

SUMMARY

COURT MEMORANDUM

(SEE INSTRUCTIONS ON REVERSE)

1. ORGANIZATION MACS-1 MAG-11 1stMAW FAW c/o FPO, San Francisco, California	2. DATE OF TRIAL 11 April 1958
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3. SUMMARY OF CHARGES AND SPECIFICATIONS

Chg I - Viol art 92 UCMJ
Spec: - Violate a lawful general order, to wit, paragraph 10a, 10b, 10c COMNAVFORJAPAN INST 5080.10 dtd 18Oct57, by having in his possession a privately-owned weapon that was not registered.

4. FINDING ON EACH CHARGE AND SPECIFICATION **Chg I - Guilty; Spec: Guilty**

5. SENTENCE ADJUDGED **To be confined at hard labor for 20 days, to forfeit \$25.00 per month**
 DATE: **29Apr58: for two months and to be reduced to the grade of private.**

6. COMMANDING AUTHORITY'S ACTION DATED **29Apr58: Approved and ordered executed, but the confinement at hard lab. for twenty days is suspended for six months, at which time, unless the suspension is sooner vacated, the sentence to confinement at hard labor for twenty days will be remitted without further action.**

7. COMPLETE ONE: DISBURSING OFFICER NOTIFIED Date: **5 May 1958** PAY STATUS NOT AFFECTED

8. SIGNATURE N. D. GLENN	9. RANK LtCol	10. TITLE AND ORGANIZATION CO, MACS-1 MAG-11 1stMAW FAW c/o FPO, San Francisco, California
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11. SUPERVISORY AUTHORITY'S ACTION ON FINDINGS AND SENTENCE DATED **Confinement at hard labor for 28 days vacated on**
Approved and ordered executed. 27 June 1958.

12. COMPLETE ONE: DISBURSING OFFICER NOTIFIED Date: **21 May 1958** PAY STATUS NOT AFFECTED

13. SIGNATURE N. D. GLENN	14. RANK LtCol	15. TITLE AND ORGANIZATION CO, MACS-1 MAG-11 1stMAW FAW c/o FPO, San Francisco, California
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16. ACTION BY SECNAV, UNDER SECNAV, ASST SECNAV, OR JAG DATED

17. COMPLETE ONE: DISBURSING OFFICER NOTIFIED Date: PAY STATUS NOT AFFECTED

18. SIGNATURE	19. RANK	20. TITLE AND ORGANIZATION
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21. SUSPENDED SENTENCE VACATED AND UNEXECUTED PORTION OF SENTENCE ORDERED EXECUTED

BY _____ ON _____
 (Title of officer vacating suspension) (Date)

NAVY (Last) OSWALD	(First) Lee	(Middle) Harvey	SERVICE NO. 1653230
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RECORD OF CONVICTION BY COURT-MARTIAL

1. ORGANIZATION

MACS-1, MAG-11, 1stMAW, c/o FPO, San Francisco, California

2. TRIED BY:

(Check one)

SUMMARY COURT-MARTIAL

SPECIAL COURT-MARTIAL

GENERAL COURT-MARTIAL

DATE OF TRIAL

27 June 1958

3. SUMMARY OF CHARGES AND SPECIFICATIONS:

Chg I - Violation art 117 UCMJ. SPEC; Wrongfully use provoking words to a Staff Non-Commissioned Officer on or about 20 June 1958, at the Bluebird Cafe, Yamato Japan. Chg II - Violation art 128 UCMJ. SPEC; Assault a Staff Non-Commissioned Officer by pouring a drink on him on or about 20 June 1958 at the Bluebird Cafe, Yamato, Japan.

4. FINDINGS ON EACH CHARGE AND SPECIFICATIONS:

Chg I - Guilty SPEC; chg I - Guilty
Chg II - Not Guilty SPEC; chg I - Not Guilty

5. SENTENCE ADJUDGED:

To be cnfd at hard labor for 28 days and to FORF \$55.00 per month for 1 month.

6. CONVENING AUTHORITY'S ACTION

DATE OF ACTION: 27 June 1958

Apprd and ordered executed.

7.

COMPLETE ONE:

DISBURSING OFFICER NOTIFIED Date: 30 June 1958 337-58

PAY STATUS NOT AFFECTED

8. SIGNATURE

N. D. Glenn
N. D. GLENN

9. RANK

LtCol

10. TITLE AND ORGANIZATION

Commanding Officer, MACS-1, MAG-11, 1stMAW

11. SUPERVISORY AUTHORITY'S ACTION ON FINDINGS AND SENTENCE

DATE OF ACTION: 14 July 1958

Approved.

