA
ROME

Si fa riferimento alla lettera di Codesto Ministero
UC/4238-1 in data 21 maggio 1946.

La decisione della revisione del processo in oggetto
e' acclusa alla presente.

JOHN K. WEINER,
Colonel, Infantry,
Chief Legal Advisor.

All. 1

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

/mca.

AC/4063/23/L.

6 June 1946.

SUBJECT : VIVODA Giovanni et al.

TO : Headquarters AMG, 13th Corps
(Attn: Senior Legal Officer).

1. See your letter 13a/AMG/ID/122/150/ of 1 June 46.
2. It has been concluded that the applications submitted do not contain anything of merit which warrants reductions in sentences at this time.
3. The decision here rendered is not to be interpreted in this or other cases as foreclosing any recommendations you may hereafter care to make.
4. Record is returned herewith.

By Command of Rear Admiral STONE :

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor 94

TS

Procura Generale del Regno
di Firenz

Firenze, li 6 giugno 1946

N. 107

Risposta a Nota

N.

Allegati

OGGETTO { Procedimento a carico di ROSSI Pietro e
PUCCINI Francesco.

ROME AREA MILITARY COMMAND
APO N. 794 US ARMY ITALIAN LIAISON SECTION
R O M A

Il 1° dicembre 1944 il Tribunale Militare Alleato dell'Isola d'Elba, capitano americano Smith, giudicando certi Rossi Pietro e Giuseppe e Puccini Francesco ed Andrea ai quali attribuirsi il delitto di avere ucciso tale Arduini Mario mediante lancio ed esplosione di una bomba il 25 luglio dello stesso anno in Capaliveri, prosciolsse gli imputati e ne ordinò la scarcerazione.

Dagli atti processuali, che sono stati rimessi a quest'Ufficio, risulta indirettamente che l'accennata decisione fu impugnata dall'Ufficio Regionale Legale per la Toscana, maggiore americano avv. Robert N. Hill, il quale avrebbe riconsegnato l'incartamento al Pretore di Portoferraio per l'ulteriore corso presso l'Autorità Giudiziarla Italiana.

Pregasi riferire se tali notizie sono esatte, e se pertanto l'accennata sentenza 1° dicembre 1944 debba considerarsi o no efficace, e sotto quale imputazione furono il Rossi ed il Puccini giudicati.

IL PROCURATORE GENERALE DEL REGNO

93

*Legal
Subcommittee
Allied Commission
June 1946*
25/11/46
18 August 46

Y Meleus

Subject: Proceedings against ROSSI PIETRO
and PUCCINI FRANCESCO

The Procura Generale of Florence communicates on the 6th June 1946 that the two above named persons have been tried on the 1st December 1944 by the Allied Military Court of Elba Isle - U. S. A. Capt. Smith, - under charge of having killed on the 25th of July 1944 at Capovivri a certain ARGUINI MARIO by means of a bomb. Said accused persons were acquitted and an order of release was issued.

It results from the file, which was transmitted to this office, that said sentence of acquittal was attacked by Maj. Robert N. HILL, Regional Legal Officer for Tuscany, who forwarded the file to the Pretore of Portoferraio for further action by the Italian Judicial Authorities.

It is hereby requested, whether said facts are true, and whether the sentence of the 1st December 1944 has to be considered as a valid

persons have been tried in
by the Allied Military Court of Elba Isle -
Judge U. S. A. Capt. Smith, - under charge of ha-
ving killed on the 25th of July 1944 at Corpo-
liveri a certain ARQUINI MARIO by means
of a bomb. Said accused persons were acquitted
and an order of release was issued.

It results from the file, which was trans-
mitted to this office, that said sentence of ac-
quittal was attacked by Maj. Robert N. HILL,
Regional Legal Officer for Tuscany, who forward-
ed the file to the Pretore of Portoferraio,
for further action by the Italian Judicial
Authorities.

It is hereby requested, whether said facts
are true, and whether the sentence of the 1st
December 1944 has to be considered as a valid
one or not, and under which charge the na-
med Ritti and Puccini have been tried.

File

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/1.

SUBJECT : RUTH Pictor

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at SAVERIG on 4 Sept 45

2. He was sentenced as follows: -

1st charge - To serve 9 months imprisonment plus a fine of 60,000 lire to be paid by 15 October 45 or 6 months additional imprisonment.
 2nd charge - 9 months imprisonment.
 The sentences to be served concurrently.

3. On reconsideration the above sentence has been modified as follows: -

The fine if unpaid is remitted.
 The sentence is reduced so as to end 15 June 1946.

4. Unless held for other lawful cause, the above named person will be released on 15 June 46.5. It is believed that the defendant is confined at FORONA.

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

91

John K. Weber
 JOHN K. WEBER,
 Colonel, Infantry,
 Chief Legal Advisor.

6 June

, 1946.

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

AC/4083/23/L

JKW/ns
6 June 1946

SUBJECT : DE BLASIO Giovanni

TO : Chief Liaison Officer (Attn: S.L.O.)
Livorno.

1. See your letter LLO/1967 of 22 May 1946.

2. The case of DE BLASIO, Giovanni Toscana No 2867, (Livorno No 30/s) was reconsidered by the Review Board, and the sentence was reduced to end on 1 September 1946. The Minister of Grace and Justice has been officially notified.

By command of Rear Admiral STONE :

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

File

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

SUBJECT : CONDOTTI Giuseppe di Santandrea

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at LIVORNO on 21 August 45

2. He was sentenced as follows: -

To serve 1 year imprisonment.

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 30 June 1946.

4. Unless held for other lawful cause, the above named person will be released on 30 June 46. - 89

5. It is believed that the defendant is confined at Campagna

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

Wieder
JOHN K. WIEDER,
Colonel, Infantry,
Chief Legal Advisor.

6 June

, 1946.



Vatican City, June 6, 1946

N. 127245/SA

Dear Sirs:

The Secretariat of State of His Holiness takes the liberty to recommend for the kind consideration of the competent authorities the request of Signora Assunta Di Pinto, Via Consalvo 99, Puorigrotta (Napoli) for the liberation of her husband Castelluccio Vincenzo, presently detained in the Penitenziaria di Pisciotta.

Signora Di Pinto states that her husband was sentenced to five years imprisonment when he was found to be in possession of Allied clothing. She is ailing, as the enclosed health certificate testifies, and together with her one year old child is left without a means of support.

Thanking you for the consideration you may deem to give this request, I am

Sincerely yours,

Joseph F. McGeough
 Rt. Rev. Mons. Joseph F. McGeough
 Secretariat of State of His Holiness
 SUB-COMMISSION

Legal Sub-Committee
 AG HQ
 Via Veneto

Rome

Enclosure: 1

*no inclosure
 received @*

Chief Counsel 88

Adm. Section

RKS 10 June 46

Copy

4080/23

File

HEADQUARTERS
LIVORNO LIAISON OFFICER
ALLIED COMMISSION

Ref : HLO/1988

Livorno, Date: 6 June 1946

SUBJECT : Informal petition - De Blasio Giovanni.

TO : H.Q. Allied Commission, APO 794, U.S. Army
Attn: Chief Legal Advisor, Legal Sub-Commission.

- 1/ Attached hereto please find a with case record petition from the wife of De Blasio Giovanni (Livorno case No. 30/S, Toscana Region, No. 2867).
- 2/ A relatively small quantity of Allied property was involved in this case; the case is very close to be a "agent provocateur" case; plenty of errors were committed by the Court during the trial and, finally, De Blasio has already served nearly two years.
- 3/ It is respectfully suggested to order the release of De Blasio. His wife and family are in very bad financial conditions.

For the Chief Liaison Officer, A.C.

s/ Lt. Eric Feldman,
Exec. ass't to the Legal Liaison Officer

X



Vatican City, June 6, 1946

N. 123484/SA

Dear Sirs:

The Secretariat of State of His Holiness takes the liberty to recommend to the attention of the competent authorities the request of Amelia Polacchi Pezzi, Via Aurelia 52, Madonna dell'Acqua (Pisa) for a commutation of the prison term imposed upon her husband Ugo Pezzi.

Signora Pezzi states that her husband was arrested March 6, 1945 on the charge of attempting to bribe an American officer, and was sentenced, May 2, to two years imprisonment by the Allied Military Court of Pisa. She makes the request in view of the fact that two other men sentenced for the same offense have been liberated following a review of their cases.

Thanking you for the consideration you may deem to give this request, I am

Sincerely yours,

Rt. Rev. Mons. Joseph F. McGeough
Secretariat of State of His Holiness

Legal Sub-Committee
AC HQ
Via Veneto

Rome

86

10 June 46

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

Fulu

AC/4083/23/L.

SUBJECT : CARLOS Roberto

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Toscany on 11 Oct 44

2. He was sentenced as follows: -

To serve 7 years imprisonment.

3. On reconsideration the above sentence has been modified as follows: -

The sentence of defendant is reduced so as to end on 15 June 1946.

4. Unless held for other lawful cause, the above named person will be released on 15 June 46.

5. It is believed that the defendant is confined at 3. Cini

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

83

John K. Weber
JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

[Signature]
6 June

_____, 1946.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

File

AC/1083/23/1.

SUBJECT : PASSERI Riccardo di Calostino

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Campobasso on 12 Apr 44

2. He was sentenced as follows: -

To serve 5 years imprisonment and to pay a fine of 150,000 lire or in default thereof 12 months additional imprisonment.

3. On reconsideration the above sentence has been modified as follows: -

The conviction is affirmed. The sentence of five years imprisonment is reduced so as to end on 20 June 1946. If the fine of L. 150,000 is paid by 20 June 1946, the accused will be released on that day. If fine is not paid by 20 June 1946, the accused will serve six months additional imprisonment from 20 June 1946.

