

The original documents are located in Box 3, folder “Clemency - General (3)” of the Philip Buchen Files at the Gerald R. Ford Presidential Library.

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Hold

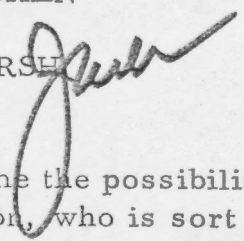
THE WHITE HOUSE
WASHINGTON

January 15, 1976

MEMORANDUM FOR: PHIL BUCHEN

FROM:

JACK MARSH



Speaker Carl Albert mentioned to me the possibility of a pardon for an individual named Cy Anderson, who is sort of a favorite on Capitol Hill. Apparently he is an individual of some age and there's a real hardship case involved. According to Carl, he was one of those individuals who was indicted and sentenced in the matter involving Senator Brewster. It may be that he is the only person involved who actually went to the penitentiary. He has had a long association on Capitol Hill and I gather is rather well thought of there.

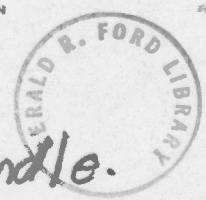
One of the things that causes Carl to have such a strong interest in him is the fact that both of his parents are mutes, and the present situation impacts very harshly on them.

How would you suggest I proceed on this matter?

Many thanks.

THE WHITE HOUSE
WASHINGTON

*Ken:
Please handle.*



P.

Clemency

THE WHITE HOUSE
WASHINGTON

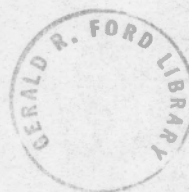
January 22, 1976

MEMORANDUM FOR: JACK MARSH
THROUGH: PHIL BUCHEN *P.*
FROM: KEN LAZARUS *pe*
SUBJECT: Cy Anderson

In response to your inquiry of January 15, attached is a memo from Lawrence Traylor, the Pardon Attorney.

I trust this satisfies the inquiry.

Attachment



United States Department of Justice

Office of the Pardon Attorney

Washington, D.C. 20530

January 21, 1976

MEMORANDUM FOR

Ken Lazarus
Associate Counsel to the President

Re: Cy Anderson

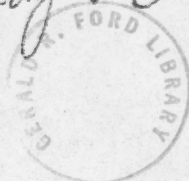
This refers to your memo of January 19, 1976 requesting my thoughts on a memorandum of January 15, 1976 from Jack Marsh to Mr. Buchen concerning the procedure for obtaining a pardon for an individual named Cy Anderson. It is not clear from the memorandum whether Mr. Anderson is still serving his Federal sentence or whether he has been released.

Mr. Anderson would not be eligible to apply for pardon until a minimum of three years has passed since the date of his release from confinement. For some offenses the waiting period is five years but without knowing the nature of the offense I am unable to say whether the three or five year waiting period applies. See paragraph 1.3 of the enclosed rules. If Mr. Anderson is eligible to apply at this time, we will be glad to send him the proper forms upon request.

Of course, if Mr. Anderson is presently confined, he may apply at any time for commutation of sentence on forms available to him at the Federal institution. However, this form of clemency is an extraordinary remedy which is granted only in the most exceptional circumstances and when no other form of relief, such as parole, is available. See paragraph 1.4 of the enclosed rules.

Lawrence M. Traylor

Lawrence M. Traylor
Pardon Attorney



RULES GOVERNING PETITIONS FOR EXECUTIVE CLEMENCY

Department of Justice

WASHINGTON, D.C.

§ 1.1 *Submission of petition; form to be used.*—Persons seeking Executive clemency, by pardon or by commutation of sentence, including remission of fine, shall execute formal petitions therefor which shall be addressed to the President of the United States and which, except those relating to military or naval offenses, shall be submitted to the Attorney General of the United States. Appropriate forms for such petitions will be furnished by the Department of Justice, Washington, D.C., upon application therefor. Forms for petition for commutation of sentence may also be obtained from the warden of Federal penal institutions. Forms furnished by the Department of Justice for use in pardon cases may be used by petitioners in cases relating to the forfeiture of veterans' benefits, with appropriate modifications. A petitioner applying for Executive clemency with respect to military or naval offenses should submit his petition directly to the Secretary of the military department which had original jurisdiction over the court-martial trial and conviction of the petitioner. In such instance, a form furnished by the Department of Justice may be used but should be modified to meet the needs of the particular case.

§ 1.2 *Contents of petition.*—Each petition for Executive clemency should include: the name and age of the petitioner; the court, district, and State in which he was convicted; the date of sentence; the crime of which he was convicted; the sentence imposed; the date he commenced service of sentence; and the place of confinement. In the case of a petition for pardon, the petitioner should also state his age at the time of commission of the offense; the date of release from confinement; whether he is a citizen of the United States or an alien; his marital status; his prior and subsequent criminal record, if any; his employment since conviction; and his place of residence. A petition may be accompanied by endorsements. It is desirable that all applications for pardons be accompanied by at least three character affidavits.

