

23:8

JUDGMENT ORDERS

NAKANO - NAL

78/177

C

*Nakano, Hideko*

1 Wayne M. Collins  
Attorney at Law  
2 Mills Tower, 220 Bush Street  
San Francisco 4, Calif.  
3 GARfield 1-5827  
4 Attorney for Plaintiffs

ORIGINAL  
FILED

MAY 3 1957  
Clerk, U.S. Dist. Court  
San Francisco

5 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA

7 TADAYASU ABO, et al., etc., )  
Plaintiffs, )

8 -vs-

No. 25294

9 HERBERT BROWNELL, JR., as Attorney General )  
of the United States, etc., et al., )  
10 Defendants. )

11 and

Cons. No. 25294-G

12 MARY KANAME FURUYA, et al., etc., )  
Plaintiffs, )

13 -vs-

14 HERBERT BROWNELL, JR., as Attorney General )  
of the United States, etc., et al., )  
15 Defendants, )

No. 25295

16  
17 FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
PARTIES PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
18 UNITED STATES NATIONALS.

19 This cause (originally consisting of companion suits Nos.  
20 25294-G and 25295-G, which have been consolidated under No. 25294-G)  
21 being submitted to this Court, sitting without a jury, for decision  
22 on the merits of the individual causes of certain parties-plaintiff,  
23 hereinafter named, pursuant to a written "Stipulation Re Judgment  
24 as to Certain Named Parties-Plaintiff Who Have Been Documented or  
25 Recognized as United States Nationals" entered into between the  
26 parties hereto and filed herein this date; and it being stipulated  
27 that, subsequent to their purported renunciations of United States  
28 nationality pursuant to the provisions of Section 401 (i) of the  
29 Nationality Act of 1940, as amended, (former Title 8 U.S.C., Section  
30 801 (i) during the calendar years, 1944 and 1945, said plaintiffs  
31 have been documented or recognized as United States nationals upon  
32 their applications duly made either to the Department of State or to  
the United States Immigration and Naturalization Service, and it  
being stipulated that such purported acts of renunciation occurred  
while such parties-plaintiff were resident at the Segregation Center  
of the War Relocation Authority at Tule Lake, Newell, California;  
and the attorneys for the defendant Attorney General and those acting  
under his authority having withdrawn all offers of proof heretofore  
made herein with respect to such parties-defendant and conceding that  
they have made out a prima facie case for relief under the ruling of  
the United States Court of Appeals for the Ninth Circuit in this  
cause (McGrath v. Abo, 186 F 2d, 766), such concession being consis-  
tent with the Court's conclusions as to the effect of applicable law  
in the circumstances; and formal findings of fact and conclusions of  
law herein being waived; and the Court being advised that counsel  
for such defendants will offer no objection to the entry of a final

1 order, judgment and decree on the merits of the causes herein, in  
2 favor of the hereinafter specifically identified parties-plaintiff;  
and there being no just reason for delay;

3 NOW, THEREFORE, pursuant to Section 503 of the Nationality Act  
4 of 1940, as amended, (former Title 8, U.S.C., Section 903) which  
was, by Section 405 of the Act of June 27, 1952, 66 Stat. 280 effec-  
5 tive December 24, 1952 continued in force and effect for the purpose  
of this cause, and pursuant to the terms of such stipulation,

6 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
7 judgment and decree directed to be entered in this cause:

8 I.

9 That the plaintiffs hereinafter identified are and at all  
10 times have been, natives, nationals and citizens of the United  
States of America, and entitled to the rights and privileges of  
11 such nationality and citizenship, notwithstanding their purported  
applications for renunciation of United States nationality under  
12 Section 401 (i) of the Nationality Act of 1940, as amended, their  
purported renunciations of United States nationality pursuant  
13 thereto and the approvals thereof given by the Attorney General,  
all of which occurred during the calendar years 1944 and 1945,  
14 A.D., and all of which are hereby declared to be, and at all times  
to have been, null, void and without legal effect upon the status  
and rights as nationals and citizens of the United States of any  
15 such plaintiffs, whose names and birthdates are as follows:

16	NAME	BIRTHDATE
17	NAKANO, Hideko	4-26-17

18 II.

19 That no costs shall be taxed by the Clerk to any party.  
20 Done in open Court this 3rd. day of May, 1957 .

21 /s/ EDWARD P. MURPHY  
22 UNITED STATES DISTRICT JUDGE

23 APPROVED AS TO FORM:

24 GEORGE COCHRAN DOUB, Assistant Attorney General.  
25 LLOYD H. BURKE, United States Attorney, and a Defendant.  
26 ENOCH E. ELLISON, Attorney, Department of Justice.  
PAUL J. GRUMBLY, Attorney, Department of Justice.

27 By: /s/ Charles Elmer Collett /By M.D.M.  
28 Assistant United States Attorney  
Attorneys for Defendants



UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,

Plaintiffs,

No. 25294

-vs-

HERBERT BROWNELL, JR. as Attorney General  
of the United States, etc., et al.,

Defendants.

- - - and - - - - -

Cons. No. 25294-G

MARY KANAME FURUYA, et al., etc.,

Plaintiffs,

No. 25295

-vs-

HERBERT BROWNELL, JR., as Attorney General  
of the United States, etc., et al.,

Defendants.

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court  
in and for the Northern District of California, do hereby certify  
that the annexed and foregoing is a true copy of excerpt of the  
original FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS UNITED  
STATES NATIONALS made and filed in the above-entitled cause on

MAY 3 1957 , and entered MAY 3 1957 , with the name of  
NAKANO, Hideko

\_\_\_\_\_ ,  
a plaintiff, remaining among the records of the said Court in my  
office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and  
affixed the seal of the aforesaid Court at San Francisco, California,  
this 8<sup>th</sup> day of May, A.D. 1957.

