

19 August 1947

UNITED STATES)
))
 v.)
))
Heinz Franz Herbert MINX)

Case No. 12-1949

REVIEW AND RECOMMENDATIONS

I. TRIAL DATA: The accused was tried at Dachau, Germany, during the period 4 - 5 June 1947, before a General Military Government Court.

II. CHARGE AND PARTICULARS:

CHARGE: Violation of the Laws and Usages of War.

PARTICULARS: In that Heinz Franz Herbert MINX, German national, did, at or near MUENSTEDT, Germany, on or about 24 August 1944, deliberately and wrongfully encourage, aid, abet and participate in the killing of two unidentified airmen, believed to be members of the United States Army, who were then and there surrendered and unarmed prisoners of war in the custody of the then German Reich.

III. DATA AS TO ACCUSED:

1. HEINZ FRANZ HERBERT MINX

This accused was acquitted (R 78).

IV. SUMMARY OF EVIDENCE: On or about 24 August 1944, in the vicinity of Schmedenstedt, Germany, several American airmen parachuted to safety from their disabled bomber (R 10, 11, 37; R 8; P-Ex 7). The accused MINX, in company of three other SS men, proceeded to the village of Schmedenstedt by automobile where they received two of the American fliers who had parachuted to safety (R 12, 38). MINX, who was driving the car, and the other three SS men and the two captured American fliers, then proceeded towards Braunschweig, Germany (R 39). Upon reaching the vicinity of Muenstedt, Harms, the senior SS officer, ordered MINX to stop the car and let the SS men and the captured fliers out to wait while MINX went for another vehicle and returned for them (R 39). After the SS men and the fliers were out of the car MINX started the vehicle and drove away. After proceeding approximately one hundred meters, the car

stopped and at that point MINX heard shots being fired behind him. MINX then returned to where Harms was standing and upon arriving was informed by Harms that the prisoners had attempted to escape and that he had shot them (R 32, 33, 39). MINX then returned to Schmodenstedt and reported the shooting to the Mayor and the police (R 40). The fliers were buried alongside of the road where they had been shot by Harms, by civilian persons under the orders of the police (R 26).

V. CONCLUSIONS:

It is recommended that the record of trial be filed in the records of this office and that a copy of this Review and Recommendations be forwarded to the Judge Advocate, European Command, for his information.

WIMER MOODY
1st Lt., Inf
Post Trial Branch

Having examined the record of trial, I concur.

/s/ C. E. STRAIGHT (17 Oct 47)
Lieutenant Colonel, JAGC
Deputy Judge Advocate
for War Crimes