12.

COMPLETE ONE:

DISBURSING OFFICER NOTIFIED Date:

PAY STATUS NOT AFFECTED

13. SIGNATURE

W. R. Ciampa Jr

14. RANK

Major

15. TITLE AND ORGANIZATION

W. R. CIAMPA Jr. MACS-1, MAG-11, 1stMAW

NAME

(Last) OSWALD

(First) Lee

(Middle) Harvey

RANK Pvt

SERVICE NO. 1653230

ADMINISTRATIVE REMARKS

USMC EC Dallas, Texas 24 Oct 56
 Not eligible for assignment to combat area until after 16th birthday. 18 Oct 57.
R. K. Jones
 R. K. JONES, Capt, USMC, ARO

19Aug59: MACS-9, MWHG-3, 3dMAW, Air Force, ICAF, Santa Ana, California
 Ltr Req discharge by reason of ~~hardship~~
 dtd 17Aug59, fwd to CG, 3dMAW this date, recommending approval.

R. J. Douville
 R. J. DOUVILLE, 2ndLt., USMCR AdminO By dir
 25Sep59: MACS-9 MWHG 3dMAW Air Force ICAF Santa Ana Calif
 Request for dependency discharge approved by CG 3dMAW
M. A. Holder
 M. A. HOLDER, 2ndLt., USMCR, AdminO By dir
 15Sep59: ~~Hardship, MWHG, 3dMAW, Air Force, ICAF~~
 11Sep59 Rel fr ac du by reason of hardship

tr to CG III Ready MCR used ~~hardship~~ auth para 10273 MARCORMAN & COO 1900, 23
 ID Card FORN 4, 271, 617 issued this date expiration 8Dec62 in acc'd w para 3014.5 PRM.

3 MAY 1961 WAD, NATTC Jacksonville, Florida
 Granted FINAL clearance to handle classified matter up to and including CONFIDENTIAL after careful check of local records had disclosed no derogatory data (Auth: 1055, 3A)
F. R. Sternkopf
 F. R. STERNKOPF, Capt, USMC

A. G. Myers
 A. G. MYERS, 2ndLt, U.S. CR
 24 SEP 1959
 26Jul60 HQ, MARTC, NAS, Glenview, Illinois
 Recommended for discharge by reason of Unfitness, in accordance with Para 10277.2f JarCorlan. PFC OSWALD has requested that he be given citizenship in Soviet Russia.

14Apr58: MACS-1 MAG-11 1stMAW FMF
 Req for ext of o/s tour to May59 fwd rec approval Feb58 to CG 1stMAW FMF.
R. E. Lewis Jr
 R. E. LEWIS JR, 2ndLt, USMCR

13Sep60 HQ, MARTC, NAS, Glenview, Illinois
 Discharged: 13 September 1960
 Authority: Para 10277.2f MARCORMAN & CMC
 Discho DMB-1-bco of 17Aug60
 Character: UNDESIRABLE
 Not Recommended for Reenlistment
 Discharge Certificate Mailed Out: *10/1/60*
 By direction

14Apr58: MACS-1 MAG-11 1stMAW FMF
 Ext of overseas tour approved. Location tour date Mar58. Auth: CG 1stMAW ltr of 9Apr58.
R. E. Lewis Jr
 R. E. LEWIS JR, 2ndLt, USMCR

13 JUL 58
 SECTION INST 1610 IN
R. E. Lewis Jr By direction

10Jun58: MACS-1 MAG-11 1stMAW FMF:
 cancellation of Extension of overseas tour submitted this date.
R. E. Lewis Jr By dir

13Jul58: MACS-1 MAG-11 1stMAW FMF:
 Cancellation of extension of overseas tour approved by CG, 1stMAW on 8Jul58. New Rotation Tour date is November 1958.
R. E. Lewis Jr By dir

