

CENTRAL INTELLIGENCE AGENCY

19 FEB 53

SECRET
SECURITY INFORMATION

IN 38957

ROUTING	
1	PPG
2	PPG
3	CHAND
4	
5	CEP
6	CRP
7	
8	

TO:

DIRECTOR CIA

FROM:

SR REP FRANKFURT

ROUTINE

ACTION: EE 6

1421Z 19 FEB 53

INFORMATION:

DD/P 2, PP 2, FI/RI 2

DECLASSIFIED AND RELEASED BY
CENTRAL INTELLIGENCE AGENCY
SOURCE: METHOD EXEMPTION 3B2B
NAZI WAR CRIMES DISCLOSURE ACT
DATE 2007

FRAN 1764

TO: DIR

INFO: SBONN

CITE: SFRAN

REF SBONN 0529 (IN 38546)

1. LUETH SUBMITTED REPORT WRITTEN 16 FEB STATING APPEAL TO HAVE HESSE INVESTIGATING JUDGE FIND HE HAD NO JURISDICTION HAD BEEN DENIED. YOU WILL REMEMBER THIS APPEAL PENDING SINCE 2 FEB, DATE PRELIMINARY HEARINGS WERE SUPPOSED TO BEGIN BEFORE FRANKFURT JUDGE BUT DIDN'T. DATE OF DENIAL NOT GIVEN LUETH'S REPORT. DENIAL DOES NOT, OF COURSE, CONSTITUTE INDICTMENT.
2. LUETH SAID ON FEB 17 HIS LAWYER MAKING NEW, SIMILAR APPEAL. SAID HE WOULD ON FEB 20 GIVE US TEXT OF DENIAL AND TEXT OF NEW APPEAL.
3. LUETH ALSO ASKED IF HE PERSONALLY SHOULD ASK FED JUSTICE MINISTER TO INTERVENE. WE ANSWERING NEGATIVELY.
4. CONSIDERING PARA 1B, REF, 1 OF 2 THINGS APPARENTLY HAPPENED CONNECTION DENIAL CITED PARA 1, ABOVE:
 - A. DENIAL ISSUED JUST AFTER 12 FEB MEETING ZINN WITH FED AUTHORITIES.

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19 FEB 53
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SECRET

IN 38957
PAGE - 2 -

B. DENIAL POSSIBLY ISSUED LATE AS 16 FEB (DOUBTFUL-ROSENMTAG), BUT ZINN HAD NOT YET PASSED WORD DOWN.

5. CALLED KRAUSE TODAY TO CHECK ON "MECHANICS" WITHDRAWAL. KRAUSE CHECKED JUSTICE MINISTRY, REPLIED CASE HAD NOT YET ACTUALLY BEEN WITHDRAWN BUT WOULD BE SHORTLY. REAFFIRMED WITHDRAWAL CHANNEL FED PROSECUTOR TO HESSE STATE PROSECUTOR. KRAUSE DID NOT THINK DEFENDANTS WOULD BE INFORMED OF WITHDRAWAL, BUT ONLY THAT PROCEEDINGS IN HESSE ENDED. AGREED, UNLESS SOME EMERGENCY ARISES FOR WHICH PROVIDING, TO CALL KRAUSE ON FEB 25 AND MAKE DATE FOR DELIVERY OF STATEMENT--AFTER WITHDRAWAL.

6. REBER'S ONLY CHANGE PARA 4, DIR 39808 (OUT87277) CHANGE WORD "ACTION" TO "USE" (10TH WORD SUB-PARA C).

END OF MESSAGE.

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