

Office of the Post Judge Advocate

FMAJA

18 March 1957

SUBJECT: Request for Downgrading of Classified Document

TO: Army Staff Judge Advocate, Third United States Army, Fort
McPherson, Georgia, ATTENTION: Colonel Clifford F. Cordes

1. As the appointed defense counsel of Colonel John C. Nickerson, Jr., I hereby officially request that the report of the Inspector General of the Department of the Army be downgraded to UNCLASSIFIED in the same manner that the report of the Inspector General of the Third United States Army was downgraded; that is, all but approximately eight pages of the Third United States Army report was regraded to UNCLASSIFIED and, in my opinion, the greater part of the report of the Inspector General of the Department of the Army could be given similar treatment.

2. I make this request because I feel that the defense in this case is being hampered by the requirement that the document mentioned be treated as a classified document. Colonel Nickerson has employed a civilian attorney, Mr. Robert K. Bell, of Huntsville, Alabama. Mr. Bell has access to the classified documents in this case on a "need to know" basis; however, I have been ordered by the Commanding General of the Third United States Army not to permit Mr. Bell under any circumstances to retain any of the classified documents either temporarily or permanently. Inasmuch as his office is situated in Huntsville, Alabama, and he does most of his work there, it is necessary that either I or my assistant spend long hours at his office while he is reading some of the documents. This causes a loss of time and effort on our part. We could and should be spending that time interviewing numerous witnesses and working on other tasks.

CHARLES R. ZIMMER
Lt Colonel, JAGC
Post Judge Advocate