§ 1.3 *Eligibility for filing petition for pardon.*—No petition for pardon should be filed until the expiration of a waiting period of at least 3 years subsequent to the date of the release of the petitioner from confinement, or, in case no prison sentence was imposed, until the expiration of a period of at least 3 years subsequent to the date of the conviction of the petitioner. In some cases, such as those involving violation of narcotic laws, income tax laws, perjury, violation of public trust involving personal dishonesty, or other crimes of a serious nature a waiting period of 5 years is usually required. In cases of aliens seeking a pardon to avert deportation, the waiting period may be waived. Generally, no petition should be submitted by a person who is on probation or parole.

§ 1.4 *Eligibility for filing petition for commutation of sentence.*—A petition for commutation of sentence, including remission of fine, should be filed only if no other form of relief is available, such as from the court or the United States Board of Parole, or if unusual circumstances exist, such as critical illness, severity of sentence, ineligibility for parole, or meritorious service rendered by the petitioner.

§ 1.5 *Offenses against the laws of possessions or territories of the United States.*—Petitions for Executive clemency shall relate only to violations of laws of the United States. Petitions relating to violations of laws of the possessions of the United States or territories subject to the jurisdiction thereof should be submitted to the appropriate official or agency of the possession or territory concerned.

§ 1.6 *Disclosure of files.*—Reports, memoranda, and communications submitted or furnished in connection with the consideration of a petition for Executive clemency shall be available only to officials concerned with the consideration of the petition; provided that they may be open to inspection by the petitioner or by his attorney or other representative if, in the opinion of the Attorney General or his representative, the disclosure sought is required by the ends of justice.

§ 1.7 *Consideration of petitions by the Attorney General; recommendations to the President.*—(a) Upon receipt of a petition for Executive clemency, the Attorney General shall consider that petition and cause such investigation to be made with respect thereto as he may deem appropriate and necessary, using the services of, or obtaining reports from appropriate officials and agencies of the Government, including the Federal Bureau of Investigation, to the extent deemed necessary or desirable.

(b) The Attorney General shall review each petition and all pertinent information developed by his investigation thereof and shall advise the President whether, in his judgment, the request for clemency is of sufficient merit to warrant favorable action by the President.

(c) If he determines that the request merits favorable action by the President, he shall submit the petition to the President together with a warrant prepared for the signature of the President granting the clemency recommended by the Attorney General.

(d) If he determines that the petition and information developed by his investigation do not, in his judgment, merit favorable action by the President he shall provide the President with a concise statement enumerating the essential facts concerning the petitioner, the petition, and his reasons for recommending denial of clemency.

§ 1.8 *Notification of grant of clemency.*—When a petition for pardon is granted, the petitioner or his attorney shall be notified of such action, and the warrant of pardon shall be mailed to the petitioner. When commutation of sentence is granted, the petitioner shall be notified of such action, and the warrant of commutation shall be sent to the petitioner through the officer in charge of his place of confinement, or directly to the petitioner if he is on parole.

§ 1.9 *Notification of denial of clemency.*—(a) Whenever the President notifies the Attorney General that he is denying a request for clemency, the Attorney General, or at his direction the Pardon Attorney, shall so advise the petitioner and close the case.

(b) Whenever the Attorney General recommends that the President deny a request for clemency and the President does not disapprove or take other action with respect to that adverse recommendation within 30 days after the date of its submission to him, it shall be presumed that the President concurs in that adverse recommendation of the Attorney General, and the Attorney General, or at his direction the Pardon Attorney, shall so advise the petitioner and close the case.

These regulations shall become effective on the thirty-first day following the date of their publication in the FEDERAL REGISTER.

ROBERT F. KENNEDY,
Attorney General.

Date: October 18, 1962.

Approved: JOHN F. KENNEDY.

Date: October 30, 1962.

Published in the FEDERAL REGISTER of the National Archives of the United States, November 10, 1962, Volume 27, Number 220, Part I, at pages 11002 and 11003.

THE WHITE HOUSE

WASHINGTON

January 15, 1976

MEMORANDUM FOR: PHIL BUCHEN

FROM: JACK MARSH 

Speaker Carl Albert mentioned to me the possibility of a pardon for an individual named Cy Anderson, who is sort of a favorite on Capitol Hill. Apparently he is an individual of some age and there's a real hardship case involved. According to Carl, he was one of those individuals who was indicted and sentenced in the matter involving Senator Brewster. It may be that he is the only person involved who actually went to the penitentiary. He has had a long association on Capitol Hill and I gather is rather well thought of there.

One of the things that causes Carl to have such a strong interest in him is the fact that both of his parents are mutes, and the present situation impacts very harshly on them.

How would you suggest I proceed on this matter?

Many thanks.



