

U. S. NAVAL AIR STATION, NAVY NO. 3835
e/o FPO, SAN FRANCISCO, CALIFORNIA

27 October 1957

MEMORANDUM

From: Medical Officer
To: Commanding Officer

Subj: INJURY REPORT in the case of

NAME: OSWALD, Lee H. RATE: Pfc SERVICE NO. 1653230

ATTACHED TO: MAGS-1, MAG-11 DIV. OFFICER:

PLACE INJURY OCCURED: Barracks #5

TIME: 2030 DATE: 27 Oct 1957 WITNESS: None

CIRCUMSTANCES: 1. Within Command, Not Work
2. Man was reaching inside of his locker for shaving cream
and knocked weapon out, causing it to discharge, causing
injury.

REPORTED TO THE STATION HOSP TIME: 2045 DATE: 27 October 1957

DIAGNOSIS: Wound/Gunshot, Left Elbow

TREATMENT: Bandaged and sent to Yokosuka Naval Hospital

PROGNOSIS: DISPOSITION: Transferred to USNI #3923

The following data is for information purposes in accordance with
BuPers Instruction 1085.34.

1. Injury (will) (~~will not~~) result in loss of time to exceed one day.
2. Injury (will) (~~will not~~) possibly result in permanent disability.
3. Death (will) (will not) result from causes other than natural.
4. Investigation (is) (~~is not~~) believed necessary.

Copy to:
NAS OOD
Duty Officer
Safety
Legal
Security
Safety Policy Committee Chairman
Industrial Relations (for Japanese only)
Medical Files

/s/ H. W. RUSSELL
H. W. RUSSELL, Lt. MC USNR
Medical Officer

Enclosure (4)

MARINE AIR CONTROL SQUADRON 1
MARINE AIRCRAFT GROUP 11
1ST MARINE AIRCRAFT WING, AIRCRAFT, FMF, PACIFIC
C/O FLEET POST OFFICE, SAN FRANCISCO, CALIFORNIA

ADG/rdp
AL7
10 May 58

From: Commanding Officer
To: Commanding General, 1st Marine Aircraft Wing (Supervisory Authority)

Subj: Delay in preferring charges, case of Private First Class Lee H.
OSWALD 1653230 USMC

Ref: (a) Report of Investigation, Case 15-58, Criminal Investigation
Section, Office of the Provost Marshal, MAG-11, NAS Atsugi, Japan

1. In the subject case, the delay in preferring charges was the result
of the following factors:

a. Private First Class OSWALD was confined at the Naval Hospital
Yokosuka, Japan undergoing treatment for the gunshot wound from 27 October
1957 to 16 November 1957.

b. This organization was on extended field maneuvers from 18 November
to 18 March 1958 during which time the investigation could not be handled
by squadron personnel.

c. The Report of Investigation by the MAG-11 Provost Marshal (Ref:a)
was not completed until 7 April 1958 and not received until 9 April 1958.

d. Office hours were held on 10 April 1958 and the Charge Sheet
prepared on 11 April 1958.

2. During the period between the commission of the offense and his courts-
martial Private First Class OSWALD was not subject to any disciplinary
restraint and it is not considered that the delay resulted in any injustice.

MARINE AIR CONTROL SQUADRON-1
MARINE AIRCRAFT GROUP-11
1ST MARINE AIRCRAFT WING, AIRCRAFT, VMF, PACIFIC
C/O FLIGHT POST OFFICE, SAN FRANCISCO, CALIFORNIA

23 June 1968

From: First Lieutenant Charles P. WILLIAMS 067681/3010 USMC
To: Commanding Officer, Marine Air Control Squadron-1

Subj: Investigation; report of

Ref: (a) CO, MACS-1 ltr CPW/rdd A17-6 of 10 June 1968
(b) 1955 Naval Supplement to the Manual for Courts Martial
United States, 1961

Encl: (1) Copy of reference (a)
(2) Statement of Pvt. Lee H. OSWALD 1653280 USMC
(3) Statement of Sgt. Francis J. KURDLA 1477068 USMC
(4) Memorandum from NAS Medical Officer to CO MACS-1
(5) Statement of Cpl. L. L. BURTON 1502889 USMC
(6) Statement of Cpl. Alfred J. BALDENSCHWEILER 1623852 USMC

I. Preliminary Statement.

a. An informal investigation of the incident involving the injury sustained by Private Lee H. OSWALD was conducted as directed by reference (a).

b. The investigation commenced by informing Private OSWALD that he was designated a party to the investigation and by advising him of his rights as contained in paragraph 0304 of reference (b). Private OSWALD stated he wished to avail himself of his rights as a party and requested that his statement submitted previously to the Provost Marshal be included in this report. (See enclosure (2)).

c. The investigation was continued by an interview of the only person remaining in Marine Air Control Squadron-1 who was present when this incident occurred. This statement, and the statements previously taken of persons who were present at the time, and the memorandum from the Medical Officer to the Commanding Officer, Marine Air Control Squadron-1 are included as enclosures (3) through (6).

d. As a result of this investigation, the following facts are established:

(1) that Private OSWALD had in his possession a .22 caliber pistol of the deringer type and ammunition for same.

Subj: Investigation; report of

(2) That at or about 2030 on 27 October 1957 he was injured by the discharge of this weapon.

(3) That Private OSWALD's possession of this weapon and the ammunition was in violation of Article 91 of the UCMJ.

(4) That Private OSWALD was awarded a summary court martial on 11 April 1958 for violation of Article 91 UCMJ and found guilty, sentenced to reduction to Private, confinement at hard labor for a period of twenty (20) days, and to forfeit twenty-five (25.00) ^{per month} for two (2) months.

2. Opinions:

a. That Private OSWALD was injured, while removing an article from his locker, by accidentally knocking the (loaded) weapon to the deck where it discharged, the bullet striking him in the left elbow. (See enclosures (2), (3) and (4)).

b. That permanent partial disability may result from this injury. (See enclosure (4)).

c. That Private OSWALD's possession of the pistol and ammunition for same constitutes wrongful conduct in violation of a lawful regulation.

d. That, while Private OSWALD's conduct did constitute wrongful conduct, it did not constitute misconduct as defined in paragraph 0405 of reference (b).

e. That the injury was sustained in the line of duty as defined by paragraph 0405 of reference (b).

3. Recommendations:

a. That Private OSWALD, having been tried by a summary court martial and awarded punishment by same, not be subject to further disciplinary action.

C. P. Williams
C. P. WILLIAMS