

COLONEL JOHN C. NICKERSON, JR.
Army Ballistic Missile Agency
Huntsville, Alabama
July 25, 1957

Chief of Manpower Office
Office Chief of Ordnance
Department of the Army
Pentagon
Washington 25, D. C.

Dear Sir:

This is a formal request for re-assignment on a temporary basis pending permanent re-assignment, if such is contemplated, following my recent trial by court-martial at Redstone Arsenal, Alabama.

Throughout the investigations and entire court proceedings, both of which lasted from January through May 1957, I have accepted full responsibility for my efforts to obtain operational use of the Jupiter for the Army. At no place or point in the extensive pre-trial investigations or in testimony given to the various inspectors-general is there the slightest indication that Major General John B. Medaris shared any of the responsibility for any acts or actions that I might have taken.

Unfortunately, during the various pre-trial investigations and during the court-martial proceedings when General Medaris was called as a witness by the Court, he emphatically and forcefully stated that I deliberately defied his instructions by attempting to obtain modification of the Secretary of Defense's Directive of November 26, 1956. I deem these statements unfortunate and the Court apparently, from the sentence imposed, did not give this testimony any great amount of credence. The investigating officers apparently did not believe this to be the case, because no charges were preferred that indicated any disobedience of specific instructions on my part. During the course of the trial no evidence was submitted by the defense to refute these statements other than General Medaris' own sworn statements. This phase of the trial, too, was unfortunate for all concerned; but my defense attorneys felt that they were forced to draw a line at permitting General Medaris' accusations of insubordination to go unchallenged. During General Medaris' testimony he stated to the Court that he felt I would not be of further use to ABMA.

I reported back to duty on July 11, 1957 and since that time have been under specific orders not to use duty time in any effort to seek a modification of the sentence imposed or in preparing for any appeal that might be considered. I am advised by competent legal counsel that this is an

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inappropriate and perhaps illegal order under the circumstances. I might add that my newly assigned duties are of relatively no importance to the Army or to ABMA.

In view of the foregoing facts and because of my sincere desire to be of the most possible service, I feel that it is unfair and most unfortunate that I am temporarily re-assigned to ABMA. It is, therefore, respectfully requested that I be re-assigned to Redstone Arsenal until all legal proceedings in my case are complete and a new permanent assignment is given to me.

Most respectfully,

John C. Nickerson, Jr., 021170
Colonel, GSC