THE WHITE HOUSE
WASHINGTON

January 21, 1976

MEMORANDUM FOR THE PRESIDENT

THROUGH:

PHILIP BUCHEN *P.B.*

FROM:

KENNETH LAZARUS *KL*

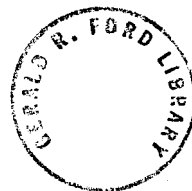
SUBJECT:

Petition of Fred Douglas Parker for
Commutation of Sentence - Terminal Illness

Attached are the recommendation of the Attorney General that the President commute to 10 years imprisonment the sentence of Fred Douglas Parker (Tab A) and the supporting document for your signature (Tab B).

Mr. Parker, who is confined at the Medical Center for Federal Prisoners in Springfield, Missouri, is suffering from lung cancer and we are advised he has a life expectancy of 2 to 4 months. Commutation of his current sentence to imprisonment for 10 years would make him immediately eligible for parole. As he has a long criminal history, Mr. Parker would be placed under regular parole supervision and would remain liable for the \$5,000 fine imposed as part of his sentence. If he should survive longer than the few months anticipated by medical authorities, he could be returned to prison if he violates any of the conditions of parole.

Attachments



*Rep. Nat
Center*

Wednesday 3/10/76

9:35 Yesterday Mary Louise Smith called to talk with you while your "big" meeting was going on. 484-6700

She said that an Iowan who once ran for Congressman was indicted for misuse of union funds; District Court Judge has discharged his probation and indicated no objection to restoration of his rights; Governor of Iowa has recommended a pardon. Mrs. Smith wanted to ask about pardon procedures, etc.

Since both you and Ken were in the meeting, I told her I would have the Pardon Attorney or someone in his office call to explain the process.

I checked this morning with Mrs. Smith's secretary and she advises they called her back promptly and her questions were answered -- she is most appreciative.



ITEM WITHDRAWAL SHEET
WITHDRAWAL ID 00652

Collection/Series/Folder ID No. : 001900085
Reason for Withdrawal : DR, Donor restriction
Type of Material : MEM, Memo(s)
Creator's Name : Philip Buchen
Receiver's Name : Harold Tyler
Description : re Ronald and John Tulley
Creation Date : 03/19/1976
Date Withdrawn : 05/10/1988

~~page 1, 2, 4, 5, 8 of the case file~~
~~opened 7/20/04 WTTM~~
not opened

THE WHITE HOUSE

WASHINGTON

May 31, 1976

Demsey

MEMORANDUM FOR: KEN LAZARUS
FROM: PHIL BUCHEN *P.*
SUBJECT: Proposed Executive Order
in connection with the
United States Parole Commission

Attached is a memorandum to Bob Linder from OMB.

I assume you already know about this matter and have followed it, but, if not, please advise.





EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

GENERAL COUNSEL

MAY 24 1976

MEMORANDUM FOR ROBERT D. LINDER

Subject: Proposed Executive order entitled "Delegating Authority of the President to Concur in Designations of Commissioners, United States Parole Commission"

Enclosed, for the President's consideration is a proposed Executive order submitted by the Department of Justice. It would provide for the Attorney General to be the President's designee for purposes of concurring in the designations, by the Chairman of the United States Parole Commission, of the Vice Chairman, the three members of the National Appeals Board, and the regional Commissioners, pursuant to Public Law 94-233 (18 U.S.C. 4204(a)(5)).

Since the Commission was established as an independent agency within the Department of Justice, such designation is appropriate.

All nine Commissioners are appointed by the President with the consent of the Senate (18 U.S.C. 4202). The designations by the Chairman are from among the nine Commissioners. The Chairman is designated by the President.

The proposed order was approved by the Department of Justice as to form and legality, subject to the approval of the Director of the Office of Management and Budget. The Justice transmittal letter is enclosed.

The proposed Executive order, as prepared and approved by the Department of Justice, has the approval of the Director of the Office of Management and Budget.

[(Signed)] Ronald A. Kienlen

Ronald A. Kienlen
Assistant General Counsel

Enclosures

COPY FOR WHITE HOUSE LEGAL COUNSEL



Department of Justice

Washington, D.C. 20530

MAY 10 1976

Honorable William M. Nichols
General Counsel
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Nichols:

Enclosed is a proposed Executive order entitled "Delegating Authority of the President to Concur in Designations of Commissioners, United States Parole Commission." The order was prepared in this Office.

The Parole Commission and Reorganization Act established the United States Parole Commission as an independent agency in the Department of Justice, replacing the Board of Parole. (Public Law 94-233; 18 U.S.C. 4201 et seq.). The Commission consists of nine members appointed by the President with the advice and consent of the Senate, and the President designates one Commissioner to serve as Chairman. (New 18 U.S.C. 4202). Section 4203(a)(2) authorizes the Commission to create not less than five regions.

Section 4204(a)(5) authorizes the Chairman to "designate three Commissioners to serve on the National Appeals Board of whom one shall be so designated to serve as vice chairman of the Commission" and to designate one Commissioner to serve as regional Commissioner in each region, but provides that "no such designation shall take effect unless concurred in by the President, or his designee."

