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March 22, 1972

Hon. Richard Kleindienst
Acting Attorney General
Department of Justice
Washington, D. C.

Dear Mr. Kleindienst:

Warren Commission Document No. 566, an FBI Report, dated Feb. 24, 1964, was declassified and made available to the public on Jan. 24, 1971. Pages 3 and 4 thereof make reference to three photographs of an unidentified individual, described as a "possible ... suspect," which were shown to a Mexican national in the course of the FBI's investigation of Lee Harvey Oswald in Mexico.

As an American citizen desiring to resolve certain unanswered questions about the assassination of President Kennedy, I should like to obtain copies of these three referenced photographs, which were shown to a Mexican citizen, for my own examination and use. I shall be happy to pay the costs of reproduction.

Pursuant to the requirements of the Freedom of Information Act, 5 U.S.C. §552, I enclose a completed copy of Form D.J. 118 and the fee of \$3.00 per departmental regulation 28 C.F.R. 16.

Respectfully yours,

Bernard Fensterwald, Jr.
Bernard Fensterwald, Jr.

BF:crf
Encls. *1*

236350-4-1

MAR 24 1972

DEPUTY ATTORNEY GENERAL



REQUEST FOR ACCESS TO OFFICIAL RECORD
UNDER 5 U.S.C. 552(a) and 28 CFR PART 15

See instructions for payment and delivery of this form at bottom of page

NAME OF REQUESTER
Ernest Fensterwald, Jr.
DATE
Mar. 22, 1972

ADDRESS (street, city, state and zip code)
905 16th St., N.W., Washington, D.C. 20006

DO YOU WISH TO RECEIVE COPIES? YES NO
YES, SO INDICATE (no more than 10 copies of any document will be furnished)

NUMBER OF COPIES REQUESTED **3 copies**
OF 3 diff. photos
OFFICE AND CITY WHERE RECORD IS LOCATED (if known)
Washington, D.C.

DESCRIPTION OF RECORD REQUESTED (include any information which may be helpful in locating records)
Three photographs of an "unidentified individual" referred to on pages 3 and 5 of an FBI Report of February 24, 1964, which was Warren Commission Document 566, which was declassified on January 24, 1971. (See Copy attached.)

INVESTIGATION: DOES THIS REQUEST RELATE TO A MATTER IN PENDING OR PROSPECTIVE LITIGATION? YES NO
ALL IN IF PENDING LITIGATION
COURT (check one) DISTRICT NAME OF CASE DOCKET NUMBER
 FEDERAL
 STATE

Ernest Fensterwald, Jr.
SIGNATURE

FOR USE BY DEPARTMENT OF JUSTICE ONLY || A MINIMUM FEE OF \$1.00 MUST ACCOMPANY THIS REQUEST. OTHER CHARGES ARE AS FOLLOWS. (Do not write in this box)

Fensterwald and Oldhausen, Attorneys Reg. for copies of photographs (Warren Commission Doc. 566) **1401**
DATE **March 22 1972** **153**

Treasurer of the United States **\$3.00**
Three and no/100 **DOLLARS**

The **REGG** NATIONAL BANK
WASHINGTON, D.C.
1700 PENNSYLVANIA AVENUE, N.W.

Fensterwald and Oldhausen, Attorneys
William J. Oldhausen
APRIL 20

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Payment under this section shall be made in cash, or by United States money order or by check payable to the Treasurer of the United States. Postage stamps will not be accepted.

This form may be delivered to any of the offices listed in 28 C. F. R. 16.2 or mailed to: Office of the Deputy Attorney General, Department of Justice, Washington, D. C. 20530

MAY 10 1972



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

WASHINGTON 25, D. C.
February 24, 1964

LEE HARVEY OSWALD

This document contains neither
recommendations nor conclusions of
the FBI. It is the property of
the FBI and is loaned to your agency;
it and its contents are not to be
distributed outside your agency.

A confidential source abroad has advised as follows:

On February 17, 1964, a second confidential source
abroad, who has furnished reliable information in the past,
advised that the records of the Identification Division of
the Metropolitan Police of the Federal District, Mexico,
D. F., revealed that one PEDRO GUTIERREZ VALENCIA had a
driver's license issued to him in 1938 and again in 1942.

According to this source, the records of this police
agency further revealed that an individual by this same name
was fingerprinted in 1957 in connection with a request to
carry a firearm.

On February 20, 1964, this second confidential source
abroad advised that he had had the thumb print of PEDRO
GUTIERREZ VALENCIA, which had been affixed to this individual's
letter dated December 2, 1953, directed to President LYNDON
JOHNSON, searched against the fingerprint files of the Identifi-
cation Division of the Metropolitan Police of the Federal
District, Mexico, D. F. This source stated that a fingerprint
expert of that police agency had identified the thumb print of
GUTIERREZ as being a print of the right thumb of this indivi-
dual, whose fingerprints are on file at the afore-mentioned
police Identification Division.

DECLASSIFIED

By Dept. of Justice

on 10-10-87

CONFIDENTIAL
Approved for Release
Date 10-10-87
BY [illegible]

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This second confidential source abroad further advised on February 20, 1954, that the fingerprint records of the Metropolitan Police of the Federal District disclosed that fingerprints of GUTIERREZ VALENCIA were taken on June 1, 1938, in connection with the issuance of a driver's license; were taken on February 27, 1942, in connection with the renewal of a driver's license; were taken again on August 16, 1951, in connection with the issuance of a police good conduct certificate in connection with the issuance of a chauffeur's license to GUTIERREZ, and fingerprints of this individual were taken on October 25, 1957, in connection with a police good conduct certificate issued to GUTIERREZ in connection with a permit allowing him to carry and possess a sporting firearm.