4. Unless held for other lawful cause, the above named person will be released on 20 June 46, if fine is paid by that date. If fine is not paid by 20 June 46, the sentence will expire 20 Dec 46.

5. It is believed that the defendant is confined at TARINO

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

81

John K. Viter
JOHN K. VITER,
Colonel, Infantry,
Chief Legal Advisor.

4 June, 1946.

4083/23
✓

(P077)

LEGAL

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
13 CORPS
LEGAL DIVISION

FCSE/gb

Date 5 June 1946.

TELEPHONE No.: 29701 Ex:124.

REFERENCE No.: 13C/AMG/LD/ 184 / 1566

SUBJECT Case of GUACLIARDI Arturo.

TO Chief Legal Adviser, H.Q. Allied Commission, APO 394, Rome.

Please find herewith attached a Petition for Grace relating to above mentioned detained, sentenced by an Allied Military Court in Venice on 7 Aug. 1945.

For the Senior Civil Affairs Officer.

petition in
"Under 2 files"

A.E. Gold
A.E. GOLD
MAJOR, A.U.S.
CHIEF LEGAL OFFICER.

Encl.: 1

LEGAL SUB-COMMISSION

CLO

CLO

Chief Counsel

CLO

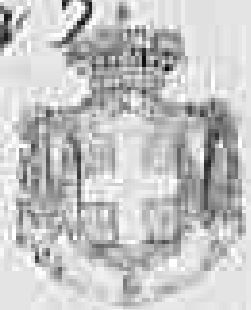
Section Section

CL RKS

10 June 46

83

4683/23



FIVE

Roma

Mod. 34516

Ministro
di Grazia e Giustizia

DIREZIONE GENERALE
PER GLI ISTITUTI DI PREVENZIONE E PENALE

UFF. VI

Let. N. 141311/82361

Oggetto: Detenuto Colla Vincenzo.-

41a Commissione Allente
Sottocommissione Legale
ROMA

Proposta di del.

Per Per N.

alleg. 2

Si trasmette l'unita istanze del detenuto in oggetto, pervenute dalla casa penale di Sulmone con nota n. 3640 del 17 maggio 1946.-

DEL SUB COM. 1/2

13

13

Chief Counsel

13

Police Section

CL. RKS

6 June 46

Fel Ministro

FILE

82

Prisoner COLLA VINCENZO, sentenced for very serious offences (murder, robbery, theft etc), imprisoned at Badia Salmone, to be released in 1940, requests to be called to this S/C for an interview. He states that he has to make some very important communications.

4083/23

HEADQUARTERS
NAPLES LIAISON GROUP
ALLIED COMMISSION
LEGAL DIVISION
APO 794

I-5040

5 June 1946

SUBJECT: MIRANGOLO Raffaele fu Leopoldo.

TO : Chief Legal Adviser, Headquarters,
Allied Commission, Legal Sub-Commission,
APO 794, U.S. Army.

*Petition in
"Under Eyes"
file*

1. The attached petition on behalf of MIRANGOLO Raffaele is forwarded to you for your consideration.

For the Chief Liaison Officer.

Rosario Altajano
ROSARIO A. ALTAJANO
Captain, Infantry
Senior Legal Officer

1 Incl.
RAG/ms

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
6 June 46	

80

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4983/23/L.

SUBJECT : REIA Renato

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Naples on 1 March 1945

2. He was sentenced as follows: -

1st charge - 3 years and 75,000 lire fine or 6 months in default.

3. On reconsideration the above sentence has been modified as follows: -

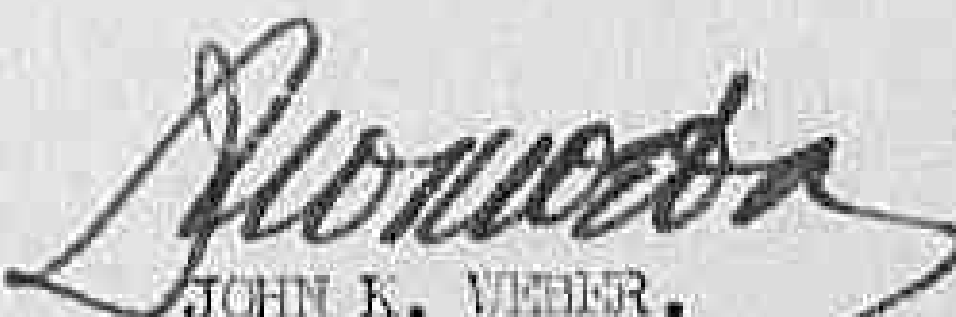
The sentence is reduced so as to end on 10 November 1946.
The fine, if unpaid, is omitted.

4. Unless held for other lawful cause, the above named person will be released on 10 November 1946.

5. It is believed that the defendant is confined at Naples

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

79


JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.


4 June

1946.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

File

AC/4083/23/1.

SUBJECT : DE BIASSE Fedele

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Rome on 10 August 1944

2. He was sentenced as follows: -

To serve 10 years imprisonment
On review 30 September 1944 the sentence was affirmed.

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 1 July 1946.

4. Unless held for other lawful cause, the above named person will be released on 1 July 1946.

5. It is believed that the defendant is confined at Procida

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

78



JOHN K. WEILER,
Colonel, Infantry,
Chief Legal Advisor.

4 June 1946, 1946.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

Filer

AC/4083/23/L.

SUBJECT : **MOTES Ferruccio**

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Rome on 10 August 1944

2. He was sentenced as follows: -

To serve 2 years imprisonment.

On review 30 September 1944 sentence was affirmed.

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 10 June 1946.

4. Unless held for other lawful cause, the above named person will be released on 10 June 1946.

5. It is believed that the defendant is confined at Procida

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

77

W. W. Wether
JOHN K. WETHER,
Colonel, Infantry,
Chief Legal Advisor.

4 June, 1946.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/1083/23/L.

SUBJECT : **IMMORINO Antonio**

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Rome on 10 August 1944

2. He was sentenced as follows: -

To serve 2 years imprisonment
On review 30 September 1944 the sentence was affirmed.

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 10 June 1946.

4. Unless held for other lawful cause, the above named person will be released on 10 June 1946.

5. It is believed that the defendant is confined at Procida

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

76

Procedures
JOHN K. WEAVER
Colonel, Infantry,
Chief Legal Advisor.

4 June, 1946.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

SUBJECT :

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Castell Alfama on 1 March 46

2. He was sentenced as follows: -

1st charge - 4 years imprisonment and 300,000 lire fine or 2 year additional imprisonment.

2nd charge - 3 years imprisonment

3rd charge - 2 years imprisonment all terms to be served concurrently

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end the 10 November 1946.
The fine, if unpaid, is remitted.

4. Unless held for other lawful cause, the above named person will be released on 10 November 1946.

5. It is believed that the defendant is confined at Naples

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

75

John K. Weber
JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

4 June

1946.

4073/3

 Ministero
 di Giustizia

DIREZIONE GENERALE
 PER GLI ISTITUTI DI PREVENZIONE E DI PENA

UFF. VI

Let. N.° 141567/66977

Oggetto: Detenuto Rignolosa Genaro.-

Roma

Commissione Alleata
 Sottocommissione Legale
 ROMA

Registrazione del 30/7/1946

Da L. 4083/23/L

In riferimento alla nota sopra indicata, si trascrive qui di seguito quanto ha comunicato la Direzione della casa penale di Pozzuoli, con nota n. 2026 del 23/5 u.s. :

" In riferimento al dispaccio emerginato e facendo seguito alla nota di assicurazione p.n. del 27.4.1946 significhiamo quanto appresso.

In Rignolosa venne arrestato il 4/2/1944 e condannato ad anni 5 di reclusione con sentenza 22.4.1944 di questa Corte Alleata, per cui la scadenza pena venne fissata al 22.4.1949 con la nota della Sottocommissione Legale, trascritta, si rileva che mentre allo stesso la pena è stata ridotta ad anni 3, la scadenza fissata il 16.9.1949 anziché 22.4.1947.

Prego pertanto, il Ministero tenuto conto di quanto sopra è detto, confermare l'escarcerazione del Rignolosa al 16.9.1946 come disposto con la ministeriale su citata."

Del Ministro

6 June 46

74

Subject: PIGNALOSA GENNARO

With reference to letter AC/4083/23/L of the 30th March 1946, the Ministry of Gordon and Justice communicates that they have received from the person director of PoLuzoli the following note:

"Pignalosa was arrested on the 4th February 1944 and sentenced on the 22nd April 1944 by an Allied Military Court to five years imprisonment. The expiration of the penalty was fixed on the 22nd April 1949.

The Legal S/C ordered that the penalty be reduced to three years, but has fixed the date of release on the 16th September 1949, instead of the 22nd April 1944."

It is herewith requested that the date of 16th September 1949 be corrected to 16th September 1946, as it was previously ordered by the Ministry."

73

Col Weber:
I'm not sure just what
the Ministry wants here or why
they wrote us. Should we
reply?
(TW)

4083/53
17
HQ. SICILY LIAISON GROUP (A.C.)
APO 794

4 June 1946

AC/9/6 11

Subject: SCORSONE Francesco.

To : HQ. ALLIED COMMISSION,
Attention Legal Sub-Commission.

1. Reference your AC/4083/23/4 dated 10 May 1946.
2. Procuratore del Regno of Palermo, informed us that an order of arrest was issued on 19/2/46 for the arrest of the above named but he is still fugitive.-

(Montague 1/61)

L. MONTAGUE, Lt. Col. GL,
A.C. Chief Liaison Officer,
SICILY

Chief Counsel

CJO

Italian Section

CLERKS

11 June 46

72

HEADQUARTERS ALLIED COMMISSION
APO 594
LEGAL SUB-COMMISSION

File

AG/1,083/23/L.