The proposed Executive order would make the Attorney General the President's designee for purposes



of concurring in designations of Commissioners under section 4204(a)(5).

Subject to the approval of the Director of the Office of Management and Budget, the proposed order is approved as to form and legality.

Sincerely,



Leon Ulman

Acting Assistant Attorney General
Office of Legal Counsel

EXECUTIVE ORDER

DELEGATING AUTHORITY OF THE PRESIDENT TO CONCUR
IN DESIGNATIONS OF COMMISSIONERS,
UNITED STATES PAROLE COMMISSION

By virtue of the authority vested in me by Section 301 of Title 3, United States Code, and Section 4204(a)(5) of Title 18, United States Code, as enacted by the Parole Commission and Reorganization Act (Public Law 94-233), and as President of the United States of America, it is hereby ordered that the Attorney General shall serve as the President's designee for purposes of concurring in designations of Commissioners of the United States Parole Commission to serve on the National Appeals Board, as vice chairman of the Commission, and as regional Commissioner.

THE WHITE HOUSE

, 1976



Demery

THE WHITE HOUSE

WASHINGTON

May 31, 1976

MEMORANDUM FOR: KEN LAZARUS

FROM: PHIL BUCHEN *P.*

Here is a letter from Mrs. Elmer E. Carter, Jr., to the President. She writes about steps being taken in connection with an executive pardon for her husband.

Please check with the Pardon Attorney and prepare a suggested response.



Copy of letter of service

The President Of The United States,
The White House
Washington 25,D. C.

May 12, 1976

Mrs. Eleanor E. Carter
500I- F . ST. S. E.
Wash, D. C. 2000I9
584-I297

15-2

My Dear Mr. President,

In all Sincerity I, will always be greatful for your interest in my husband.s case. He has recived a letter allowing him to apply for executive Pardon, Since then a TV. station has been interest also Iam takeing this time to thank you and Mrs. Ford because I, am sure he would not have recived that letter if it not have been for your interest in his case.

I wrote several letter,s asking for your help . I truly appreciate your concern . And I, shall let the black people know who showed that interest. Black people should know who really cares and who unstdnd them , I, for one will campaign in my neighborhood for you , Feel free to call on me and my husband at any time .

I, thank you , He thank,s you and my children thank you

Your,s Very Truly :

Mrs. Eleanor E. Carter Jr.

Mr. Willie Edward Carter Jr.
Lewisburg Penitentiary Federal
Lewisburg Pennsylvania zip I7837
ID. No. 003-86-I58



Mrs. Eleanor E. Carter Jr.

THE WHITE HOUSE
WASHINGTON

6/10/76

To Ken:

Please handle
with Pardon Atty.

If there is any
problem, please
advise the Congressman
by letter with copy
to Legport.
P.



June 8, 1976

Dear Kika:

Thank you for your June 2 letter to the President forwarding a copy of the letter from Mr. Frank R. Nye, Jr., asking that full consideration be given to granting executive clemency to Mr. Roberto Barrera.

Please be assured that this communication will be called to the attention of the President and the appropriate Presidential advisers. As you may know, initial consideration to requests for a Presidential Pardon is handled by the Office of the Pardon Attorney, who submits his recommendations to the Attorney General and he in turn makes recommendations to the President.

With kind regards,

Sincerely,

Charles Leppert, Jr.
Deputy Assistant
to the President

The Honorable E. (Kika) de la Garza
House of Representatives
Washington, D.C. 20515

bcc: w/incoming to Philip Buchen for appropriate handling

CL:JEB:VO:rg



Re President's Pardon

Congress of the United States
House of Representatives
Washington, D.C. 20515

2 June 1976

Hon Gerald R Ford
President of the United States
The White House
Washington, D C

MF
encl

Dear Mr President

Attached is a copy of a letter addressed to you from the Honorable Frank R Nye, Jr of Rio Grande City, Texas.

Mr Nye has been a valued friend and constituent of mine for many years--and he and other prominent members of the community have been in touch with me in behalf of Heberto Barrera who is seeking a Presidential Pardon.

While it is certainly not my intention to intrude into your own highly qualified administration of this area, I would appreciate any consideration that can be given Mr Barrera's request, commensurate with your policies.

With my always high regards, I am

Sincerely

Kika de la Garza
E (Kika) de la Garza, M C

bm
attachment



Frank R. Nye, Jr.
Attorney and Counselor
Rio Grande City, Texas 79582
May 27, 1976

President Gerald R. Ford
White House
Washington, D. C.

Dear President Ford:

There is a matter of great concern to all of us that has been in the hands of Mr. Traylor, United States Pardons Attorney with the United States Department of Justice and it is the request for a Presidential Pardon by Mr. Heberto Barrera of this city.

This request has been active for the past ten months and we have been advised that all reports and necessary legal prerequisites have been fulfilled and still there has been no determination of same.