DEPARTMENT OF THE NAVY
NAVY DISCHARGE REVIEW BOARD

TO: SECRETARY OF THE NAVY

JAP:pic

BUCKET NO. 8812

REVIEW OF THE DISCHARGE OF: OSWALD, Lee Harvey Ex-Pfc 1653230 USMC		CHARACTER OF DISCHARGE REQUESTED UNDES (UNFIT)	
COUNSEL	PETITIONER PRESENT <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	RECORD OF PROCEEDINGS OF REVIEW MADE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DATE OF REVIEW 10/2/59
FINDINGS			
DATE OF ENTRY IN NAVAL SERVICE 21 Oct 56	AGE 17/0	LENGTH OF SERVICE Time lost: 115 days 02Y 10M 17D	RECORDS HELD Pvt-Pfc-Pvt-Pfc 3.94 4.1

SUMMARY OF PETITIONER'S CLAIM: Petitioner requests recommendation for reenlistment, review of case and appropriate action. He submitted a brief which essentially states that his discharge was improperly issued. Also included was pet's statement and two letters from the U.S. Embassy, Moscow. As requested by pet, his lengthy statement was read to the board. It contained his contention that the Undesirable Discharge Board found against him primarily on the grounds that he went to USSR and allegedly renounced his U.S. citizenship to become a citizen of that country. Pet denied this allegation and claimed that since he had a choice of residence as an American citizen, such action could not be judged as being fair or impartial. He further stated that he did not violate any U.S. laws by his actions and quoted in part, an American Embassy, Moscow letter which stated: "Meanwhile, your continued retention of your present Soviet passport or an extension thereof does not prejudice in any way your claim to American citizenship."

SUMMARY OF SERVICE, COMMENDATIONS, AND OFFENSES:

Enl for 3 years. No prior service claimed. Attained equiv of High School grad through USAFI; Grad 4/6/54 AvnFundScol, JAX and completed AC&wOperCrse, Keesler AFB.
1 May 57 Pro to PFC.
MACS-1, MAG-11, 1stMAW, FMF
11 Apr 58 SumCM Violate a lawful general order by having in his possession a privately-owned weapon that was not registered. Sent as appr: CHL for 20 days and forf \$25.00 per mo for two mos and red to PVT. (Confinement suspended for 6 mos etc., but vacated on 27 Jun 58)
27 Jun 58 SumCM 1. Wrongfully use provoking words to a Staff NCO. (found guilty)
2. Assault a Staff NCO (found not guilty)
Sent as appr: CHL for 28 days and forf \$55.00 per mo for 1 month.
SubUnit 1, H&MS 11, MAG-11, 1stMAW
17 Oct 58 SRB JAG found that injury received by pet on 27 Oct 57 as a result of an accidental discharge of a weapon, was incurred in line of duty and not result of misconduct. (Upon opening his locker, a .22 cal pistol fell to the floor and discharged, wounding pet in the left elbow.)
MACS-9, MWHG, 3dMAW, AirFMFPac
1 Mar 59 Pro to PFC
17 Aug 59 Pet submitted a request for dependency discharge, by reason of hardship on the part of his mother. Pet appeared before the Hardship/Dependency discharge Board who recommended that he be released from active duty for reason of dependency. Appr by CG, 3dMAW on 31 Aug 59.

(SEE ATTACHED SHEET)

50:BJK:mwh

1910
AUG 28 1959

FOURTH ENDORSEMENT on Pfc OSWALD's ltr of 17 Aug 1959

From: Senior Member, 3d Marine Aircraft Wing Hardship or
Dependency Discharge Board

To: Commanding General, 3d Marine Aircraft Wing

Subj: Discharge by reason of dependency; request for case of
Private First Class Lee H. OSWALD 1653230/6741 USMC

1. Guided by the provisions of reference (a) and in compliance with Third Endorsement hereto, the Hardship or Dependency Discharge Board met at 1530, 27 August 1959 to consider the case of Private First Class Lee H. OSWALD 1653230/6741 USMC. The Marine had submitted an official request for a dependency discharge in accordance with reference (a). The following members were present:

Lieutenant Colonel Bolish J. KOZAK 07108 USMC (MWHG-3)
Major George E. MC CLANE 016430/7335 USMC (MAG-36)
Major Eugene T. CARD 035129/7304 USMC (MWHG-3)

2. Upon examination of the basic request, supporting enclosures and Service Record, Private First Class Lee H. OSWALD was interviewed by the Board. The following facts were then considered:

a. Private First Class Lee H. OSWALD, not married, on his initial three (3) year enlistment in the Marine Corps is obligated to serve on active duty until 7 December 1959.

b. The Marine submitted his request for a dependency discharge in order that he may provide physical and financial assistance to his invalid mother residing in Fort Worth, Texas.

c. The home situation of Private First Class OSWALD has been aggravated subsequent to his enlistment date through incapacitation of his mother as a result of an industrial accident. The mother is no longer gainfully employed due to her physical condition and has no source of income. The presence of her son, Private First Class OSWALD, is required for physical and financial assistance.

d. One son, married and residing in Fort Worth is unable to provide either financial or physical assistance to the Marine's mother due to his marital responsibilities and the inability of the two families to maintain a common home. Another son, married, with the U. S. Air Force on active duty in Japan, cannot furnish financial support.

