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Motion Nr. 2

(stamp): 13⁰⁰

Filed 29. March 1948 with
Secretary General
for Military Tribunal
Defense Center

UNITED STATES MILITARY TRIBUNAL III

Nuernberg, Germany

THE UNITED STATES OF AMERICA :

" against " :

ALFRIED KRUPP VON BOHLEN UND : Case No. 10
HALBACH, et al. :

Defendants

MOTION TO DISMISS FOR FAILURE TO
PROPERLY PREPARE, REFER OR INVESTIGATE THE CHARGES.

COMES NOW the defendant Friedrich von Buelow and moves this Tribunal to dismiss the charges and specifications thereunder against him upon the ground that such charges and specifications were never properly referred to this Tribunal for hearing and determination, in that said charges and specifications were not prepared, submitted, acted upon and investigated in the manner prescribed by the military law of the United States, the laws and customs of war, and are in derogation of the provisions contained in Article 14 of the Charter of the International Military Tribunal as annexed to and forming a part of the London Agreement of 8 August 1945 and Control Council Law # 10.

This motion is based upon the record of trial and oral testimony to be adduced at the hearing hereon.

/s/ Josef S. Robinson
/s/ Dr. Wolfgang Fohle by We

(Joseph S. ROBINSON,)
(Dr. Wolfgang FOHLE)
Attorneys for Friedrich von Buelow.