SUBJECT : PROCO Bandarino

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Naples on 1 Mar 43

2. He was sentenced as follows: -

1st charge - 5 years imprisonment and 150,000 lire fine or
1 year additional imprisonment in default thereof.

2nd charge - 2 years imprisonment - all terms to be served concurrently

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 10 November 1947.
The fine, if unpaid, is remitted.

4. Unless held for other lawful cause, the above named person will be released on 10 November 1947.

5. It is believed that the defendant is confined at Naples

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

71

Donnelly
JOHN K. WIDDER,
Colonel, Infantry,
Chief Legal Advisor.

4 June

1946.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/1083/23/L.

SUBJECT : VIVARELLI Giovanni

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Rome on 10 August 1944

2. He was sentenced as follows: -

To serve 2 years imprisonment

On review 30 September 1944 the sentence was affirmed.

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 10 June 1946.

4. Unless held for other lawful cause, the above named person will be released on 10 June 1946.

5. It is believed that the defendant is confined at Procida

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

70

John K. Wheeler
JOHN K. WHEELER,
Colonel, Infantry,
Chief Legal Advisor.

FI
4 June, 1946.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4883/23/L.

SUBJECT : ~~SSR~~ Vincenzo

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Amles on 20 Dec 44.
2. He was sentenced as follows: -

To serve 2 years imprisonment.

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 18 September 1946.

4. Unless held for other lawful cause, the above named person will be released on 18 September 1946.

5. It is believed that the defendant is confined at Amles.

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

68

Sumner
JOHN R. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

3 June

1946.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/4083/23/1.

SUBJECT : OSMA Augusto

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Naples on 20 Dec 44

2. He was sentenced as follows: -

To serve 2 years imprisonment.

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 18 September 1946.

4. Unless held for other lawful cause, the above named person will be released on 18 September 1946.

5. It is believed that the defendant is confined at Reggio

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

68

John K. Weber
JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

3 June

, 1946.

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

/mda.

AD/1083/23/L.

3 June 1946.

SUBJECT : SIEROTICH Mariano et al.

TO : Hq. A.F.C., 13th Corps
(Attn: Senior Legal Officer).

1. Reference is your 134/AMC/IN/181/1466 of 28 May 1946.
2. The case of SIEROTICH Mariano has been reviewed, and the conviction and sentence on the first and third charges are affirmed. It has become necessary to quash the conviction and sentence on the second charge.
3. The attention of the trial judge is directed to the provisions of article 12, paragraph 3 9a) and (b) page 34 and article 20, page 52 B, "Consolidated Instructions for Allied Military Courts." It will be observed that the example there given fits the facts of this case, and should have been observed.
4. Record is returned herewith.

By Command of Rear Admiral STONE :

JOHN K. WEMER,
Colonel, Infantry,
Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AG/1083/23/L.

SUBJECT : ROSSI Giuseppe

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Naples on 20 Dec 44.

2. He was sentenced as follows: -

To serve 2 years imprisonment.

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 18 September 1946.

4. Unless held for other lawful cause, the above named person will be released on 18 September 1946.

5. It is believed that the defendant is confined at Naples.

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

66

Monahan
JOHN K. VIEBER,
Colonel, Infantry,
Chief Legal Advisor.

3 June, 1946.

File 4080/13

LEGAL

8003

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
13 CORPS

FOSE/gb

LEGAL DIVISION

Date 3 June 1946.

TELEPHONE No.: 29701 Ex: 124.

REFERENCE No.: 13C/AMG/LD/184/1466

SUBJECT: SIROTICH MARIANO, Superior Court No 212, Trieste.

TO: Chief Legal Adviser, H.Q. Allied Commission, APO 394, Rome.

With reference to my letter No 13C/AMG/LD/184/1466 dated
28 May 1946 please find herewith attached a Formal Appeal on behalf of
above mentioned accused.

For the Senior Civil Affairs Officer.

returned to
13 Corps
7 June 46

[Signature]
A.E. GOLD
MAJOR, A.U.S.
CHIEF LEGAL OFFICER.

LEGAL SUB-COMMISSION

CLO

DCLO

Chief Counsel

CJO

Italian Section

CL RKS

Encl.: a/m Appeal.

6 June 46

63

HEADQUARTERS ALLIED COMMISSION
APO 394
LOCAL SUB-COMMISSION*File*

AC/4083/23/L.

SUBJECT : TATARUZZA Antonio di Giuseppe
TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Naples on 29 June 1944

2. He was sentenced as follows: - To serve 10 months imprisonment and to pay a fine of 50,000 lire. On 14 August 1944 he was irregularly released from prison. On 6 December 1945 he was rearrested in order that he might serve the remainder of his sentence.

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end 10 June 1946. The fine, if unpaid, is remitted.

4. Unless held for other lawful cause, the above named person will be released on 10 June 1946.

5. It is believed that the defendant is confined at Naples

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

64

John K. Winter
JOHN K. WINTER,
Colonel, Infantry,
Chief Local Advisor.

3
3 June, 1946.

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

/mda.

AC/1003/23/L.

3 June 1946.

SUBJECT : ZABIGRE Saverio.

TO : The Minister of Pardon and Justice.

1. Reference your Ufficio VI 139810/52245 of 16 May 1946 and our AC/1003/23/L of 5 April 1946.
2. In your letter referred to above you state the date of release of the above mentioned person to be 9 May 1951.
3. Paragraph 4 of our letter referred to above it is stated, unless held for other lawful cause, the above named person will be released on 9 March 1951.
4. It is desired that it be confirmed to this Sub-Commission that the prison records have been corrected to show the proper release date.

JOHN E. WIDDER,
Colonel, Infantry,
Chief Legal Advisor.

HEADQUARTERS
NAPLES LIAISON GROUP
ALLIED COMMISSION
LEGAL DIVISION
APO 794

1 June 1946

L-4014

SUBJECT: TATARELLA Antonio di Giuseppe.

TO : Chief Legal Adviser, Headquarters,
Allied Commission, Legal Sub-Commission,
APO 794, U.S. Army.

1. Herewith enclosed is letter No. 14444/3/I/T, dated
25 May 1946 with 2 inclosures attached, received by this
office from Director of Poggioreale Jail, for your consideration.

For the Chief Liaison Officer.

Rosario A. Galiano
ROSARIO A. GALIANO
Captain, Infantry
Senior Legal Officer.

3 Incl.
RAG/ms

LEGAL SUB-COMMISSION

LO

CLO

Chief Counsel

CLO

Italian Section

CL RKS

15/9 June 46

File

HEADQUARTERS ALLIED COMMISSION
ARG 794
LEGAL SUB-COMMISSION

NF/mda.

AC/1083/23/L.

1 June 1946.

OGGETTO : Domenico TUCCILLO.

AL : Ministero della Real Casa.

Si fa riferimento a va/ lettera in data 25 maggio 1946
senza numero di protocollo.

Questa Sotto-Commissione ha preso immediatamente in esame
la pratica di cui in oggetto tenendo in particolare considerazione
la presentazione di codesto R. Ministero.

Non essendo ancora pervenuti tutti i documenti necessari allo
studio una rapida soluzione non e' prevedibile.

Questa Sotto-Commissione si riserva pertanto ulteriori
comunicazioni.

Con perfetta osservanza

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

61

FS

AC/4083/23

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
13 CORPS
LEGAL DIVISION

BA/FO

LEGAL

7931

TELEPHONE No.: 29794 ex

Date 1 June 1946

REFERENCE No.: 13th / AMG / LD / 1122 / 1501

SUBJECT: Vивоda Giovanni et al.

TO: Allied Commission (attn. C.L.A.).

1. Ref your AC/4083/23/L dated 28 May 1946.
2. Para four of this divisions letter of 22 March 46 was not intended as a recommendation for reduction of sentence, but merely to confirm the statements made in the petition.
3. This division has no strong feelings about this case and makes no recommendations.

By Order of Colonel Bowman:

J. E. Gold
J. E. GOLD
Major AUS
Chief Legal Officer

LEGAL SUB-COMMISSION

CLO

CLO

Chief Counsel

CLO

Italian Section

CL RKS

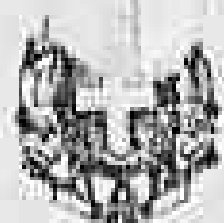
4 June 46

Record returned
6 June 46

60

Mod. 25. quater

4083/

DIREZIONE
DEL

COLONIA AGRICOLA PER UOMINI

96 1295-5-I-0011

Risposta alla lettera

del

96.

GORGONA, 11 31 MAGGIO 1946 193

Ufficio Legale A M G

LIVORNO

Sottocommissione Legale A M G

ROMA

Ministero di Grazia e Giustizia
Direz. Gen. Ist. di Prev. e di Pena

ROMA

Oggetto: Condannato DI MARTINO Mario fu Giovanni.

Si comunica che il nominato in oggetto condannato con sentenza del Trib. Mil. Alleato alla pena di anni 7 di reclusione per violazione del proclama Alleato, successivamente ridotta ad anni 3 e mesi 6 per revisione, in data odierna è stato posto in libertà giusto ordine telegrafico del Superiore Ministero n. 141117 del 24 c.m. su conforme richiesta della Commissione Alleata.

Con osservanza

IL DIRETTORE IF

SUB-COMMISSO

Chief Counsel

13

NKS

10 June 46

59

HEADQUARTERS ALLIED COMMISSION
APO 594
LEGAL SUB-COMMISSION

AC/1083/23/L.

SUBJECT : **PACRIARCHI Renato**

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Toscany Florence on 26 Dec 44

2. He was sentenced as follows: -

1st charge - To serve 5 years imprisonment
2nd charge - To serve 5 years imprisonment } To be served concurrently.

3. On reconsideration the above sentence has been modified as follows: -

The sentence of defendant will be reduced so as to end on 10 June 1946.