Handwritten note:
Pfc OSWALD
any file
in case

50:BJK:mwh
1910

2. The Marine has no firm offer of employment he has indicated that his former employer will entertain offering employment with a suitable salary to provide the necessary support of his mother.

3. In evaluation of all facts available, it is the opinion of the Board that Private First Class OSWALD meets the requirements of paragraph 10273 MCM for release from active duty.

4. The Board recommends that Private First Class Lee H. OSWALD be released from active duty with the Marine Corps for reasons of dependency.

B. J. Kozak

B. J. KOZAK

Lieutenant Colonel, U. S. Marine Corps

LEE HARVEY OSWALD

Summary - Dates - Places of Assignment - USMC

165-32-30

LEE HARVEY OSWALD, born 10-18-39 at New Orleans, Louisiana, enlisted in USMC upon turning 17 on 10-24-56. He enlisted at Dallas. His home was in Fort Worth. It was a 3 year enlistment.

10-25-56 - 1-18-57 - boot training - San Diego
1-20-57 - 3-18-57 - Inf. Trng Regt - Camp Pendleton, Calif.
3-18-57 - 5-4-57 - Marine Air Depot, Jacksonville, Fla.
5-4-57 - 7-9-57 - CASCO, HQBN. HQMC, (?) Biloxi, Miss.
7-9-57 - 9-12-57 - El Toro, Calif.
9-12-57 - 10-5-58 - MACS-1, MAG-11, 1st MAW. FMF. c/o FPO SF, Calif.
10-6-58 - 12-22-58 - Sub. Unit 1, H & MS 11, MAG 11, 1st MAW.
12-22-58 - 9-4-59 - MACS-9, MVHG, 3rd MAW, Santa Ana, Calif.
9-4-59 - 9-11-59 - H & HS MCAS, El Toro, Santa Ana, Calif.
9-11-59 - Released from active duty.
9-12-59 - 9-13-60 - Hg MARTC, NAS, Glenview, Ill. (Inactive Reserve)

LEE HARVEY OSWALD had firing record: M1, BAR, .45 pistol, Riot Gun.

LEE HARVEY OSWALD attended two six-week schools: at Jacksonville, Fla and at Kessler AFB in 1957.

On 2-25-59 he was tested in Russina language.

On 4-11-58 he received summary court-martial for having in his possession a privately - owned weapon that was not registered.

On 6-27-58 he received summary court-martial for wrongfully using provoking words to a Staff Non-Commission Officer at the Bluebird Cafe, Yamato, Japan.

In 7-60 he was recommended for discharge (Reserves) by reason of unfitness because he had requested he be given citizenship in Russia. On 9-13-60 he received undesirable discharge and was not recommended for reenlistment.

While in USMC LEE HARVEY OSWALD took leave as follows:

2-27-57 - 3-13-57 - from Camp Pendleton, Calif. 15 days

6-20-57 - 7-4-57 - CASCO, HQBN, HQMC 15 days

11-19-58 - 12-18-58 - Sub. Unit 1, H & MS 11, MAG 11,
1st MAW. 30 days

8-21-57 - USS BEXAR - left San Diego, Calif. 8-22-57 - arrived
and disembarked at Yokosuka, Japan 9-12-57.

11-2-58 - 11-15-58 - HSNS Barrett - Japan - San Francisco

In June - July 1958 LEE HARVEY OSWALD was courtmartialed as result of fight he had in Japan with Tech. Sgt. Rodriguez. This happened in a cafe. LEE HARVEY OSWALD walked up to where R. was sitting and spilled a drink on him R. got up and shoved LEE HARVEY OSWALD. LEE HARVEY OSWALD invited R. outside to fight and calling him "yellow." No fist-cuffs actually took place.