

DEPUTY JUDGE ADVOCATE'S OFFICE
7708 WAR CRIMES GROUP
EUROPEAN COMMAND

UNITED STATES

vs

Karl STOLL,
a German National

Case No. 12-2313

REVIEW AND RECOMMENDATIONS

1. TRIAL DATA:

ACCUSED

Tried at Dachau, Germany
Date: 6 January 1947
General Military Government Court
Sentence: Imprisonment 10 years,
commencing 1 June 1945

Married
Age 40
Former member of German
Labor Front

CHARGE: Violation of the Laws of War

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FINDINGS

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Particulars: In that Karl STOLL, a German national, did, at or near Griesheim, Frankfurt A/M, Germany, on or about 19 October 1944, wilfully, deliberately and wrongfully, commit an assault with a deadly weapon upon a member of the United States Army, Lloyd C. CARTER, 1st Lt., AC, ASN O-742963, who was then an unarmed, surrendered prisoner of war in the custody of the then German Reich, by shooting him.

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2. RECOMMENDATIONS: That the findings and sentence be approved.

3. EVIDENCE:

For the Prosecution: It was shown that during the month of October 1944, 1st Lt. Lloyd C. CARTER, an American pilot, was forced to bail out of a disabled plane. CARTER landed in the Main River about 20 feet from the bank, in the vicinity of Griesheim, Frankfurt Am Main, Germany, U.S. Zone (F-Ex 1, 2, R 6). He was assisted ashore by witness Christian CHRIST and others. Thereupon he was confronted by the accused Karl STOLL, a political leader of the German Labor Front who fired a pistol into his face. CARTER fell to the ground unconscious (R 10, 11, 19, 26). CARTER was taken to a hospital at Frankfurt, recovered and subsequently liberated by advancing American forces (F-Ex 1, R 6). Accused shortly thereafter admitted the shooting to witnesses Karl RAUSCHENBERG and Karl BODDEWING (R 19, 23, 26). The accused is a German national (R 3).

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testified to the mental condition of accused occasioned by injury to STOLL's head in 1930 automobile accident (R 32, 33, 34, 42, 43).

4. JURISDICTION: The Court was legally constituted and had jurisdiction of the person of the accused and of the offense.

5. COMMENTS: Examination of the entire record fails to disclose any error or omission which resulted in injustice to the accused. Sufficient evidence was produced by the prosecution to substantiate the charge and particulars. The accused was able to differentiate between right and wrong, and sufficient evidence to show insanity was not produced.

6. CLEMENCY: There are no petitions for Review nor Petitions for Clemency.

7. CONCLUSION:

a. It is recommended that the sentence be approved.

b. Legal Forms Nos. 13 and 16 to accomplish this result are attached hereto, should it meet with your approval.

ROBERT J. TRAVIS
Attorney
Post Trial Section

Having examined the record of trial, I concur:

C. E. STRAIGHT
Colonel, JAGD
Deputy Judge Advocate
for War Crimes