4. Unless held for other lawful cause, the above named person will be released on 10 June 1946.

5. It is believed that the defendant is confined at Florence

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

5;


JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

31 May

, 1946.

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

AC/4083/23/L.

MF/ada.

31 Maggio 1946.

Illustrre Generale,

vengo a seguito della mia AC/4083/23/L del 14 maggio.

Ho accuratamente esaminato gli allegati da Lei cortesemen-
te inviati. Pur riconoscendo che la confessione del CARDINI si preste-
rebbe a prima vista ad una interpretazione benigna, dall'accurato esame
del fascicolo processuale sono stato costretto a ritenere la colpevolezza
del PRIMO.

Non mancherò di informarla immediatamente della mia
prossima decisione.

Con i miei più distinti saluti mi creda egregio Generale

sinceramente Suo

JOHN L. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

Gen. Adolfo INFANTE
Primo Aiutante di Campo Generale
di S.M. il Re -
Palazzo Reale.

File

HEAD QUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB COMMISSION

AC/4083/23/L

JEW/ns
31 May 1946.

SUBJECT : LIMA Giuseppe.

TO : The Minister of Pardon and Justice.

1. See your letter Off.VI N° 140829/
66425 of 25 May 1946.

2. Authority to release LIMA, Giuseppe on
conditional liberty on 1 June 1946 is here granted.

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

ME/nda.

31 May 1946.

AG/4083/23/L.

SUBJECT : PROTO Beniamino.

TO : Ministry of Pardon and Justice.

Reference is made to your letter AG/4056/5 of 3 May 1946.

1. Upon your above mentioned request I have carefully examined the enclosed as well as the record of the trial in its entirety.

2. Though the confession of CANDELI may be construed as a prima facie evidence in favour of the innocence of PROTO Beniamino and BELZ Remato, I feel bound to point out that PROTO's own free and duly sworn testimony still stands and supports the conviction imposed upon him.

3. In fact Dr. PROTO Beniamino testified under oath that he received a large sum of money, namely 160,000 lire. May I bring for example the following words to your attention: "I know the money I received was dishonest money. I could not tell my director I had received the money because I was under strict moral code."

4. The record of trial supports the conviction and therefore I cannot trust a confession made after the trial.

5. You will be informed as soon as possible of any future development in this case.

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

AC/4083/23/L.

JEW/rm.
31 May 1946.

SUBJECT : FALLISTA Salvatore di Nicola.

TO : The Minister of War and Justice.

1. See your letter Off. VI 140712/66760 of 24 May 1946.
2. As a credit on time served has been given to the defendant FALLISTA Salvatore son of Nicola, the date of release has been fixed at 5 September 1948. The sentence is reduced to end as of 5 September 1948.

JOHN A. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

4085/23

ROME AREA ALLIED COMMAND
APO N° 794 US ARMY
ITALIAN LIAISON SECTION

File N.RA/1708

SG/lr
Rome, 31 May 1946
tel. 66271

Subject : Transmission of Letter.

To : A. C. - Legal Sub-Commission.

Herewith attached is letter of Antonio
Griscuolo forwarded to this Section in error.

G. DELLA ROCCA,
Lt. Colonel, It. WAF,
Italian Liaison Officer.

Incl. 1

TO	Sub-Commission
TO	Legal Sub-Commission
TO	Italian Liaison Section
TO	CL RKS
TO	B. J. M. 26

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

/mja.

AG/4083/23/L.

31 May 1946.

SUBJECT : CAPUTO Giuseppe.

TO : The Minister of Pardon and Justice.

1. See your letter UFF. VI 13825/67956 of 16 May 1946.
2. The sentence of CAPUTO Giuseppe was reduced so as to end 18 January 1947 and UFF 18 June 1947 as you report.
3. Will you please confirm to us that the date of release has been corrected on the prison record?

JOHN K. WEBSTER,
Colonel, Infantry,
Chief Legal Advisor.

Copy

4083/23
fileHEADQUARTERS
LIVORNO LIAISON OFFICER
ALLIED COMMISSION

Ref : LLO/1980

Livorno, Date: 31 May 1946

SUBJECT : Informal petition.

TO : H.Q. Allied Commission, APO 794, U.S. Army
attn: Chief Legal Advisor, Legal Sub-Commission.

1/ Informal petition in the case of CAPRINA SERGIO (Livorno case number 109/S, Region VIII number 11634) is forwarded herewith.

2/ Caprina was tried jointly with 4 more defendants. One of them (Borghini Alberto) was released due to his bad physical and mental conditions.

3/ The imprisonment term expired yesterday. The relatives of Castellani, Buti and Caprina are now applying every day to get some reduction of the fine. Otherwise, they state, the prisoners will have to serve 6 months in prison additional. It is practically impossible to ascertain what really are the financial possibilities of the prisoners.

4/ This office recommended in its Final Legal Report, dated 28 January 1946 and with letter LLO/1939, dated 13 May 1946 to reduce all fines to 15,000.- lire for each prisoner, being the value of the property involved (the actual lost for the Allied Forces) about 60,000.lire.

The same suggestion is now respectfully repeated.

For the Chief Liaison Officer, A.C.

Note: a/ Barzagli/ one of the five
dfts/ paid the entire fine
on 28 February 1946.
b/ Borghini, released prior
to the expiration of the pri-
son term, did not pay at all
the fine.

s/ Lt. Eric Feldman,
Exec.ass't to the Legal Liaison
Officer

for reply see 4083/23
29 June 46

HEADQUARTERS
NAPLES LIAISON GROUP
ALLIED COMMISSION
LEGAL DIVISION
APO 794

L-8108

SUBJECT: Abstracts of sentence.

TO : Chief Legal Adviser, Headquarters,
Allied Commission, Legal Sub-Commission,
APO 794, U.S. Army.

1. The attached requests from Italian Courts are
forwarded to you for your consideration.

For the Chief Liaison Officer.

Rosario A. Galiano
ROSARIO A. GALIANO
Captain, Infantry
Senior Legal Officer

3 Incls.
RAG/ms

LEGAL SUB-COMMISSION	
CLO	
DCLO	
Chief Counsel	
CJO	
Italian Section	
CL RKS	
3 Jun 46	

50

DA RESTITUIRE
R 8108
31 MayTRIBUNALE DI NAPOLI
DECIMA SEZIONE

n°.5429/72

Napoli 18/5/1946

ALL'UFFICIO LEGALE REGIONALE PALAZZO PROVINCIA
(Cap.GRAZIANO).N A P O L I

Pregasi far conoscere se risulta vero che certo
PACE Mario di Salvatore e di Lauro Anna, nato ad Ischia
nel 1923, imputato di ricettazione di beni alleati, sia
stato già giudicato in data 17/8/1944 dalla Corte Som-
maria Alleate di Ischia.

In caso affermativo si prega far conoscere l'esi-
to del procedimento stesso.

U.S. MILITARY GOV.
NAPLES COMMISSION

41 MAY 1946

1030

IL PRESIDENTE

DA RESTITUIRE
RIPROD
31/11/44TRIBUNALE DI NAPOLI
DECIMA SEZIONE

N°. 12027/76

Napoli 18/5/1946

ALL'UFFICIO LEGALE REGIONALE PAIAZZO PROVINCIA
(Cap. GRAZIANO)N A P O L I

Il nominato FRAGLIASSO Carmine di Giuseppe e di Esposito Fortuna, nato a Sant'Anastasia il 6/7/1925, ed ivi domiciliato al vico Rose 29, imputato di furto da un camion alleato, per cui fu ferito da arma da fuoco da un militare di scorta il 1° maggio 1944, ed arrestato il successivo 4 maggio 1944, afferma che per tale reato è stato già giudicato dalla Corte Sommaria Alleata il 10/5/1944, riportando una condanna a mesi 11 di reclusione e lire 25 mila di multa.

Si prega far conoscere se risulta vero quanto il predetto Fragliasso ha affermato.

IL PRESIDENTE
A. B.

R 8108

Regal

Al Comandante Militare Allato

Napoli -

tribunale di Ariano Irpino

pregar far conoscere a questo ufficio Se Del Viscovo Michele

Maurizio fu Antonio, ora Grotta

Maurizio, con sentenza di

Corte Corte Allato in data

4 Agosto 1944, il detto Del

Viscovo Michelangelo veniva con-

dannato a un' quattro di-

reclusione per avere stato sorpre-

so in possesso di oggetti dell' per

ministrazione Militare Allato.

Si richiedono queste informazioni

dioni perche' puole spiarlo

a carico di Del Viscovo per

lo stesso reato commesso il

21. 6. 1944 in Grotta Mauriziola.

Pregar far pervenire un solle

Napoli -
Tribunale di Ariano Irpino

Pregasi fare conoscere a questo
ufficio Se Del Visconte Michele
Lampelo fu Antonio, ora Grotta-
mariola, con Suterica o
Costa Corte Affata in data
4 Agosto 1944, il detto Del
Visconte Michelangelo veniva con-
dannato a mesi quattro di
reclusione per avere stato sorpre-
so in possesso di oggetti dell'Armata
ministeriale Militare Affata.
Si richiedono opuste informazioni
dici poichè puole quodlibet
a carico di Del Visconte per
lo stesso reato commesso il
21. 6. 1944 in Grotta-mariola.
Pregasi fare pervenire un solle-
cito riscontro.

Ariano Irpino, 16. 5. 1946
Il Cancelliere
Maurizio Antoniano

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

/mda.

AG/4083/23/L.

31 May 1946.

SUBJECT : MALUSARDI Benvenuto.

TO : The Minister of Pardon and Justice.

1. On the prison list furnished us by the Carceri di S. VITTORE di MILANO there is listed the name of MALUSARDI Benvenuto, No. 4373, with the entry of sentence as two years imprisonment, and sentence to expire 18/6/47.