C. W. CALBREATH,  
Clerk,

By Margaret Bear  
Deputy Clerk.

1 Wayne M. Collins  
2 Attorney at Law  
3 Mills Tower, 220 Bush Street  
4 San Francisco 4, California  
5 GARfield 1-5827  
6 Attorney for Plaintiffs

ORIGINAL  
FILED  
MAR 10 1958  
Clerk, U. S. Dist. Court  
San Francisco

7 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 -----  
10 TADAYASU ABO, et al., etc., Plaintiffs,

11 -vs-

No. 25294

12 WILLIAM P. ROGERS, as Attorney General  
13 of the United States, etc., et al.,  
14 Defendants.

15 and

Cons. No. 25294-G

16 MARY KANAME FURUYA, et al, etc., Plaintiffs,

17 -vs-

No. 25295

18 WILLIAM P. ROGERS, as Attorney General  
19 of the United States, etc., et al.,  
20 Defendants.

21 -----  
22 FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
23 PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
24 UNITED STATES NATIONALS

25 This cause (originally consisting of companion suits Nos.  
26 25294-G and 25295-G, which have been consolidated under No. 25294-  
27 G) being submitted to this Court, sitting without a jury, for  
28 decision on the merits of the individual causes of certain parties-  
29 plaintiff, hereinafter named, pursuant to a written "Stipulation Re  
30 Judgment as to Certain Named Parties-Plaintiff Who Have Been Docu-  
31 mented or Recognized as United States Nationals" entered into  
32 between the parties hereto and filed herein this date; and it being  
stipulated that, subsequent to their purported renunciations of  
United States nationality pursuant to the provisions of Section  
401(i) of the Nationality Act of 1940, as amended (former title  
8 U.S.C., Section 801 (i) ), during the calendar years 1944 and  
1945, said plaintiffs have been documented or recognized as United  
States nationals upon their applications duly made either to the  
Department of State or to the United States Immigration and  
Naturalization Service, and it being stipulated that such purported  
acts of renunciation occurred while such parties-plaintiff were  
resident at the Segregation Center of the War Relocation Authority  
at Tule Lake, Newell, California; and the attorneys for the  
defendant Attorney General and those acting under his authority  
having withdrawn all offers of proof heretofore made herein with  
respect to such parties-defendant and conceding that they have

1 made out a prima facie case for relief under the ruling of the  
2 United States Court of Appeals for the Ninth Circuit in this cause  
3 (McGrath v. Abo, 186 F 2d 766), such concession being consistent  
4 with the Court's conclusions as to the effect of applicable law  
5 in the circumstances; and formal findings of fact and conclusions  
6 of law herein being waived; and the Court being advised that  
7 counsel for such defendants will offer no objection to the entry  
8 of a final order, judgment and decree on the merits of the causes  
9 herein, in favor of the hereinafter specifically identified parties  
10 plaintiff; and there being no just reason for delay;

11  
12 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
13 Act of 1940, as amended (former Title 8, U.S.C., Section 903)  
14 which was, by Section 405 of the Act of June 27, 1952, 66 Stat.  
15 280, effective December 24, 1952, continued in force and effect  
16 for the purpose of this cause, and pursuant to the terms of such  
17 stipulation,

18 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
19 judgment and decree directed to be entered in this cause:

20 I.

21 That the plaintiffs hereinafter identified are and at all  
22 times have been, natives, nationals and citizens of the United  
23 States of America, and entitled to the rights and privileges of  
24 such nationality and citizenship, notwithstanding their purported  
25 applications for renunciation of United States nationality under  
26 Section 401 (1) of the Nationality Act of 1940, as amended, their  
27 purported renunciations of United States nationality pursuant  
28 thereto and the approvals thereof given by the Attorney General,  
29 all of which occurred during the calendar years 1944 and 1945,  
30 A. D., and all of which are hereby declared to be, and at all times  
31 to have been, null, void and without legal effect upon the status  
32 and rights as nationals and citizens of the United States of any  
such plaintiffs, whose names and birthdates are as follows:

19	NAME	BIRTHDATE
20		
21	<u>NAKANO, Masato</u>	<u>April 7, 1914</u>

22 II.

23 That no costs shall be taxed by the Clerk to any party.

24 Done in open Court this \_\_\_\_\_ day of March 1958.

25 /s/ LOUIS E. GOODMAN  
26 UNITED STATES DISTRICT JUDGE

27 APPROVED AS TO FORM:

28 GEORGE COCHRAN DOUB, Assistant Attorney General  
29 LLOYD H. BURKE, United States Attorney, and a Defendant  
30 ENOCH E. ELLISON, Attorney, Department of Justice  
31 PAUL J. GRUMBLY, Attorney, Department of Justice.

32 By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
Attorneys for Defendants.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,  vs.  WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,  and  MARY KANAME FURUYA, et al, etc.,  vs.  WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,  Defendants.	} Plaintiffs, } Defendants, } Plaintiffs, } Defendants.	No. 25294  Cons. No. 25294-G  No. 25295
---	--	---

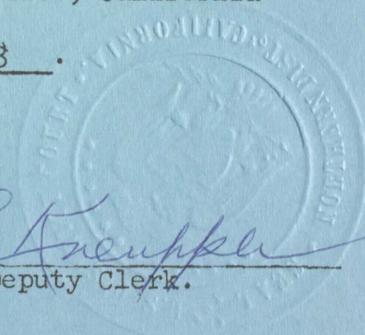
CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED PLAINTIFFS WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS UNITED STATES NATIONALS, made and filed in the above entitled cause on MAR 10 1958 and entered MAR 10 1958, with the name of -----Masato Nakano-----, a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California this 10 day of March, A. D. 1958.

