

HEADQUARTERS THIRD ARMY
FORT MCPHERSON, GEORGIA

Mr. Robert K. Bell
Attorney at Law
610-14 Terry-Hutchens Building
Huntsville, Alabama

17 JUN 1957

Dear Sir:

This is in reply to your letter of 3 June 1957 addressed to the Assistant Chief of Staff, Intelligence, Department of the Army, Washington, D. C., which has been referred to the Army Commander, as convening authority, for consideration and reply in accordance with the pertinent provisions of the Manual for Courts-Martial, 1951.

For the reasons set forth in the 1st Indorsement, AJAJA 201 - Nickerson, John C. Jr. (O), subject: "Request for Access to Classified Information," dated this headquarters 6 June 1957, and addressed to the appointed military defense counsel, Lt. Col. Charles R. Zimmer, the request contained in your letter is not favorably considered. Except insofar as item 4 of your letter is concerned, the request fails to specify with any degree of particularity the subject matter desired or its materiality to the matters in issue. A broad or blind search among Government documents cannot be permitted on the chance that something of value may turn up. With respect to item 4, as well as item 3, although it is not known to what extent such information is available in documentary form, nor how many documents might be involved, it appears that any of the desired information which may be needed for proper defense can readily be obtained from direct testimony of the numerous expert witnesses scheduled to be present during the course of the trial.

Sincerely yours,

for *Lytle W. Agie* Col *atc*
FORREST J AGEE
Colonel, AGC
Adjutant General

Copy furnished:

Mr. Ray H. Jenkins
Bank of Knoxville Building
Knoxville, Tennessee

Lt. Col. Charles R. Zimmer
c/o Post Judge Advocate
Redstone Arsenal
Huntsville, Alabama