2. For your information, MALUSARDI, Benvenuto was sentenced to two years imprisonment, but the last year of the imprisonment was suspended during occupational government conditioned on the continuing good behavior of the accused.

3. Accordingly, MALUSARDI Benvenuto should be released on 18/6/46 and NOT 18/6/47.

4. Please confirm to us that the prison records have been corrected.

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

46

File

HEADQUARTERS ALLIED COMMISSION
APO 794
LEGAL SUB-COMMISSION

/mda.

31 May 1946.

AG/4083/23/L.

SUBJECT : FERRARI Martino.

TO : Legione Territoriale dei Carabinieri
di Roma - Tenenza di S. Lorenzo in Lucina -

1. See your letter No. 256/27 of 8 May 1946.
2. FERRARI Martino was found NOT GUILTY by the Superior Military Court, BOLZANO, on 14 - 15 November 1945. He was ordered discharged by the Court.

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4883/23/L.

SUBJECT : DI MARTINO Armando fu Felice

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Castelcagneto on 3 April 1944

2. He was sentenced as follows: -

To serve 10 years imprisonment

On review 12 June 1944 the sentence was affirmed

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 30 October 1946

4. Unless held for other lawful cause, the above named person will be released on 30 October 1946.

5. It is believed that the defendant is confined at Carcere di San-
Giovanni di Reggio

6. Please issue the necessary instructions for the release of the defendant. Please confirm.



Donnelly
JOHN K. VERNER,
Colonel, Infantry,
Chief Legal Advisor.

112 30 May, 1946.

Col. Riviere

file

sb

HEADQUARTERS ALLIED COMMISSION
APO 704
LEGAL DIVISION

AG/ADP/23/1

SUBJECT: COPPOLA Salvatore fu Agostino

TO: The Ministry of Prison and Justice

1. The above named person was tried by an Allied Military Government Court sitting at Castelcapuano on 3 April 1944.

2. He was sentenced as follows:

To serve 3 years imprisonment; on review 12 June 1944, the conviction and sentence were affirmed.

3. On reconsideration the above sentence has been modified as follows:

The sentence is reduced so as to end 22 June 1946.

4. Unless held for other lawful cause, the above named person will be released on when he will have served 2 years, 2 months and 18 days imprisonment under the above mentioned sentence.

5. It is believed that the defendant was confined at Naples.

6. Please issue the necessary instructions for the release of the defendant. Please confirm. 43

30 May 1946



Proctor
JOHN E. WEAVER,
Colonel, Infantry,
Chief Legal Advisor.

M2

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/4083/23/L.

SUBJECT : MULLER Carlo fu Domenico

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Santolucanas on 3 April 1944

2. He was sentenced as follows: -

To serve 3 years imprisonment

On review 12 June 1944, the sentence was affirmed

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 22 June 1946

4. Unless held for other lawful cause, the above named person will be released on 22 June 1946.

5. It is believed that the defendant is confined at Cagtiades

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

42

John K. Winter
JOHN K. WINTER,
Colonel, Infantry,
Chief Legal Advisor.

30 May, 1946.

FILE

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

FILE

AC/1083/23/L.

SUBJECT : MONTESCOLA Mario fu Luigi

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Castolecchio on 3 April 1946.
2. He was sentenced as follows: -

to serve 3 years imprisonment

On re-ice 12 June 1944 the sentence was affirmed.
3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 22 June 1946
4. Unless held for other lawful cause, the above named person will be released on 22 June 1946.
5. It is believed that the defendant is confined at Madrid.
6. Please issue the necessary instructions for the release of the defendant. Please confirm.

41



JOHN K. WITHER,
Colonel, Infantry,
Chief Legal Advisor.



30 May _____, 1946.

FILE

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

FILE

AC/1063/23/L.

SUBJECT : ELIA Gennaro fu Raffaele

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Castelcaruso on 3 April 1944

2. He was sentenced as follows: -

To serve 3 years imprisonment

On review 12 June 1944 the sentence was affirmed

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 22 June 1946

4. Unless held for other lawful cause, the above named person will be released on 22 June 1946.

5. It is believed that the defendant is confined at Castiadas

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

40

John K. Vetter
JOHN K. VETTER,
Colonel, Infantry,
Chief Legal Advisor.

30 May, 1946.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

FILE

AG/4983/23/L.

SUBJECT : PRONE Aldo su Ferdinando
TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Castelcarnaro on 3 April 1944.

2. He was sentenced as follows: -

To serve 16 years imprisonment

On review 12 June 1944 the sentence was affirmed

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 30 October 1946

4. Unless held for other lawful cause, the above named person will be released on 30 October 1946.

5. It is believed that the defendant is confined at Assolda

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

39

Monroe
JOHN R. MONROE,
Colonel, Infantry,
Chief Legal Advisor.

30 May

, 1946.

HEADQUARTERS ALLIED COMMISSION
ATO 394
LEGAL SUB-COMMISSION

AC/1083/23/L.

SUBJECT : **ABBATE Vincenzo di Enrico**
TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Castelcapuano on 2 April 1944

2. He was sentenced as follows: -

To serve 12 years imprisonment

On review 12 June 1944 sentence affirmed

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 30 October 1946

4. Unless held for other lawful cause, the above named person will be released on 30 October 1946.

5. It is believed that the defendant is confined at Asprone 38

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

[Signature]
JOHN K. VIEWER,
Colonel, Infantry,
Chief Legal Advisor.

30 May, 1946.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/1085/23/L.

SUBJECT : **CONTREDA Alfredo**

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Castellon on 3 April 1944

2. He was sentenced as follows: -

To serve 3 years imprisonment

On review 12 June 1944 sentence was affirmed

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 22 June 1946

4. Unless held for other lawful cause, the above named person will be released on 22 June 1946.

5. It is believed that the defendant is confined at Pozzuoli 37

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

John K. Vieser
JOHN K. VIESER,
Colonel, Infantry,
Chief Legal Advisor.

30 May, 1946.

HEADQUARTERS ALLIED COMMISSION
APO 594
LOCAL SUB-COMMISSION

FILE

FILE

AC/1003/23/L.

SUBJECT : **BUCCHETTI Vincenzo fu Pasquale**

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Castelcarro on 3 April 1944.

2. He was sentenced as follows: -

To serve 3 years imprisonment

On review 12 June 1944 sentence affirmed

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 22 June 1946

4. Unless held for other lawful cause, the above named person will be released on 22 June 1946.

5. It is believed that the defendant is confined at Bozzolo 36

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

John K. Weber
JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

30 May, 1946.

HEADQUARTERS ALLIED COMMISSION
APO 394
ITALY SUB-COMMISSION

AC/4063/23/L.

SUBJECT : **ARISTO Luigi di Pasquale**

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Castelcappano on 3 April 1946.

2. He was sentenced as follows: -

To serve 3 years imprisonment

On review 12 June 1946 sentence affirmed

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 22 June 1946

4. Unless held for other lawful cause, the above named person will be released on 22 June 1946.

5. It is believed that the defendant is confined at Castiadas 35

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

John K. Weber
JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

30 May, 1946.

HEADQUARTERS
NAPLES LIAISON GROUP
ALLIED COMMISSION
LEGAL DIVISION
APO 794

L-4014

30 May 1946

SUBJECT: TATARELLA Antonio.

TO : Chief Legal Adviser, Headquarters,
Allied Commission, Legal Sub-Commission,
APO 794, U.S. Army.

1. Reference our letter L-4014, 5 March 1946.
2. A new petition on behalf of TATARELLA Antonio filed by Avv. Aprea is forwarded for your consideration.

For the Chief Liaison Officer.

Rosario A. GAZIANO
ROSARIO A. GAZIANO
Captain, Infantry
Senior Legal Officer

1 Incl.
RAG/ms

*with case
Record*

LEG. L. SUB. COM. UNIT	
CJO	
SOLO	
Chief Counsel	
CJO	
Italian - Section	
CL RKS	
3 Jun 46	

HEADQUARTERS
NAPLES LIAISON GROUP
ALLIED COMMISSION
LEGAL DIVISION
APO 794

30 May 1946

L- 5040

SUBJECT: Statement by sentenced prisoner CANDELI Alfonso.

TO : Chief Legal Adviser,
Headquarters, Allied Commission,
Legal Sub-Commission,
APO 794.

1. Herewith enclosed is statement by sentenced prisoner CANDELI Alfonso, made to Substitute Procuratore del Regno at Poggioreale Gaol, Naples, on 4th May 1946, with translation attached, and Legal Status of the above detainee for your consideration.

For the Chief Liaison Officer.

Rosario A. Gazzano
ROSARIO A. GAZZANO
Captain, Infantry
Senior Legal Officer

1 Incl. Statement by CANDELI Alfonso.

RAG/eb

LEGAL SUB COMMISSION

CLO

DCLO

Chief Counsel

CJO

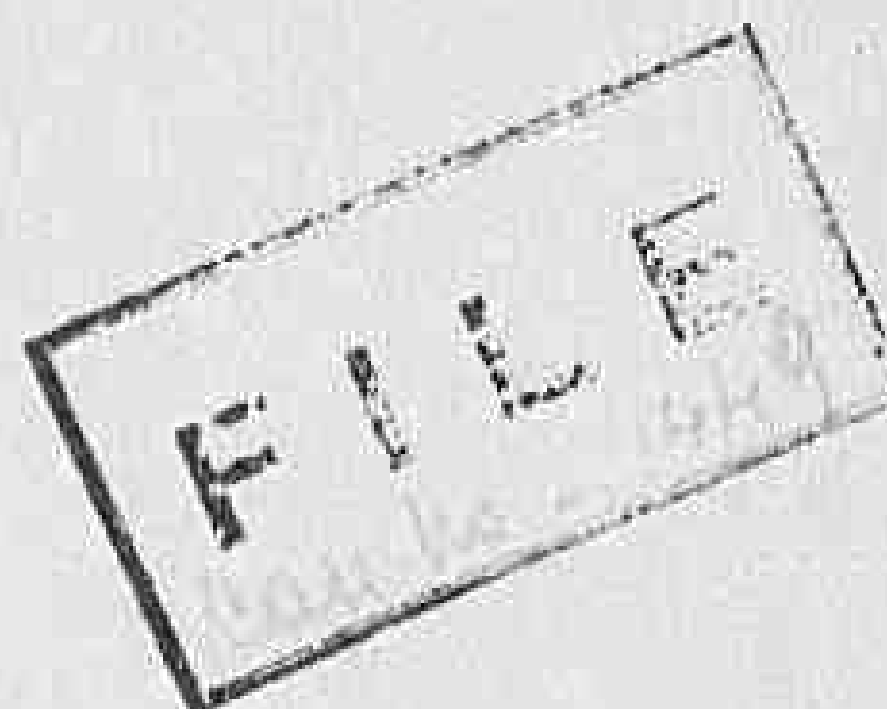
Italian Section

CL RKS

3 Jun 46

33

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION



AC/4083/23/L.