We feel very strongly about this case because of the circumstances under which it arose and though we do not wish to burden you with the details sufficient to say that justice has been served and that it is now time for equitable action on the part of our Chief Executive.

We sincerely hope that you will direct that this matter be expedited and we would be grateful to once again see our system of government operate as our founding fathers could foresee.

Yours very truly,


Frank R. Nye, Jr.

cc: ✓ Honorable E. de la Garza

Honorable Lloyd Bentsen



Clemency

THE WHITE HOUSE
WASHINGTON

June 10, 1976

MEMORANDUM FOR: KEN LAZARUS
FROM: PHIL BUCHEN *P.*

Attached is a memorandum from
Ted Marrs. If you agree with
him, please file.



THE WHITE HOUSE
WASHINGTON

June 7, 1976

MEMORANDUM FOR: PHIL BUCHEN
FROM: TED MARRS *gfd*
SUBJECT: CLEMENCY PLEA

Subject to your concurrence I would prefer
not responding to this petition.

Enclosure



*pro amnesty
pro Watergate & pardoned*
PETITION

To the Honorable GERALD FORD, President of the United States:

Your Petitioner, L. W. McPhaul, a citizen of the United States and a resident of the State of Colorado, living in Avondale, Colorado, believes that an injustice is being done to various defendants in the recent Watergate case and also to many citizens of the United States who left this country to avoid military service in South Viet Nam. He believes that these are all potentially good citizens. In regard to Watergate he points out that since some offenders have been pardoned or have otherwise escaped punishment, the same clemency should be extended to those who are now imprisoned or are awaiting trial. As to the so-called draft evaders, he asserts that many of them were sincere in their beliefs and that subsequent events have shown that they were justified in holding those beliefs.

Your petitioner, L. W. McPhaul, believes that he is an average American and that thousands of other such citizens believe, as he does, that all Watergate alleged offenders and all so-called draft evaders should be pardoned and returned to good standing as American citizens. He therefore

RESPECTFULLY REQUESTS AND PETITIONS that you, Gerald Ford, the President of the United States, issue an unconditional pardon to all Watergate offenders and to all so-called draft evaders.

Respectfully submitted, this 14th day of May, A. D. 1976.

L. W. McPhaul

L. W. McPhaul

P. O. Box 4,

Avondale, Pueblo County, Colorado



Clemency

THE WHITE HOUSE
WASHINGTON

June 11, 1976

MEMORANDUM FOR THE PRESIDENT

THROUGH: PHILIP W. BUCHEN *P.*

FROM: KENNETH A. LAZARUS *KL*

SUBJECT: Petition of Donald LaVerne Huston for
Commutation of Sentence - Terminal Illness

Attached (Tab A) is the recommendation of the Attorney General that the President commute to 8 years and 9 months imprisonment the prison term of Donald LaVerne Huston. Mr. Huston, who is confined to the Medical Center for Federal Prisoners in Springfield, Missouri, is suffering from lung cancer. We are advised that his life expectancy is 6 to 8 months. If his prison term is commuted as recommended, it will make him immediately eligible for parole. If granted parole he would remain under parole supervision until 1982 if his death should not occur before then.

The petitioner was convicted in the United States District Court of the Central District of California on a charge of bank robbery and on October 1, 1973, was sentenced to imprisonment for 13 years. Without a commutation of sentence, he would not be eligible for parole until October 25, 1977.

Recommendation:

It is recommended that you sign the document attached at Tab B.



OFFICE OF
THE PARDON ATTORNEY



76 04 505 Huston

Sentenced in Central California in 1973 to 13 years' imprisonment for bank robbery. Has serious prior criminal record. At 48, he is suffering from lung cancer and has life expectancy of six to eight months. Director, Bureau of Prisons, recommends commutation of sentence. United States Attorney does not oppose release on parole. It is recommended that sentence be commuted to eight years and nine months' imprisonment to make petitioner eligible for immediate parole consideration.



getaway car driven by a codefendant. On June 22, 1973 he was arrested at his wife's home in California. He admits that at the time of the robbery he had been drinking heavily but that he was aware of what he was doing.

Petitioner, who was 45 years of age when the offense was committed, has a serious prior criminal record. In 1953 he was charged with failure to provide but was released to reenter the Marine Corps. In 1961 he was placed on probation for five years for failure to provide. In 1963 he was charged with failure to provide and violation of probation after he left California without permission. He was continued on probation for five years with the first 90 days to be spent in a road camp. A 1963 battery charge was dismissed. In 1964 petitioner was convicted of bank robbery in Michigan and received a Federal prison sentence of 15 years. Paroled in December 1969, petitioner violated parole and was returned to custody in October 1970 for absconding from parole and excessive use of alcohol. Reparoled in January 1973 he again violated parole by failing to abide by the terms of his parole and committing the instant offense. The Parole Board has issued a warrant against him for these violations and 2,739 days remain to be served on his 1964 bank robbery offense.



