

Amended

Motion Nr. 3

(stamp) 1300

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

MOTION BY DEFENDANT TO DISMISS THE "INDICTMENT"
FOR DEFECTS APPEARING ON ITS FACE.

UNITED STATES MILITARY TRIBUNAL III

Nurnberg, Germany.

THE UNITED STATES OF AMERICA :

- against - :

ALFRIED KRUPP VON BOHLEN UND
HALBACH, et al. :

Case No. 10

Defendants

The defendant Friedrich von Buelow moves as to
him

- a) on the first Count of the "indictment"
- b) on the second Count of the "indictment"
- c) on the third Count of the "indictment"
- d) on the fourth Count of the "indictment"

that each such Count be dismissed on the following grounds:

1. That each of the several Counts therein contained does not state facts sufficient to constitute an offense;

2. That each of the several Counts therein contained does not state facts sufficient to constitute an offense against the United States of America;

3. That the allegations contained in each of the

several Counts are vague, indefinite, uncertain, multifarious and confusing to an extent that the defendant herein cannot determine the offenses sought to be charged against him and he is unable to prepare a defense thereto;

5. That the indictment was not found within three years after the offenses therein were allegedly committed;

6. That each such Count alleges the commission of offenses prior to 7 December 1941, the date of the commencement of war between Germany and the United States of America, and therefore alleges no offense against the sovereignty of the United States of America under national or international law.

/s/ Joseph S. Robinson Dr. Wolfgang Pohle by We

Joseph S. ROBINSON, Dr. Wolfgang POHLE

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