SUBJECT : RICOLD Dominico

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Castellon on 3 April 1944

2. He was sentenced as follows: -

to serve 10 years imprisonment

On review 12 June 1944 the sentence was affirmed

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced to four years imprisonment from the date of arrest (20 February 1944)

4. Unless held for other lawful cause, the above named person will be released on 30 February 1948.

5. It is believed that the defendant is confined at Poggioreale

6. Please issue the necessary instructions for the release of the defendant. Please confirm.



Monrober
JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

30 May

1946.

12

4083/23
file

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
13 CORPS
LEGAL DIVISION

FCSB/gb

TELEPHONE No. 29701 Ex: 124.

Date 29 May 1946.

REFERENCE No. 13C/AMG/LD/184/1478

SUBJECT Case of DEL PIN Ratislav, Superior Gorizia No 18.

TO Chief Legal Adviser, H.Q. Allied Commission, APO 394, Rome.

Petition is "already reviewed" file

With reference to my letter 13C/AMG/LD/184/486 dated 19 Feb.46
please find herewith attached a Petition for Grace on behalf of above mentioned
accused.

For the Senior Civil Affairs Officer.

A.F. GOLD
MAJOR, A.U.S.
CHIEF LEGAL OFFICER

13C	SUB COM 4510
13C	
13C	
Chief Counsel	
→ CJO	
Italian Section	
CL RKS	

MRJ 1 Jun 46

Encl.: a/m Petition.

N. 4467/AG

IL PRIMO AIUTANTE DI CAMPO GENERALE
DI SUA MAESTÀ IL RE

Roma,

9 MAG 1946

Caro Colonnello Weber,

ho ricevuto la Sua lettera del 18 c.m.
relativa al Signor Tullio Giagnoni e desidero rin-
graziarla vivamente della cortese comunicazione e
del Suo gentile interessamento in di lui favore. =

Mi è gradita l'occasione per porgerLe
i miei più distinti saluti. =

(Generale Adolfo Infante)

Al Colonnello John K. WEBER
Chief Legal Advisor
A.C.

R O M A

30

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

IC/1083/23/L.

SUBJECT : BONSIGNORI Raffaele

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Fuscany on 7 April 1945

2. He was sentenced as follows: -

To serve 5 years imprisonment (one suspended) and to pay 50.000 lire fine, in default of payment 6 months additional imprisonment

On review sentence reduced to 3½ years plus fine as above.

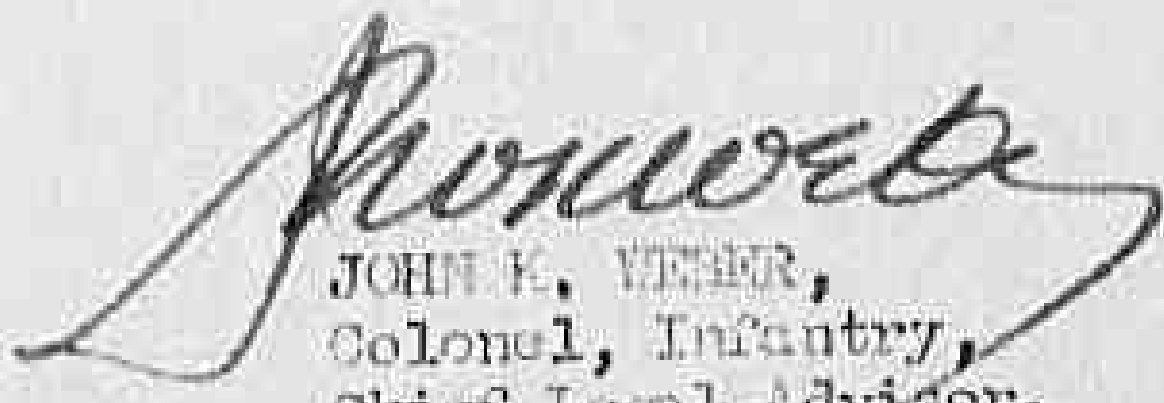
3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 11 March 1947
The fine, if unpaid, is remitted.

4. Unless held for other lawful cause, the above named person will be released on 11 March 1947.

5. It is believed that the defendant is confined at Pianosa

6. Please issue the necessary instructions for the release of the defendant. Please confirm.


JOHN K. VETTER,
Colonel, Infantry,
Chief Legal Advisor.


29 May, 1946.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

AC/1083/23/L.

SUBJECT : **MATTIOLI Danilo**

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Tuscany on 7 April 1945

2. He was sentenced as follows: -

To serve 5 years imprisonment (one suspended) and to pay 50.000 lire fine, in default of payment 6 months additional imprisonment

On review 3 June 1945 sentence reduced to 3½ years plus fine as above

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 28 February 1947. The fine, if unpaid, is remitted.

4. Unless held for other lawful cause, the above named person will be released on 28 February 1947.

5. It is believed that the defendant is confined at Pianosa

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

John K. Vesser
JOHN K. VESSER,
Colonel, Infantry,
Chief Legal Advisor.

29 May _____, 1946.

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
13 CORPS
LEGAL DIVISION

FCSE/eb

Date 29 May 1946.

TELEPHONE No. 29701 Ex : 124.

REFERENCE No. 13°/AMG/LD / 184 / 1470

SUBJECT : Case of CERGNA Bruno and DEBELLI Francesco.
Superior Pola No 17 and 18 respectively.

TO : Chief Legal Adviser, H.Q., Allied Commission, APO 394, Rome.

1. Ref. your A.C.7458 dated 15 May 1946.
2. Receipt for record and decision on Review is enclosed herewith.

For the Senior Civil Affairs Officer.

A.E. GOLD
MAJOR, A.U.S.
CHIEF LEGAL OFFICER

27

Encl.: a/m Receipt.

1 Jan 46

TO : Chief Legal Adviser, H.Q. Allied Commission, APO 394.
FROM : ~~Regional~~ Legal Officer ... *13th Corps* ... ~~Region~~.

Receipt is acknowledged of the Record, with Decision on Review
endorsed, in the proceedings against :

CERENA Bruno + DE BELLI Francesco

Dated 29 May 1946.
1945.

Signed *[Signature]*
[Signature]

4083/23
V
JulerHEADQUARTERS
ALLIED MILITARY GOVERNMENT
13 CORPS

FCSB/eb

LEGAL DIVISION.

TELEPHONE No. 29701 Ex: 124.

Date 29 May 1946

REFERENCE No. 13C/AMG/LD/184/1479

SUBJECT : Case of ILLERSBERG Tristano et al.
Superior Trieste TC 7 - TC 7d.

TO : Chief Legal Adviser, H.Q. Allied Commission, APO 394, Rome.

1. Ref. your Legal Sub Commission No 7873 and 7877 dated 15 May 1946.
2. Receipt for record and decision on Review is enclosed herewith.

For the Senior Civil Affairs Officer.

A.F. GOLD
MAJOR, A.U.S.
CHIEF LEGAL OFFICER

SUB-G.M.

Chief Conf.
CIO
Italian
CL RKS
10 Jun 46

Encl.: a/m Receipt.

TO : Chief Legal Adviser H.Q. Allied Commission, APO 391
FROM : ~~Regional~~ Legal Officer *13th Corps* Region.

To 7 - To 7 d.

Receipt is acknowledged of the Record, with Decision on Review endorsed,
in the proceedings against:

ILLERSBERG Tristano et al

Dated *29 May* 1945.

Signed *[Signature]*

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
13 CORPS

FCSB/gb

LEGAL DIVISION

Date 28 May 1946.

TELEPHONE No.: 29701 Ex: 124.

REFERENCE No.: 13-AMG/LD/184/1466

SUBJECT: Review of case against SIROTICH Mariano and all.
Superior Court Trieste, No 212 - 212 1.

TO: Chief Legal Adviser, H. Q., Allied Commission, APO 394, Rome.

Accused SIROTICH Mariano having been sentenced to imprisonment for over two years, the following documents are forwarded herewith for you to review:

		Record
SIROTICH	Mariano	"
FERLETTI	Teobaldo	"
FERLETTI	Loredana	"
BERTUZZI	Emilio	"
LA DIANA	Antonio	"
FUMIS	Menotti	"
BARTOLI	Sergio	"
CAPOLINO	Luigi	"
SALIMBENI	Aldo	"
FERLUGA	Guglielmo	"

Judge's notes of evidence and exhibits are also enclosed.

For the Senior Civil Affairs Officer.

A.E. GOLD
MAJOR, A.U.S.
CHIEF LEGAL OFFICER

Encl.: a/m Documents.