C. W. CALBREATH,  
Clerk,

By Dore E. Kneupper  
Deputy Clerk.



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

Wayne M. Collins  
Attorney at Law  
Mills Tower, 220 Bush Street  
San Francisco 4, California  
GARfield 1-5827  
Attorney for Plaintiffs

ORIGINAL  
FILED  
MAR 31 1959  
Clerk, U.S. Dist. Court  
San Francisco

IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TADAYASU ABO, et al., etc.,	Plaintiffs,	No. 25294
-vs-		
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,	Defendants.	Cons. No. 25294-G
and		
MARY KANAME FURUYA, et al., etc.,	Plaintiffs,	No. 25295
-vs-		
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,	Defendants.	

FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
UNITED STATES NATIONALS

This cause (originally consisting of companion suits Nos. 25294-G and 25295-G, which have been consolidated under No. 25294-G) being submitted to this Court, sitting without a jury, for decision on the merits of the individual causes of certain parties-plaintiff, hereinafter named, pursuant to a written "Stipulation Re Judgment as to Certain Named Parties-Plaintiff Who Have Been Documented or Recognized as United States Nationals" entered into between the parties hereto and filed herein this date; and it being stipulated that, subsequent to their purported renunciations of United States nationality pursuant to the provisions of Section 401(i) of the Nationality Act of 1940, as amended (former Title 8 U.S.C., Section 801 (i) ), during the calendar years 1944 and 1945, said plaintiffs have been documented or recognized as United States nationals upon their applications duly made either to the Department of State or to the United States Immigration and Naturalization Service, and it being stipulated that such purported acts of renunciation occurred while such parties-plaintiff were resident at the Segregation Center of the War Relocation Authority at Tule Lake, Newell, California; and the attorneys for the defendant Attorney General and those acting under his authority having withdrawn all offers of proof heretofore made herein with respect to such parties-defendant and conceding that they have

1 made out a prima facie case for relief under the ruling of the  
2 United States Court of Appeals for the Ninth Circuit in this cause  
3 (McGrath v. Abo, 186 F. 2d 766), such concession being consistent  
4 with the Court's conclusions as to the effect of applicable law in  
5 the circumstances; and formal findings of fact and conclusions of  
6 law herein being waived; and the Court being advised that counsel  
7 for such defendants will offer no objection to the entry of a final  
8 order, judgment and decree on the merits of the causes herein, in  
9 favor of the hereinafter specifically identified parties-plaintiff;  
10 and there being no just reason for delay;

11 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
12 Act of 1940, as amended (former Title 8, U.S.C., Section 903)  
13 which was, by Section 405 of the Act of June 27, 1952, 66 Stat.  
14 280, effective December 24, 1952, continued in force and effect  
15 for the purpose of this cause, and pursuant to the terms of such  
16 stipulation,

17 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
18 judgment and decree directed to be entered in this cause:

19 I.

20 That the plaintiffs hereinafter identified are and at all  
21 times have been, natives, nationals and citizens of the United  
22 States of America, and entitled to the rights and privileges of  
23 such nationality and citizenship, notwithstanding their purported  
24 applications for renunciation of United States nationality under  
25 Section 401 (i) of the Nationality Act of 1940, as amended, their  
26 purported renunciations of United States nationality pursuant  
27 thereto and the approvals thereof given by the Attorney General,  
28 all of which occurred during the calendar years 1944 and 1945,  
29 A.D., and all of which are hereby declared to be, and at all times  
30 to have been, null, void and without legal effect upon the status  
31 and rights as nationals and citizens of the United States of any  
32 such plaintiffs, whose names and birthdates are as follows:

NAME	BIRTHDATE
NAKANO, Mitsuo	6-24-14

II.

That no costs shall be taxed by the Clerk to any party.

Done in open Court this 21 day of March 1959.

/s/ LOUIS E. GOODMAN  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

GEORGE COCHRAN DOUB, Assistant Attorney General  
ROBERT H. SCHNACKE, United States Attorney, and a Defendant  
ENOCH E. ELLISON, Attorney, Department of Justice  
PAUL J. GRUMBLY, Attorney, Department of Justice.

By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
Attorneys for Defendants.



NAKANO, Shigeko

No. 4, 5-chome, Hondori  
Kure City, Hiroshima-ken  
Japan

M.R.  
12/4/51

\$300.00

Nakano, Shuzuko

1 Wayne M. Collins  
1701 Mills Tower  
2 San Francisco 4, Calif.  
Garfield 1-1218  
3 Attorney for Plaintiffs

ORIGINAL  
FILED  
May 29, 1952  
Clerk, U.S. Dist. Court  
San Francisco

8 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 TADAYASU ABO, et al., etc., )

12 Plaintiffs, )

13 -vs- )

No. 25294

14 JAMES P. McGRANERY, as Attorney General )  
of the United States, etc., et al., )

Cons. No. 25294

15 Defendants. )  
16 )

17 ORDER, JUDGMENT AND DECREE EXECUTING MANDATE  
18 OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

19  
20 In compliance with the Mandate of the United States Court of  
21 Appeals for the Ninth Circuit entered in this cause on October 17,  
1951,

22 (A) It is Ordered that the Final Order, Judgment and Decree  
23 of this Court entered in this cause on April 12, 1949, and modified  
24 by an order of this Court entered in this cause on May 2, 1949,  
25 insofar as it pertained to the following named defendants sued in  
26 their representative capacities herein, to-wit, Dean Acheson, as  
Secretary of State, John W. Snyder, as the Secretary of the Treas-  
27 ury, Julius A. Krug, as the Secretary of the Interior, Dillon S.  
Myer, as Director, War Relocation Authority, and Raymond R. Best,  
28 as Project Director, Tule Lake Center, be and the same hereby is  
29 set aside.