The above source stated that the right thumb print of GUTIERREZ VALENCIA which had appeared on his letter to President JOHNSON, as indicated above, was positively identified by a fingerprint expert of the above-mentioned Mexico City police agency with the various fingerprint cards on file with that agency, as described above.

This second source also stated that the police files at Mexico City do not contain any information of a derogatory nature concerning GUTIERREZ.

On February 20, 1954, a third confidential source abroad, who has furnished reliable information in the past, reported that the following investigation was conducted at Mexico, D. F., concerning the credit investigator, PEDRO GUTIERREZ VALENCIA, a resident of Calle Florida #9, Colonia Napoles, Mexico, D. F.:

It was noted by the source that the building at the above address is a four-story apartment building, the ground floor of which is occupied by various small commercial establishments and a restaurant known as the "Valencia." The caretaker of the building, Mrs. GUADALUPE ALVAREZ, and Mrs. MERCEDES OROCIO, who resides with ALVAREZ, advised the source that PEDRO GUTIERREZ resides in Apartment #12 at that address with his wife and that GUTIERREZ has no sons or daughters

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residing with him. These individuals described GUTIERREZ and his wife as honorable individuals of good conduct and reputation.

Mrs. ALVAREZ and Mrs. GROSIO stated they have known GUTIERREZ and his wife as neighbors in the building for a period of 12 years.

These two neighbors further stated, according to the above source, that GUTIERREZ is a man who is truthful in what he says and worthy of trust. They described him as a person of moderate financial means who is employed as an investigator for a Mexico City commercial establishment, and these neighbors said that GUTIERREZ always pays his rent very promptly.

These neighbors further informed this third confidential source that GUTIERREZ has never been known to drink or use drugs, that he has never caused any scandal in the neighborhood, and that they have never known him to have had any problems with law enforcement authorities in the community.

The neighbors also stated that they have never had any bills or demands of other persons called at the building to collect debts from GUTIERREZ and that, in general, they regard him as a good neighbor.

This third source also reported that he had learned from a person known as "Valencia" that he resides in the apartment building at Calle Florida #9, that PEDRO GUTIERREZ is generally regarded in the neighborhood as a person of good reputation and wholesome habits.

On July 20, 1964, PEDRO SUAREZ VALENCIA, a Mexico City department store credit investigator who resides at Calle Florida #9, Colonia Napoles, Mexico, D. F., advised as follows:

He examined three photographs of an unidentified possible white male American suspect, which depicted this

By _____
/ s/ _____
Special Agent in Charge

individual in the following poses:

1. Attired in a white shirt and tan trousers, holding what appears to be a courier-type pouch under his left arm and examining a wallet-type folder which it appears may contain one or two documents resembling passports.
2. Attired in the same dress described above and holding the wallet-type folder in his left hand and inserting this folder into the courier-type pouch held in his right hand.
3. Attired in a dark shirt with white collar buttons and apparently walking along with the thumb of his left hand hooked into the top of his left-hand trouser pocket.

GUMERREZ stated on February 20, 1964, that he has never, to his knowledge, seen the individual depicted in these three photographs and that this individual is definitely not identical with either the American or the Cuban he claims to have seen on October 1, 1963, exiting the premises of the Cuban Embassy at Mexico, D. F. GUMERREZ has previously stated that he believes the American observed by him with the Cuban on October 1, 1963, as mentioned above, was LEE HARVEY OSWALD and he based his identification on newspaper photographs of OSWALD observed by him in Mexico City newspapers almost two months after the occurrence described above.

GUMERREZ, on February 20, 1964, also examined 20 photographs of possible white male Americans who had been in Mexico City during September and October 1963, any one of which could have been the American seen by him at the Cuban Embassy. He studied these photographs carefully and stated that, in his opinion, none of these photographs is identical with the American previously identified by him as OSWALD who he claims was observed by him on October 1, 1963, at the Co

BY " " /
Letter.
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Embassy in Mexico, D. F.

GUTIERREZ was again shown a photograph of LEE HARVEY OSWALD which had appeared in "Life" magazine and which depicts OSWALD passing out pro-Cuban literature on a street in New Orleans, Louisiana. It is to be noted that this is a profile photograph of OSWALD showing his right arm extended and depicts his torso from the waist up.

GUTIERREZ, on February 20, 1964, stated that the "Life" magazine photograph of OSWALD does not appear familiar to him and that he cannot say that this photograph in any way resembles the American seen by him in the company of a Cuban exiting the premises of the Cuban Embassy in Mexico, D. F., on October 1, 1963. GUTIERREZ was told that this photograph is a photograph of LEE HARVEY OSWALD and he thereupon stated that during his brief encounter with the American and the Cuban on October 1, 1963, he at no time observed the profile view of either the American or the Cuban. He explained that when the Cuban bumped into him in the patio of the Cuban Embassy (the details of which he has previously reported), he had only a brief opportunity to observe these persons from a front view and thereafter he walked behind these individuals and could only observe their backs.

GUTIERREZ agreed that a mistaken identification from newspaper photographs of OSWALD which he saw almost two months later would be very possible. He pointed out, however, that he does not believe he is mistaken in his identification of OSWALD because the image of the American he observed during the occurrence at the Cuban Embassy in Mexico City on October 1, 1963, became firmly fixed in his mind because of the importance he attached to his observance that the Cuban and the American were arguing heatedly and that the Cuban passed some United States currency to the American after these individuals had exited the Cuban Embassy premises and were walking along the sidewalk toward the Cuban's vehicle.

GUTIERREZ stated he is certain that the Cuban's vehicle, described by him as a beige colored late model Dina Renault, was the property of the Cuban because he saw the

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