31 May 46

For original
Review 24

4083/151
 HEADQUARTERS
 NAPLES LIAISON GROUP
 ALLIED COMMISSION
 LEGAL DIVISION
 APO 794

28 May 1946

L-5040

SUBJECT: Petitions for pardon.

TO : Chief Legal Adviser, Headquarters,
 Allied Commission, Legal Sub-Commission,
 APO 794, U.S. Army.

1. Transmitted herewith are the following petitions
 for your consideration:

COSTABELLO Anna fu Gennaro.
 CORTESI Alfredo fu Giuseppe
 VANACORE Vincenzo
 MOSCATELLI Arturo di R.N.

For the Chief Liaison Officer.

Rosario A. Gagliano
 ROSARIO A. GAGLIANO
 Captain, Infantry
 Senior Legal Officer

4 Incls.
 RAG/ms

LEGAL SUB-COMMISSION

CLO

JCLO

Chief Counsel

CJO

Italian Section

CL RKS

3 Jun 46

HEADQUARTERS ALLIED COMMISSION
APO
LEGAL SUB COMMISSION

AC/4083/23/L

JKW/ns.
28 May 1946.

SUBJECT : DEL PIN Ratislav

TO : HQ AMG 13 Corps
(Attn: Senior Legal Officer)

1. See your letter 13c/AMG/LD/184/486 of 19 February 1946.
2. It has been determined that in view of the wording of Article 4, Consolidated Instructions, and the order of 13th Corps to bring this case to trial before an Allied Military Court that the Court had jurisdiction to try this case. There is no showing in the record that the accused belonged to an organized contingent of the Armed Forces of the United Nations who are under the Command of the Commander in Chief, Italy.
3. The severity of the sentence was for the Court to determine; in the absence of any showing that the Court abused such powers, the sentence will not be disturbed.
4. The conviction and sentence are affirmed. The record is returned.
5. The record is not signed by the trial Court.

By command of Rear Admiral STONE:

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

HEADQUARTERS
ALLIED MILITARY GOVERNMENT
UDINE PROVINCE
Tel. Udine 1516
Ext. 16

28 May 1946.

TO : Chief Legal Adviser,
Legal Sub-Commission HQ, AC,
R O M E.

SUBJECT : Superior Court Cases. DEGANO Pietro, IAIZZA Dario
and IONICO Licinio.

FILE N° : SLO/HQ AC/MAY/13.

1. Ref your AC/4030/23/L dated 25 May 1946,
charges against the above defendants are forwarded
herewith.

2. They were not forwarded as the sentences
do not exceed two years and will be reviewed at this
Headquarters when the record is returned by you.

By order of the Provincial Commissioner:

Encls.

C. L. P. Gilshenan
C.L.P. GILSHENAN Major,
Senior Legal Officer,
Udine Province.

HEADQUARTERS ALLIED COMMISSION
APO 324
LOCAL SUB-COMMISSION

file

AC/4083/23/L.

SUBJECT : **CALATABIANCO Giuseppe**

TO : The Minister of Pardon and Justice.

1. The above named person was tried by an Allied Military Government Court sitting at Florence Tuscany on 2 January 1945

2. He was sentenced as follows: -

To serve 5 years imprisonment

On review 21 February 1945 sentence affirmed

3. On reconsideration the above sentence has been modified as follows: -

The sentence is reduced so as to end on 1 June 1946

4. Unless held for other lawful cause, the above named person will be released on 1 June 1946.

5. It is believed that the defendant is confined at Portolongone

6. Please issue the necessary instructions for the release of the defendant. Please confirm.

20

Monwerty
JOHN E. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

28 May, 1946.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

JKW/ns.
28 May 1946.

AC/4083/23/L

SUBJECT : VIVODA Giovanni et al.

TO : HQ. AMG 13th Corps
(Attn: Senior Legal Officer).

1. See your letter 13C/AMG/LB/184/787
of 22 March 1946.

2. The petitions of the accused have been
examined, and do not appear to contain any issues which
have not been considered on review.

3. Is paragraph 4 of your letter intended
as a recommendation for reduction of sentence? It is to
be observed that the statement is little more than an
observation. Recommendations by your office are of great
value in considering a petition. We are retaining the
records awaiting your reply.

By command of Rear Admiral STONE:

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.



*Ministero
della Giustizia*

DIREZIONE GENERALE
PER GLI ISTITUTI DI PREVENZIONE E DI PENA

UFF. VI

Rel. N° 140996/68716

Oggetto: Detenuto Maglione Erminio.-

Mod. 1345 MG

Roma 27 MAG 1946

Alla Commissione Alleata
Sottocommissione Legale
ROMA

Supplemento al 26/4/1946

Dir. N° 4083/23/1

In riferimento alla nota sopra indicata, si trascrive qui di seguito quanto ha comunicato la Direzione delle carceri giudiziarie di Avellino, con nota n. 3119 del 16/5/1946:

" In risposta alla nota suindicata, si comunica a codesto Superiore Ministero che il detenuto in oggetto venne arrestato il 28/3/1944 per rapina e giudicato dalla locale Corte di Assise con sentenza 6-10-1945 che lo condannava ad anni 2 e mesi 8 di reclusione.

Lo stesso, mentre era detenuto per il soprascritto reato, venne giudicato dalla Corte Alleata di Ariano Irpino in data 1/6/1944 e condannato a mesi 6 di prigione per possesso di armi.

Pertanto, la condanna riportata dal Comando alleato dovrà avere inizio allo scadere di quella della Corte Italiana.

Si allega l'estratto della cartella biografica."-

Fel Ministro

Subject: Prisoner: MAGLIONE ERMINIO

With reference to letter AC/4083/23/L of the 26th April 1946, the Ministry of Garden and Justice forwards a copy of the following note, which they have received from the prison director of Avellino:

The above named prisoner was arrested on the 28th March 1944 for robbery and sentenced on the 6th October 1945 by the local Court of Assizes to two years and eight months imprisonment. While he has been in jail, the 1st June 1944 by the Assize Court of Siponto he was sentenced to six months imprisonment. He was sentenced on the 1st June 1944 by the Assize Court of Siponto for having possessed arms. The penalty imposed by the Assize Court of Siponto for the penalty imposed by the Assize Court of Siponto after expiration of the penalty imposed by the Assize Court of Siponto would be served, Italian Court.



*Ministro
di Grazia e Giustizia*

DIREZIONE GENERALE
PER GLI ISTITUTI DI PREVENZIONE E DI PENA

UFF. VI

Reg. N. 183701/9

OGGETTO Scarcerazione detenuti.

NO. 1345 H.C.

4083/23
Roma 27 MAG 1946

Ala Commissione Alleata
Sottocommissione Legale
ROMA

Procedurali del 15/4/1946
Per *La* *N. 4083/23.L*

In riferimento alla nota sopra indicata, si trascrive qui di seguito quanto ha comunicato la Direzione della casa penale di Alessandria, con nota n. 3773 del 12.5.1946:

Con riferimento alla nota a margine seguita, relativa alla scarcerazione dei detenuti Madrigoli Aldo, Fezze Vincenzo, Fiorini Ugo e Quilici Domenico, come dall' copie trasmesse della Commissione Alleata - Sottocommissione Legale - si porta a conoscenza che i medesimi, qui detenuti, perche' imputati dell' art. 416 C.P., sono stati messi in liberta' provvisoria il giorno 3-5-1946, con ordine della Procura del Regno di Alessandria."

Fel Ministro

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

JKW/nb.
27 May 1946.

AC/4083/23/L

SUBJECT : FRANCHINI Domenico.

TO : The Minister of Pardon and Justice.

1. See your letter off VI^o Prot.
N^o 140061/51433 of 19 May 1946.

2. It is desired that the prison records
show that the sentence of FRANCHINI, Domenico was
reduced so as to end on 26 October 1953.

3. While the term of imprisonment is
ten years, a credit as time earned on the sentence
has been given because of the good behaviour of the
accused. The sentence expires, therefore, on the
26th October 1953 and not on 20 April 1954.

4. Please have the prison records
corrected to show the date of expiration to be 26
October 1953.

JOHN K. WEDER,
Colonel, Infantry,
Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mda.

File
4083/23
~~AG/4017/2/L~~

27 May 1946.

SUBJECT : Request for information.

TO : Avv. Cerulli Irelli Serafino
Via Ripetta 22, Roma.

1. Herewith enclosed information relating to the
cases of CORTINO Antonio and CAVALLARO Umberto as requested.

G.G. HANNAFORD,
Lt. Colonel,
Deputy Chief Legal Advisor.

Incls.

File

17/V/46

Dear Colonel Hamaford,

I had come to see you in order to know:

a) whether the case of "Cavallaro Umberto" had been decided;

b) whether it was possible to know the exact wording of the judgment given in the case of "Contino Antonio" (i.e. whether it was a reduction of the sentence or whatever else). This case has already been decided and the Contino was to leave the prison on April 19th: as there is another piece, being against him, the judgment remains important to establish whether he may take advantage of the "amnistia".

Excuse me for troubling you but as I hear you are leaving to-morrow I shall ring you up in the afternoon. Yours very sincerely
Pierluigi Crull-Fulci



Ministero di Grazia e Giustizia
DIREZIONE GENERALE DEGLI AFFARI PENALI
DELLE GRAZIE DELLA STATISTICA E DEL CASELLARIO

Roma 94 maggio 1946

Ufficio II A.P.