30 (B) It is Further Ordered that the Final Order, Judgment and  
31 Decree of this Court, entered in this cause on April 12, 1949,  
32 and modified by an Order of this Court entered in this cause on  
May 2, 1949, be, and the same hereby is amended to read as follows:

"IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
judgment and decree against the defendants herein, excepting those

1 specified in paragraph (A) hereinabove, and in favor of each and  
2 all of the One Thousand Four (1,004) specifically named plaintiffs  
3 listed and set forth in the following thirty-two (32) pages and  
4 of whom 985 are plaintiffs in proceeding No. 25294 herein and of  
5 whom 19, indicated by an asterisk following their respective names,  
6 are plaintiffs in proceeding No. 25295 herein, consolidated there-  
7 with, to-wit:-

8	NAME	BIRTHDATE
9	NAKANO, Shigeko	5/10/25

10 as follows:

11 1. The application for renunciation of United States nation-  
12 ality and citizenship heretofore executed by each of the plaintiffs  
13 hereinabove specifically named in paragraph (B) hereof in 1944  
14 or 1945, the renunciation of his or her United States nationality  
15 and citizenship and the order of the defendant Attorney General  
16 approving each such application and renunciation are, and each of  
17 said things is, wholly illegal, contrary to law and public policy,  
18 null and void ab initio, and they are, and each of said things is,  
19 hereby cancelled and set aside.

20 2. Each of the plaintiffs hereinabove specifically named in  
21 paragraph (B) hereof at birth and ever since then has been and now  
22 is a native born national and citizen of the United States of  
23 America and domiciled therein and each is entitled to the full  
24 and complete exercise and enjoyment of all his or her rights,  
25 privileges, liberty and immunities of United States nationality  
26 and citizenship.

27 3. The remaining defendants, other than those hereinabove  
28 specifically named in paragraph (A) hereof, are, and each of them  
29 is, and their agents, servants, employees and representatives are,  
30 and each of them is, hereby permanently enjoined from detaining,  
31 imprisoning or interning the plaintiffs whose names are listed in  
32 paragraph (B) hereof or any of them and from restraining them  
or any of them of liberty and from removing them or any of them  
to Japan or elsewhere and from interfering with their freedom of  
movement within the United States and right of access to their  
homes in the United States from abroad and from interfering with  
their full and complete exercise and enjoyment of each and all  
of their rights, privileges and immunities of United States  
nationality and citizenship."

(C) It is Further Ordered that as to the Plaintiffs in this  
cause excepting those hereinabove specifically listed by name  
in paragraph (B) hereof, the Order, Judgment and Decree of this  
Court entered on April 12, 1949, hereby is set aside and that, as  
to such remaining plaintiffs in this cause, further proceedings  
be had in this cause in accordance with the said Mandate of the  
said United States Court of Appeals entered in this cause on  
October 17, 1951.

Done in Open Court this 29th day of May, 1952.

LOUIS E. GOODMAN,  
UNITED STATES DISTRICT JUDGE

Approved as to form:  
(S) Edgar R. Bonsall  
Asst. U.S. Atty.

**United States District Court**  
**For the Northern District of California, Southern Division**

TADAYASU ABO, et al., etc.,

*Plaintiffs,*

vs.

JAMES P. McGRANERY, as Attorney General of  
the United States, etc., et al.,

*Defendants.*

No. 25294

Cons. No. 25294

**CERTIFICATE OF CLERK.**

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true and full copy of the original ORDER, JUDGMENT AND DECREE EXECUTING MANDATE OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT made and filed in the above-entitled cause on May 29, 1952, and entered June 2, 1952, with the exception of the listing of the names of the plaintiffs in paragraph (B) thereof other than.....

NAKANO, Shigeko

.....  
now remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California, this 11th day of June, A. D. 1952.

C. W. CALBREATH,  
*Clerk,*

By Margaret P. Beair  
*Deputy Clerk.*

*Nakano, Shigeto*

1 Wayne M. Collins  
Attorney at Law  
2 Mills Tower, 220 Bush Street  
San Francisco 4, California  
3 Garfield 1-5827  
Attorney for Plaintiffs  
4  
5

ORIGINAL  
FILED  
MAR 10 1958  
Clerk, U. S. Dist. Court  
San Francisco

6 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
8

9	-----	}		
10	TADAYASU ABO, et al., etc.,		Plaintiffs,	
11	-vs-			No. 25294
12	WILLIAM P. ROGERS, as Attorney General			
13	of the United States, etc., et al.,		Defendants.	
14	and			Cons. No. 25294-G
15	-----			
16	MARY KANAME FURUYA, et al, etc.,		Plaintiffs,	
17	-vs-			No. 25295
18	WILLIAM P. ROGERS, as Attorney General			
19	of the United States, etc., et al.,		Defendants.	
20	-----			

21 FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
22 PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
23 UNITED STATES NATIONALS

24 This cause (originally consisting of companion suits Nos.  
25 25294-G and 25295-G, which have been consolidated under No. 25294-  
26 G) being submitted to this Court, sitting without a jury, for  
27 decision on the merits of the individual causes of certain parties-  
28 plaintiff, hereinafter named, pursuant to a written "Stipulation Re  
29 Judgment as to Certain Named Parties-Plaintiff Who Have Been Docu-  
30 mented or Recognized as United States Nationals" entered into  
31 between the parties hereto and filed herein this date; and it being  
32 stipulated that, subsequent to their purported renunciations of  
United States nationality pursuant to the provisions of Section  
401(i) of the Nationality Act of 1940, as amended (former title  
8 U.S.C., Section 801 (i) ), during the calendar years 1944 and  
1945, said plaintiffs have been documented or recognized as United  
States nationals upon their applications duly made either to the  
Department of State or to the United States Immigration and  
Naturalization Service, and it being stipulated that such purported  
acts of renunciation occurred while such parties-plaintiff were  
resident at the Segregation Center of the War Relocation Authority  
at Tule Lake, Newell, California; and the attorneys for the  
defendant Attorney General and those acting under his authority  
having withdrawn all offers of proof heretofore made herein with  
respect to such parties-defendant and conceding that they have

