

DEPUTY THEATER JUDGE ADVOCATE'S OFFICE
WAR CRIMES BRANCH
UNITED STATES FORCES, EUROPEAN THEATER

UNITED STATES

18 July 1946

v

Case No. 18-485

Ernst Mueller, a German
National.

REVIEW AND RECOMMENDATIONS

1. TRIAL: The accused was tried at Ludwigsburg, Germany, on 19 March 1946 by a General Military Government Court appointed by paragraph 17, Special Orders No. 77, Headquarters, Seventh US Army, APO 758, 18 March 1946.

2. FINDINGS: The offense involved was: Class Findings
CHARGE: Violation of the Laws of War NG 8

Particulars: In that Ernst Mueller, a German National, did, at or near Ludwigsburg, on or about 30 August 1944, willfully, deliberately and wrongfully encourage, aid, abet and participate in the killing of Lt. DYCKMANN, a member of the United States Army, then an unarmed, surrendered prisoner of war in the custody of the then German Reich, by shooting him with a gun. NG 8

3. SENTENCE

The court by at least two-thirds vote of the members present at the time the vote was taken concurring, sentenced the accused to death by hanging. This case was tried by the Seventh US Army and was reviewed by the Staff Judge Advocate of the Third US Army. The record of trial has been forwarded to the Commanding General, USFET, for final action (paragraph 56, Letter, Headquarters, United States Forces, European Theater LO 000.5-2, OLP 18 July 1945, subject: "Trial of War Crimes and Related Cases"; Military Government Regulations, Title 5, Section 5-312.1) and letter, Headquarters,