Petitioner served four enlistments in the Navy and Marine Corps and from each of these enlistments received an honorable discharge. However, his service was marked by intermittent periods of heavy drinking and repeated confinement and restriction. In 1955 and again in 1957 petitioner was court-martialed for absences without leave. In 1958 he was diagnosed by Navy doctors as suffering from alcoholism, chronic, moderate. He was judged unfit for military duty because of inadequate personality and a discharge was recommended.

Born in 1928 in Michigan, petitioner has been married three times and his two earlier marriages were dissolved by divorce. He has three children by his second wife. His third marriage occurred in 1973 and is intact. In view of his problem with alcohol and his previous periods of incarceration, petitioner does not have a significant employment history since his last release from military service in 1958. When employed in the community, he has worked as a policeman, bartender and dental technician.

Petitioner was committed to the United States Penitentiary, Leavenworth, Kansas, on November 23, 1973 and made a very good adjustment. He worked as a clerk in the business office in the prison industries complex and



received very good work reports. He attended some college classes and was working toward an Associate of Arts degree in business administration until a few months ago when it was ascertained that he had a right upper lobe lung tumor.

Petitioner was transferred to the Medical Center at Springfield in March 1976 for evaluation of the tumor. On April 12, 1976 he underwent a right thoracotomy and the tumor mass in the right lobe of the lung was found to be unresectable in that there was spread of the tumor in the mediastinum and the surface of the vena cava. The Director, Medical Center for Federal Prisoners, Springfield, Missouri, advises that the expected life span for a person with this type of cancer and with this degree of spread is approximately six to eight months. Following his operation petitioner commenced receiving radiation therapy and possibly will receive chemotherapy in the near future. A prison medical doctor states that a cure with radiation therapy and/or chemotherapy would be a rarity and recommends that every consideration be given to petitioner's early release from prison.

The Acting Medical Director of the Bureau of Prisons agrees with the foregoing prognosis and the



Director, Bureau of Prisons, recommends that petitioner be given favorable clemency consideration.

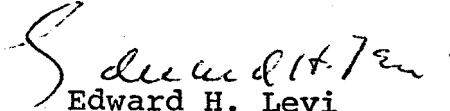
The United States Attorney states that, giving due weight to the medical diagnosis, he does not oppose the early release of petitioner under parole supervision. The sentencing judge does not desire to make a recommendation in this case.

This 48-year-old petitioner has served approximately three years of a 13-year sentence. Medical reports indicate that he has a terminal illness and a life expectancy as of April 1976 of six to eight months. His wife has shown considerable interest in his welfare and has agreed to assume responsibility for his care in Pacific Grove, California, and since he is an honorably discharged veteran, he would be accepted at a nearby Veterans Administration hospital if his condition required hospitalization. The extension of clemency to him would be consistent with the policy of the Department to recommend clemency in terminal illness cases in order to permit an inmate to die at home. It is my opinion that his release would not pose a serious threat to society in view of his illness and brief life expectancy. Accordingly, it is my advice that petitioner's



13-year sentence of imprisonment be commuted to eight years and nine months' imprisonment. This action would make petitioner immediately eligible for parole. If granted parole, he would remain under parole supervision until 1982 in the event that his death should not occur sooner. If his reparole should be revoked for his 1964 bank robbery offense, the Parole Commission would have jurisdiction to reinstitute parole for the 2,739 days remaining of that sentence.

Respectfully,


Edward H. Levi
Attorney General



GERALD R. FORD

President of the United States of America

To all to whom these presents shall come, Greeting:

WHEREAS Donald LaVerne Huston was convicted in the United States District Court for the Central District of California on an indictment (No. 13036) charging violation of Section 2113(a), Title 18, United States Code, and on October first, 1973 was sentenced to imprisonment for thirteen years; and

WHEREAS the said Donald LaVerne Huston is presently confined at the Medical Center for Federal Prisoners, Springfield, Missouri, and will become eligible for parole consideration on October twenty-fifth, 1977; and

WHEREAS it has been made to appear that the ends of justice do not require that the aforesaid sentence be served in its entirety:

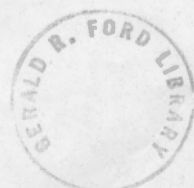
NOW, THEREFORE, BE IT KNOWN, that I, GERALD R. FORD, President of the United States of America, in consideration of the premises, divers other good and sufficient reasons me thereunto moving, do hereby commute the aforesaid prison sentence of the said Donald LaVerne Huston to eight years and nine months' imprisonment.

IN TESTIMONY WHEREOF I have hereunto signed my name and caused the seal of the Department of Justice to be affixed.

DONE at the City of Washington this
day of _____ in the year of our Lord
One Thousand Nine Hundred and Seventy-six
and of the Independence of the United States
the Two Hundredth.

By the President:

Attorney General



July 27, 1976

Clemency

Dear Mrs. Richerson:

This is in reply to your letter of July 7, 1976, to Mr. Phillip Buchen concerning the status of the petition for commutation of sentence submitted by your son, Rowan G. Richerson.