1 made out a prima facie case for relief under the ruling of the  
2 United States Court of Appeals for the Ninth Circuit in this cause  
3 (McGrath v. Abo, 186 F 2d 766), such concession being consistent  
4 with the Court's conclusions as to the effect of applicable law  
5 in the circumstances; and formal findings of fact and conclusions  
6 of law herein being waived; and the Court being advised that  
7 counsel for such defendants will offer no objection to the entry  
8 of a final order, judgment and decree on the merits of the causes  
9 herein, in favor of the hereinafter specifically identified parties  
10 plaintiff; and there being no just reason for delay;

11 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
12 Act of 1940, as amended (former Title 8, U.S.C., Section 903)  
13 which was, by Section 405 of the Act of June 27, 1952, 66 Stat.  
14 280, effective December 24, 1952, continued in force and effect  
15 for the purpose of this cause, and pursuant to the terms of such  
16 stipulation,

17 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
18 judgment and decree directed to be entered in this cause:

19 I.

20 That the plaintiffs hereinafter identified are and at all  
21 times have been, natives, nationals and citizens of the United  
22 States of America, and entitled to the rights and privileges of  
23 such nationality and citizenship, notwithstanding their purported  
24 applications for renunciation of United States nationality under  
25 Section 401 (i) of the Nationality Act of 1940, as amended, their  
26 purported renunciations of United States nationality pursuant  
27 thereto and the approvals thereof given by the Attorney General,  
28 all of which occurred during the calendar years 1944 and 1945,  
29 A. D., and all of which are hereby declared to be, and at all times  
30 to have been, null, void and without legal effect upon the status  
31 and rights as nationals and citizens of the United States of any  
32 such plaintiffs, whose names and birthdates are as follows:

NAME	BIRTHDATE
NAKANO, Shigeto	May 22, 1906

II.

That no costs shall be taxed by the Clerk to any party.

Done in open Court this \_\_\_\_\_ day of \_\_\_\_\_ March 1958.

/s/ LOUIS E. GOODMAN  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

GEORGE COCHRAN DOUB, Assistant Attorney General  
LLOYD H. BURKE, United States Attorney, and a Defendant  
ENOCH E. ELLISON, Attorney, Department of Justice  
PAUL J. GRUMBLY, Attorney, Department of Justice.

By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
Attorneys for Defendants.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,	} Plaintiffs,	} No. 25294
vs.		
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,	} Defendants,	} Cons. No. 25294-G
and		
MARY KANAME FURUYA, et al, etc.,	} Plaintiffs,	} No. 25295
vs.		
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,	} Defendants.	

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED PLAINTIFFS WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS UNITED STATES NATIONALS, made and filed in the above entitled cause on MAR 10 1958 and entered MAR 10 1958, with the name of -----Shigeto Nakano-----, a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California this 10 day of March, A. D. 1958.

C. W. CALBREATH,  
Clerk,

By Dore E. Freyppel  
Deputy Clerk

*Nakano, Sumie*

1 Wayne M. Collins  
Attorney at Law  
2 Mills Tower, 220 Bush Street  
San Francisco 4, California  
3 GARfield 1-5827  
Attorney for Plaintiffs  
4  
5

ORIGINAL  
FILED  
MAR 10 1958  
Clerk, U. S. Dist. Court  
San Francisco

6 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
8

9	-----	}	
10	TADAYASU ABO, et al., etc.,		
11	-vs-	}	No. 25294
12	Plaintiffs,		
13	WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al., Defendants.	}	
14	and		<u>Cons. No. 25294-G</u>
15	-----	}	
16	MARY KANAME FURUYA, et al, etc.,		
17	-vs-	}	No. 25295
18	Plaintiffs,		
19	WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al., Defendants.	}	
20	-----		

19 FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
20 PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
21 UNITED STATES NATIONALS

22 This cause (originally consisting of companion suits Nos.  
23 25294-G and 25295-G, which have been consolidated under No. 25294-  
24 G) being submitted to this Court, sitting without a jury, for  
25 decision on the merits of the individual causes of certain parties-  
26 plaintiff, hereinafter named, pursuant to a written "Stipulation Re  
27 Judgment as to Certain Named Parties-Plaintiff Who Have Been Docu-  
28 mented or Recognized as United States Nationals" entered into  
29 between the parties hereto and filed herein this date; and it being  
30 stipulated that, subsequent to their purported renunciations of  
31 United States nationality pursuant to the provisions of Section  
32 401(i) of the Nationality Act of 1940, as amended (former title  
8 U.S.C., Section 801 (i) ), during the calendar years 1944 and  
1945, said plaintiffs have been documented or recognized as United  
States nationals upon their applications duly made either to the  
Department of State or to the United States Immigration and  
Naturalization Service, and it being stipulated that such purported  
acts of renunciation occurred while such parties-plaintiff were  
resident at the Segregation Center of the War Relocation Authority  
at Tule Lake, Newell, California; and the attorneys for the  
defendant Attorney General and those acting under his authority  
having withdrawn all offers of proof heretofore made herein with  
respect to such parties-defendant and conceding that they have