Del. V. 131.753.1604

Al PROCURATORE GENERALE presso
la Corte di Appello di PALERMO
e per con: ALLA COMMISSIONE ALLEATA
Sottocommissione Legale ROMA
Proposta al f. AC4033.23-L. Comm. All
del 10 maggio 1946

OGGETTO SCORSONE Francesco.

e per notizia
ALL'UFFICIO DI COLLEGAMENTO - Gabinetto

SEDE

Per i provvedimenti di competenza, si comunica che in data 10.5. 946 la Commissione Alleata ha scritto a questo Ministero quanto segue:

1) Il 9.11.943, una Corte Militare Sommaria di Bagheria, Prov. di Palermo, condannò SCORSONE Francesco di anni 28 di professione paracchiere, con indirizzo Corso Umberto I° n.36, Bagheria, per essersi procurato della farina con documenti falsi. La condanna fu di 5 anni di reclusione e 50.000 lire di multa.

2) Il 23 luglio 1945 la causa SCORSONE Francesco venne riesaminata e la condanna confermata. La sentenza venne ridotta in modo che avesse termine il 1° agosto 1945 se oppur no la multa fosse stata pagata. La decisione circa la sentenza venne notificata alla Procura del Regno.

3) Dopo aver ricevuto quest'ordine di liberazione, la Procura del Regno informò quest'Ufficio che il 3.2.944, l'imputato SCORSONE Francesco venne scarcerato per ordine della Corte Militare Alleata. Dopo aver ricevuta notifica da quest'Ufficio che un tale ordine non era stato emesso, il Procuratore del Regno informò che l'ordine di scarcerazione datato 3.2.944 era falso e che SCORSONE Francesco era stato liberato con aiuto esterno.

4) Dato che l'azione di SCORSONE Francesco è stata una frode contro la legge e contro la dignità delle Autorità Alleate ed Italiane, la

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concessione della Grazia che riduceva la sua condanna in modo che dovesse terminare il 1° agosto 1945, è messa da parte. Per quanto concerne lo SCORSONE Francesco, se egli trovasi in libertà per l'ordine falso del 3.2. 1944, egli è un latitante per la condanna non scontata a lui inflitta e dovrebbe essere riportato in carcere per scontare la sua pena. Si crede che il Ministro di Grazia e Giustizia sarà d'accordo che ad un detenuto non sia permesso di approfittare della sua mal condotta a spese della Legge.

5) Vogliate impartire le istruzioni adatte al caso ed informare questo Ufficio relativamente al detto SCORSONE Francesco ""

In considerazione di quanto sopra, pregesi informare questo Ministero, con la massima sollecitudine, dei provvedimenti adottati.

d'ordine del MINISTRO



HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4083/23/L

/ns.
27 May 1946.

SUBJECT : FORTUNATO Bonaventura.

TO : The Minister of Pardon and Justice.

1. See your letter Prot. No 140062/51469 of 19 May 1946.
2. It is desired that the prison records show that the sentence of FORTUNATO Bonaventura was reduced so as to end on 26 October 1953.
3. While the term of imprisonment is ten years, a credit as time earned on the sentence has been given because of the good behaviour of the accused. The sentence expires, therefore, on the 26th October 1953 and not on 20 April 1954.
4. Please have the prison records corrected to show the date of expiration to be 26 October 1953.

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/mda.

25 May 1946.

AC/4083/23/L.

SUBJECT : Superior Court Cases. *Zucco Bruno et al.*
TO : Senior Legal Officer,
A.M.G., UDERS Province.

1. See your letter SIO/ICQ AC/APR/9 of 30 April 1946.
2. The record of this case does not contain the charges against the defendants IAZZA, IONICO and DEIANO. I am unable to ascertain the charges from the evidence. Please send copies, so that the review may be completed.

By Command of Rear Admiral STONE :

JOHN K. WEBER,
Colonel, Infantry,
Chief Legal Advisor.



File
1083/BA
Ministero
di Grazia e Giustizia

DIREZIONE GENERALE
PER GLI ISTITUTI DI PREVENZIONE E DI PENA

UFF. VI

Red. A. 140829/66425

Oggetto Detenuto Lima Giuseppe.

25 MAG 1946
Roma.

Ala Commissione Alleata
Sottocommissione Legale
ROMA

Risposta al f. del 6/3/1946

Pro. Pro. 140829/66425

alleg. 1

with case record
In riferimento alla nota sopra indi-
cata, si trasmette copia della nota n. 729
della Direzione delle carceri giudiziarie di
Termini Imerese, in data 13 maggio 1946.-

Pel Ministro

Amintore Fanfani

File
MINISTERO DI GRAZIA E GIUSTIZIA

Roma, 25 maggio 1946.

ALLA COMMISSIONE ALLEATA
Sottocommissione Legale

Uff. VI
Prot. N. 140829/66425

ROMA

Risposta al f. del 6/3/1946
N. AC/4033/23/L.

OGGETTO : Detenuto Lima Giuseppe.

alleg. 1

In riferimento alla nota sopra indicata, si trasmette
copia della nota n. 729 della Direzione delle carceri giudiziarie
di Termini Imerese, in data 13 maggio 1946.

Pel Ministro

firma illeg.

C O P I ADIREZIONE CARCERI GIUDIZIARIE
TERMINI IMERESE

13 maggio 1946

n. 729 di prot.

Risp. al f. del 27/3/46

H. 135031/66425 Uff. VI

Al Ministero di Grazia e Giustizia
Direz. Gen. Istit. di Preveq. e di Pena
R O M A

OGGETTO: condannato LIMA Giuseppe.-

In riferimento alla nota a margine indicata, prego di comunicare a codesto On. Ministero che il detenuto in oggetto termina di espiare la pena il 1° dicembre 1948 giusta sentenza 14.12.1943 dalla Corte Militare Alleata di Termini Imerese che lo condannò ad anni 5 di reclusione e che quest'ultima Autorità rilasciò posizione giuridica facendogli decorrere la pena dal 1° dicembre 1943.-

Riesaminata la posizione del detenuto, la Commissione Alleata, Sottocommissione Legale concedeva al Lima il beneficio della libertà condizionale dopo di avere scontato anni 2 e mese 6 (sei).-

Stante così le cose il Lima dovrebbe essere scarcerato il 1° giugno 1946.-

Pertanto prego farvi tenere un cenno di risposta in merito prima della scadenza del 1° giugno p.v.-

IL DIRETTORE
F/to illeggibile

Col Weber:

attached ^{shows} discrepancy of 14 days
in date of expiration of sentence.
Whereas we show the date of re-
lease to coincide with the date
of conviction, the date they claim
probably coincides with the date
of arrest. Shall I get the case
from Archives & determine if that
is the case before a letter is written?

(no)

Subject: The prisoner LIMA GIUSEPPE.

With reference to letter AC/4083/23/L of 6.III.1946, the Ministry of Prison and Justice forwards copy of a note, which they have received on 13.V.1946 from the prison director of Termini Imerese.

Said director informs that the above named prisoner should be released on 1st December 1948, according to the sentence of 14th December 1943, which established a penal servitude of five years and was imposed by the A.M. G. of Termini Imerese.

The Legal S/C granted Lima a conditional liberty after two years and six months of penal servitude. In this way, Lima should be released on 1st June 1946.

Orders are hereby requested in regard to the expiration of 1st June 1946.

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB COMMISSION

AC/4083/23/L

AP/ns
25 May 1946.sig. MARANGIO Franco
via A. Falcone 72Napoli

In riscontro alla Sua istanza inoltrata a questa Sottocommissione in data recente le significhiamo che dagli elementi risultanti nel processo penale a suo carico, la sentenza irrogata dalla Corte fu del tutto regolare e di conseguenza non soggetta ad annullamento.

La facoltà di decidere se tale condanna possa o meno influire sulla Sua riassunzione in servizio spetta, pertanto, esclusivamente alle autorità italiane.

JOHN K. WEBER,
Colonel Infantry,
Chief Legal Advisor.

7 ch *4/28/46*
ROME AREA ALLIED COMMAND
APO N° 794 US ARMY
ITALIAN LIAISON SECTION

File N.RA/1263

SG/lr
Rome, 25 May 1946
tel. 66271

Subject : Transmission of Letter.
To : A.C. - Legal Sub-Commission.

Herewith attached is letter of Mr. Enzo
Gatti forwarded to this Section in error.

G. Della Rocca
G. DELLA ROCCA,
for Lt. Colonel, It. RAF,
Italian Liaison Officer.

Incls. 3

File

HEADQUARTERS ALLIED COMMISSION
APO 394
LEGAL SUB-COMMISSION

/ada.

25 May 1946.

AC/1083/23/L.

SUBJECT : Superior Court Cases.

TO : Senior Legal Officer,
A.H.G., UDINE Province.

1. See your letter SAC/10 AC/AVE/9 of 30 April 1946.

2. The record of this case does not contain the charges against the defendants LAZZA, IOMINO and DELARO. I am unable to ascertain the charges from the evidence. Please send copies, so that the review may be completed.

By Command of Rear Admiral STONE :

JOHN E. WELSH,
Colonel, Infantry,
Chief Legal Advisor.

Copia *file*

MINISTERO DI GRAZIA E GIUSTIZIA

Uff. VI

Prot. N. 140712/66760

Roma, 24 maggio 1946.

ALLA COMMISSIONE ALLEATA
Sottocommissione LegaleR O M ARisposta al f. del 16/3/1946
N. AC/4083/23/L.

OGGETTO : Detenuto Falletta Salvatore di Nicolo'.

In riferimento alla nota sopra indicata, si trascrive qui di seguito quanto ha comunicato la Direzione della casa penale di Augusta, con nota n. 1983 del 13 c.m.:

"Dagli atti fascicolo del detenuto in oggetto e come anche dalla sentenza di condanna emessa dal Governo Militare Alleato la scadenza della pena e' indicata al 15.10.1950.-

Poiche' codesto On.Ministero nel comunicare col foglio sopra indicato la riduzione della pena ad anni 5 ha pure indicato al 5.9.1948 la data di scarcerazione, anziche' al 15.10.1948, si prega precisare la effettiva scadenza della pena."

Pel Ministro

Firma illeg.

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