Mr. Richerson's petition was received in the Department of Justice in February 1976 and is still being considered in the Department. As you probably know, the President acts in clemency matters after receiving the recommendation of the Attorney General.

You may be sure that your son's petition is receiving very careful consideration in the Justice Department and that it also will receive equally careful attention in the White House.

Thank you for writing.

Sincerely,

124

Kenneth A. Lazarus
Associate Counsel
to the President

Mrs. J. E. Richerson
9220 South Dodson Drive
Fort Worth, Texas 76108

KAL:dln

bcc: PWB ✓ FYI



Clemency

September 11, 1976

MEMORANDUM FOR

Lawrence M. Traylor
Pardon Attorney

SUBJECT: Application by Mr. Nicholas L.
Kouretas for Presidential Pardon

Attached are copies of correspondence on the above
subject for your information.

Philip W. Buchen
Counsel to the President

Attachments



JIM WRIGHT
12TH DISTRICT, TEXAS

9-2

Re Pardon

Congress of the United States
House of Representatives
Washington, D.C. 20515

August 31, 1976

ME
The President
The White House
Washington, D.C.

Dear Mr. President:

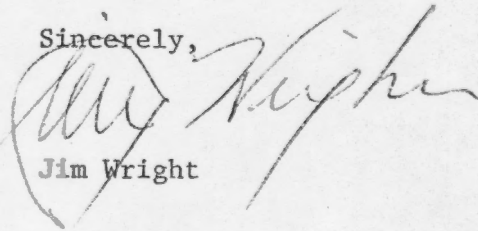
It is my understanding that Mr. Nicholas L. Kouretas, 1200 Usher Street, Fort Worth, Texas, 76126, has made application for a Presidential Pardon after having completed a sentence for a federal narcotics offense.

A number of respected members of the Fort Worth community have made recommendations supporting Mr. Kouretas' application and have commended him for his work in counseling in drug abuse prevention programs.

It is my hope that you will give his application the serious consideration it deserves.

Best wishes.

Sincerely,


Jim Wright



Monday 12/6/76

Baseling
J.

3:50 Mary in Dick Parson's office said she was shocked when she read in the papers over the weekend that the Supreme Court had granted a stay of execution for Gary Gilmore ----- after having been told by Larry Simms at Justice that the Supreme Court had denied the stay.

Mary called Mr. Simms and asked why he had given her that information. He went into great detail that he had been in touch with Bobbie Kilberg, etc. Finally, he said that the information which he gave her about the Supreme Court denying the stay had been given to him by a secretary in Mr. Scalia's office.

Mary felt so badly that she gave you the wrong information.



For filing

Friday 12/3/76

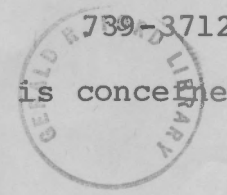
4:40 Dick Parsons' secretary, Mary, said she has had a call from the Justice Dept.

The Supreme Court has denied Gilmore's mother's motion for stay of execution.

In view of the timing, unless they make telephonic requests, it would be too late because of execution date of Monday.

Since it is a state court matter and the President really doesn't have jurisdiction, Justice is needing guidance on how to handle the request.

Would you want to call Larry Simms at Justice and tell them how you feel it should be handled? As far as the President is concerned.



THE WHITE HOUSE OFFICE

REFERRAL

To: The Honorable Edward H. Levi
The Attorney General
Washington, D. C. 20530

Date: December 3, 1976

ACTION REQUESTED

- Draft reply for:
 - President's signature.
 - Undersigned's signature.
- Memorandum for use as enclosure to reply.
- Direct reply.
- Furnish information copy.
- Suitable acknowledgment or other appropriate handling.
- Furnish copy of reply, if any.
- For your information.
- For comment.

NOTE

Prompt action is essential.

If more than 72 hours' delay is encountered, please telephone the undersigned immediately, Code 1450.

Basic correspondence should be returned when draft reply, memorandum, or comment is requested.

REMARKS:

Asks President to Commute execution of Gary M. Gilmore

Description:

Letter: Telegram: Other:

To: The President
From: The Reverend Jesse L. Jackson
Date: 12-3-76
Subject:

By direction of the President:



Richard D. Parsons
General Counsel and Associate Director
Domestic Council

(Copy to remain with correspondence)

OPERATION PUSH FRANK E WATKINS
930 EAST 50 ST
CHICAGO IL 60615



Mailgram®



2-001926E338 12/03/76 ICS IPMBNGZ CSP WSHB
3122687782 MGM TDBN CHICAGO IL 207 12-03 0134A EST

PRESIDENT GERALD R FORD
WHITE HOUSE

WASHINGTON DC 20500

DP

DEAR PRESIDENT FORD:

THE GARY M GILMORE CASE IS ONE WHICH DISTURBS ME A GREAT DEAL ON MANY DIFFERENT LEVELS, AS A MINISTER OF THE GOSPEL THE RELIGIOUS AND MORAL DIMENSIONS DISTURB ME BECAUSE MY RELIGION TELLS ME THAT NO MAN HAS THE RIGHT TO TAKE ANOTHER'S LIFE AND THAT NO PERSON IS BEYOND THE REALM OF REDEMPTION. CAPITAL PUNISHMENT IS NOT REPRESENTATIVE OF A CIVILIZED PEOPLE, ON THE PRACTICAL LEVEL IT DISTURBS BECAUSE STUDIES ARE INCONCLUSIVE AS TO ITS DETERRENT EFFECT, ON THE POLITICAL LEVEL IT IS BLACK AND POOR PEOPLE WHO ARE MOST OFTEN SENTENCED TO DEATH, LOVE AND JUSTICE REQUIRE MORE THAN INDULGING OR RIDDING THE SOCIETY OF THOSE PERSONS WHO ARE EITHER SICK OR IN TROUBLE.

EVEN THOSE PERSONS WHO FIND THEMSELVES ON THE OPPOSITE SIDE OF YOU POLITICALLY HAVE SAID YOU ARE A KIND, COMPASSIONATE AND DECENT MAN. I CAN THINK OF NOTHING MORE DECENT FOR YOU TO DO THAN TO COMMUTE MR GILMORE'S EXECUTION AND ALLOW THE SUPREME COURT TO RULE IN TIME AS TO WHETHER CAPITAL PUNISHMENT CONSTITUTES CRUEL AND UNUSUAL PUNISHMENT--WHICH WE CERTAINLY THINK IT DOES.

YOURS FOR A DECENT TOMORROW,
REVEREND JESSE L JACKSON
NATIONAL PRESIDENT
OPERATION PUSH

01:36 EST

MGMCOMP MGM



cc: Bucher

THE WHITE HOUSE
WASHINGTON

December 8, 1976

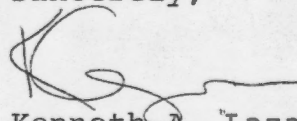
Dear Congressman Kemp:

Your letter of November 22, 1976, to the President concerning the pardon application of Mr. Harry Lee Stokes has been referred to me for further reply.

The Pardon Attorney in the Department of Justice advises me that he has been informed that Mr. Stokes has been discharged from parole and that he will immediately continue the processing of the Stokes pardon application. The application will be processed as quickly as possible and you will be notified when a decision is reached.

We appreciate your interest in clemency matters.

Sincerely,



Kenneth A. Lazarus
Associate Counsel
to the President

The Honorable Jack Kemp
U. S. House of Representatives
Washington, D.C. 20515



Wednesday 12/15/76

12:35 Jim Gavin called. You so kindly 554-2850
answered the letter he wrote to the President
on November 22nd concerning a pardon for
G. Gordon Liddy, and he appreciated it very
much.

He and Mrs. Liddy did submit the petitions
to the Pardon Attorney last week.

Mr. Gavin would very much like to come in
for a personal meeting with you -- no publicity --
just wants to talk with you personally. He
is a friend and neighbor of the Liddys.

He will be going out of town tomorrow, but
would hope to be able to see you for a few
minutes either Friday or next Monday.

(see attached letter)



THE WHITE HOUSE
WASHINGTON

November 24, 1976

Dear Mr. Gavin:

In behalf of the President, I acknowledge receipt of your letter of November 22, 1976.

All matters of Executive clemency are initiated and handled at the Department of Justice through the Pardon Attorney, Mr. Lawrence Traylor. Therefore, I am sending a copy of your letter to him, and I would suggest that future communications be sent to him.

Best wishes.

Sincerely,

Philip W. Buchen

Philip W. Buchen
Counsel to the President

Mr. James A. Gavin
Chairman
Committee for the Freedom
of G. Gordon Liddy
9721 Indian Princess Drive
Oxon Hill, Maryland 20022

cc: Mr. Lawrence Traylor
Mr. William Nicholson



Thursday 12/16/76

3:10 I advised Jim Gavin that you were so
very busy and would not be able to meet
with him -- and that the matter was
solely with the Pardon Attorney at
the Justice Department.

554-2850



12:35 Jim Gavin called. You so kindly 554-2850
answered the letter he wrote to the President
on November 22nd concerning a pardon for
G. Gordon Liddy, and he appreciated it very
much.

He and Mrs. Liddy did submit the petitions
to the Pardon Attorney last week.

Mr. Gavin would very much like to come in
for a personal meeting with you -- no publicity --
just wants to talk with you personally. He
is a friend and neighbor of the Liddys.

He will be going out of town tomorrow, but
would hope to be able to see you for a few
minutes either Friday or next Monday.



Friday 12/10/76

9:10 Larry Speakes said he needs to talk with concerning a question they were asked last night -- indicates Agnew is seeking a pardon.

2100

He's sure they will be asked the same question at the press briefing this morning.

*advised Larry
We haven't heard or seen anything.
Ken Lagers to call
him.*