1 made out a prima facie case for relief under the ruling of the  
2 United States Court of Appeals for the Ninth Circuit in this cause  
3 (McGrath v. Abo, 186 F 2d 766), such concession being consistent  
4 with the Court's conclusions as to the effect of applicable law  
5 in the circumstances; and formal findings of fact and conclusions  
6 of law herein being waived; and the Court being advised that  
7 counsel for such defendants will offer no objection to the entry  
8 of a final order, judgment and decree on the merits of the causes  
9 herein, in favor of the hereinafter specifically identified parties  
10 plaintiff; and there being no just reason for delay;

11  
12 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
13 Act of 1940, as amended (former Title 8, U.S.C., Section 903)  
14 which was, by Section 405 of the Act of June 27, 1952, 66 Stat.  
15 280, effective December 24, 1952, continued in force and effect  
16 for the purpose of this cause, and pursuant to the terms of such  
17 stipulation,

18 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
19 judgment and decree directed to be entered in this cause:

20 I.

21 That the plaintiffs hereinafter identified are and at all  
22 times have been, natives, nationals and citizens of the United  
23 States of America, and entitled to the rights and privileges of  
24 such nationality and citizenship, notwithstanding their purported  
25 applications for renunciation of United States nationality under  
26 Section 401 (i) of the Nationality Act of 1940, as amended, their  
27 purported renunciations of United States nationality pursuant  
28 thereto and the approvals thereof given by the Attorney General,  
29 all of which occurred during the calendar years 1944 and 1945,  
30 A. D., and all of which are hereby declared to be, and at all times  
31 to have been, null, void and without legal effect upon the status  
32 and rights as nationals and citizens of the United States of any  
such plaintiffs, whose names and birthdates are as follows:

NAME	BIRTHDATE
<u>NAKANO, Sumie (Asada)</u>	<u>April 16, 1914</u>

II.

That no costs shall be taxed by the Clerk to any party.

Done in open Court this \_\_\_\_\_ day of March 1958.

/s/ LOUIS E. GOODMAN  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

GEORGE COCHRAN DOUB, Assistant Attorney General  
LLOYD H. BURKE, United States Attorney, and a Defendant  
ENOCH E. ELLISON, Attorney, Department of Justice  
PAUL J. GRUMBLY, Attorney, Department of Justice.

By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
Attorneys for Defendants.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,	) Plaintiffs,	) No. 25294
vs.		
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,	) Defendants,	) Cons. No. 25294-G
and		
MARY KANAME FURUYA, et al, etc.,	) Plaintiffs,	) No. 25295
vs.		
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,	) Defendants.	)

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED PLAINTIFFS WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS UNITED STATES NATIONALS, made and filed in the above entitled cause on MAR 10 1958 and entered MAR 10 1958, with the name of -----Sumie Nakano (Asada)-----, a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California this 10 day of March, A. D. 1958.

C. W. CALBREATH,  
Clerk,

By Dore E. Krepper  
Deputy Clerk.

NAKANO, Toshiko

No. 4, 5-chome, Hondori  
Kure City, Hiroshima-ken  
Japan

M.R.  
12/4/51

\$300.00

*Nakano Yoshiko*

1 Wayne M. Collins  
1701 Mills Tower  
2 San Francisco 4, Calif.  
GARfield 1-1218  
3 Attorney for Plaintiffs

ORIGINAL  
FILED  
May 29, 1952  
Clerk, U.S. Dist. Court  
San Francisco

8 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 TADAYASU ABO, et al., etc., )

12 Plaintiffs, )

13 -vs- )

No. 25294

14 JAMES P. McGRANERY, as Attorney General )  
of the United States, etc., et al., )

Cons. No. 25294

15 Defendants. )  
16 )

17 ORDER, JUDGMENT AND DECREE EXECUTING MANDATE  
18 OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

19  
20 In compliance with the Mandate of the United States Court of  
21 Appeals for the Ninth Circuit entered in this cause on October 17,  
1951,

22 (A) It is Ordered that the Final Order, Judgment and Decree  
23 of this Court entered in this cause on April 12, 1949, and modified  
24 by an order of this Court entered in this cause on May 2, 1949,  
25 insofar as it pertained to the following named defendants sued in  
26 their representative capacities herein, to-wit, Dean Acheson, as  
Secretary of State, John W. Snyder, as the Secretary of the Treas-  
27 ury, Julius A. Krug, as the Secretary of the Interior, Dillon S.  
Myer, as Director, War Relocation Authority, and Raymond R. Best,  
as Project Director, Tule Lake Center, be and the same hereby is  
set aside.

28 (B) It is Further Ordered that the Final Order, Judgment and  
29 Decree of this Court, entered in this cause on April 12, 1949,  
and modified by an Order of this Court entered in this cause on  
May 2, 1949, be, and the same hereby is amended to read as follows:

30 "IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
31 judgment and decree against the defendants herein, excepting those



**United States District Court**  
**For the Northern District of California, Southern Division**

TADAYASU ABO, et al., etc.,

*Plaintiffs,*

vs.

JAMES P. McGRANERY, as Attorney General of  
the United States, etc., et al.,

*Defendants.*

No. 25294

Cons. No. 25294

**CERTIFICATE OF CLERK.**

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true and full copy of the original ORDER, JUDGMENT AND DECREE EXECUTING MANDATE OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT made and filed in the above-entitled cause on May 29, 1952, and entered June 2, 1952, with the exception of the listing of the names of the plaintiffs in paragraph (B) thereof other than.....

.....  
NAKANO, Toshiko  
.....

now remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California, this.....11th.....day of June, A. D. 1952.

C. W. CALBREATH,  
*Clerk,*

By.....Margaret P. Beave.....  
*Deputy Clerk.*

*Nakano, Yoshiya*

1 Wayne M. Collins  
Attorney at Law  
2 Mills Tower, 220 Bush Street  
San Francisco 4, California  
3 GARfield 1-5827  
Attorney for Plaintiffs  
4  
5

ORIGINAL  
FILED  
MAR 10 1958  
Clerk, U. S. Dist. Court  
San Francisco

6 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
8

9	-----		}
10	TADAYASU ABO, et al., etc.,	Plaintiffs,	
11	-vs-		No. 25294
12	WILLIAM P. ROGERS, as Attorney General		}
13	of the United States, etc., et al.,	Defendants.	
14	and	-----	Cons. No. 25294-G
15	MARY KANAME FURUYA, et al, etc.,	Plaintiffs,	}
16	-vs-		
17	WILLIAM P. ROGERS, as Attorney General		}
18	of the United States, etc., et al.,	Defendants.	
19	-----		

19 FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
20 PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
21 UNITED STATES NATIONALS

22 This cause (originally consisting of companion suits Nos.  
23 25294-G and 25295-G, which have been consolidated under No. 25294-  
24 G) being submitted to this Court, sitting without a jury, for  
25 decision on the merits of the individual causes of certain parties-  
26 plaintiff, hereinafter named, pursuant to a written "Stipulation Re  
27 Judgment as to Certain Named Parties-Plaintiff Who Have Been Docu-  
28 mented or Recognized as United States Nationals" entered into  
29 between the parties hereto and filed herein this date; and it being  
30 stipulated that, subsequent to their purported renunciations of  
31 United States nationality pursuant to the provisions of Section  
32 401(i) of the Nationality Act of 1940, as amended (former title  
8 U.S.C., Section 801 (i) ), during the calendar years 1944 and  
1945, said plaintiffs have been documented or recognized as United  
States nationals upon their applications duly made either to the  
Department of State or to the United States Immigration and  
Naturalization Service, and it being stipulated that such purported  
acts of renunciation occurred while such parties-plaintiff were  
resident at the Segregation Center of the War Relocation Authority  
at Tule Lake, Newell, California; and the attorneys for the  
defendant Attorney General and those acting under his authority  
having withdrawn all offers of proof heretofore made herein with  
respect to such parties-defendant and conceding that they have

1 made out a prima facie case for relief under the ruling of the  
2 United States Court of Appeals for the Ninth Circuit in this cause  
3 (McGrath v. Abo, 186 F 2d 766), such concession being consistent  
4 with the Court's conclusions as to the effect of applicable law  
5 in the circumstances; and formal findings of fact and conclusions  
6 of law herein being waived; and the Court being advised that  
7 counsel for such defendants will offer no objection to the entry  
8 of a final order, judgment and decree on the merits of the causes  
9 herein, in favor of the hereinafter specifically identified parties  
10 plaintiff; and there being no just reason for delay;

11  
12 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
13 Act of 1940, as amended (former Title 8, U.S.C., Section 903)  
14 which was, by Section 405 of the Act of June 27, 1952, 66 Stat.  
15 280, effective December 24, 1952, continued in force and effect  
16 for the purpose of this cause, and pursuant to the terms of such  
17 stipulation,

18 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
19 judgment and decree directed to be entered in this cause:

20 I.

21 That the plaintiffs hereinafter identified are and at all  
22 times have been, natives, nationals and citizens of the United  
23 States of America, and entitled to the rights and privileges of  
24 such nationality and citizenship, notwithstanding their purported  
25 applications for renunciation of United States nationality under  
26 Section 401 (i) of the Nationality Act of 1940, as amended, their  
27 purported renunciations of United States nationality pursuant  
28 thereto and the approvals thereof given by the Attorney General,  
29 all of which occurred during the calendar years 1944 and 1945,  
30 A. D., and all of which are hereby declared to be, and at all times  
31 to have been, null, void and without legal effect upon the status  
32 and rights as nationals and citizens of the United States of any  
such plaintiffs, whose names and birthdates are as follows:

NAME	BIRTHDATE
------	-----------

NAKANO, Toshiye	January 23, 1918
-----------------	------------------

II.

That no costs shall be taxed by the Clerk to any party.

Done in open Court this \_\_\_\_\_ day of March 1958.

/s/ LOUIS E. GOODMAN  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

GEORGE COCHRAN DOUB, Assistant Attorney General  
LLOYD H. BURKE, United States Attorney, and a Defendant  
ENOCH E. ELLISON, Attorney, Department of Justice  
PAUL J. GRUMBLY, Attorney, Department of Justice.

By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
Attorneys for Defendants.



*Nakano, Yoshihiro  
Sec*

1 Wayne M. Collins  
2 Attorney at Law  
3 Mills Tower, 220 Bush Street  
4 San Francisco 4, California  
5 GARfield 1-5827  
6 Attorney for Plaintiffs

ORIGINAL  
FILED  
MAY 2 1958  
Clerk, U. S. Dist. Court  
San Francisco

6 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9	-----	}		
10	TADAYASU ABO, et al., etc.,		Plaintiffs,	
11	-vs-			No. 25294
12	WILLIAM P. ROGERS, as Attorney General			
13	of the United States, etc., et al.,		Defendants.	
14	and			<u>Cons. No. 25294-G</u>
15	-----			
16	MARY KANAME FURUYA, et al, etc.,		Plaintiffs,	
17	-vs-			No. 25295
18	WILLIAM P. ROGERS, as Attorney General			
19	of the United States, etc., et al.,	Defendants.		
20	-----			

19 FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
20 PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
21 UNITED STATES NATIONALS

22 This cause (originally consisting of companion suits Nos.  
23 25294-G and 25295-G, which have been consolidated under No. 25294-  
24 G) being submitted to this Court, sitting without a jury, for  
25 decision on the merits of the individual causes of certain parties-  
26 plaintiff, hereinafter named, pursuant to a written "Stipulation Re  
27 Judgment as to Certain Named Parties-Plaintiff Who Have Been Docu-  
28 mented or Recognized as United States Nationals" entered into  
29 between the parties hereto and filed herein this date; and it being  
30 stipulated that, subsequent to their purported renunciations of  
31 United States nationality pursuant to the provisions of Section  
32 401(i) of the Nationality Act of 1940, as amended (former title  
8 U.S.C., Section 801 (i) ), during the calendar years 1944 and  
1945, said plaintiffs have been documented or recognized as United  
States nationals upon their applications duly made either to the  
Department of State or to the United States Immigration and  
Naturalization Service, and it being stipulated that such purported  
acts of renunciation occurred while such parties-plaintiff were  
resident at the Segregation Center of the War Relocation Authority  
at Tule Lake, Newell, California; and the attorneys for the  
defendant Attorney General and those acting under his authority  
having withdrawn all offers of proof heretofore made herein with  
respect to such parties-defendant and conceding that they have

1 made out a prima facie case for relief under the ruling of the  
2 United States Court of Appeals for the Ninth Circuit in this cause  
3 (McGrath v. Abo, 186 F 2d 766), such concession being consistent  
4 with the Court's conclusions as to the effect of applicable law  
5 in the circumstances; and formal findings of fact and conclusions  
6 of law herein being waived; and the Court being advised that  
7 counsel for such defendants will offer no objection to the entry  
8 of a final order, judgment and decree on the merits of the causes  
9 herein, in favor of the hereinafter specifically identified parties-  
10 plaintiff; and there being no just reason for delay;

11  
12 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
13 Act of 1940, as amended (former Title 8, U.S.C., Section 903)  
14 which was, by Section 405 of the Act of June 27, 1952, 66 Stat.  
15 280, effective December 24, 1952, continued in force and effect  
16 for the purpose of this cause, and pursuant to the terms of such  
17 stipulation,

18 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
19 judgment and decree directed to be entered in this cause:

20 I.

21 That the plaintiffs hereinafter identified are and at all  
22 times have been, natives, nationals and citizens of the United  
23 States of America, and entitled to the rights and privileges of  
24 such nationality and citizenship, notwithstanding their purported  
25 applications for renunciation of United States nationality under  
26 Section 401 (i) of the Nationality Act of 1940, as amended, their  
27 purported renunciations of United States nationality pursuant  
28 thereto and the approvals thereof given by the Attorney General,  
29 all of which occurred during the calendar years 1944 and 1945,  
30 A. D., and all of which are hereby declared to be, and at all times  
31 to have been, null, void and without legal effect upon the status  
32 and rights as nationals and citizens of the United States of any  
such plaintiffs, whose names and birthdates are as follows:

19	NAME	BIRTHDATE
20	NAKANO, Yoshihiro George	7-7-21

21 II.

22 That no costs shall be taxed by the Clerk to any party.

23 Done in open Court this 2nd day of May, 1958.

24  
25 /s/ LOUIS E. GOODMAN  
26 UNITED STATES DISTRICT JUDGE

27 APPROVED AS TO FORM:

28 GEORGE COCHRAN DOUB, Assistant Attorney General  
29 LLOYD H. BURKE, United States Attorney, and a Defendant  
30 ENOCH E. ELLISON, Attorney, Department of Justice  
31 PAUL J. GRUMBLY, Attorney, Department of Justice.

32 By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
Attorneys for Defendants.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,  vs.  WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,  and  MARY KANAME FURUYA, et al, etc.,  vs.  WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,  Defendants.	} Plaintiffs, } Defendants, } Plaintiffs, } Defendants.	No. 25294  Cons. No. 25294-G  No. 25295
---	--	---

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED PLAINTIFFS WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS UNITED STATES NATIONALS, made and filed in the above entitled cause on May 2, 1958 and entered May 2, 1958, with the name of -----Yoshihiro George Nakano-----, a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California this 15 day of May, A. D. 1958.

C. W. CALBREATH,  
Clerk,

By

Dave E. Kruppke  
Deputy Clerk.

*Nakao Lemikis Inc.*

1 Wayne M. Collins  
1701 Mills Tower  
2 San Francisco 4, Calif.  
Garfield 1-1218  
3 Attorney for Plaintiffs.

ORIGINAL  
FILED  
AUG 12 1955  
Clerk, U.S. Dist. Court  
San Francisco

4  
5 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA

7	TADAYASU ABO, et al., etc.,	}	No. 25294
8	Plaintiffs,		
9	-vs-	}	Cons.No. 25294-G
10	HERBERT BROWNELL, JR., as Attorney General		
11	of the United States, etc., et al.,		
12	Defendants.	}	No. 25295
13	----- and -----		
14	MARY KANAME FURUYA, et al., etc.,	}	
15	Plaintiffs,		
16	-vs-	}	
17	HERBERT BROWNELL, JR., as Attorney General		
18	of the United States, etc., et al.,		
19	Defendants.	}	
20	-----		

17 FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED  
18 PARTIES-PLAINTIFF WHO WERE INCOMPETENT TO RENOUNCE  
19 THEIR CITIZENSHIP AT THE TIME THEY ATTEMPTED TO DO SO.

20 This cause, originally consisting of companion suits N s.  
21 25294-G and 25295-G, which have been consolidated under No. 25294-G,  
22 being submitted to this Court, sitting without a jury, for  
23 decision on the merits of the individual causes of certain  
24 parties-plaintiff, hereinafter named, pursuant to a written  
25 "Stipulation Re Judgment As to Certain Named Parties-Plaintiff  
26 Who Were Incompetent To Renounce Their Citizenship At The Time  
27 Of Attempting To Take Such Action" entered into between the  
28 parties hereto and filed herein this date; and it being stipu-  
29 lated that, all such parties-plaintiff, save one, were younger  
30 than twenty-one years of age at the time of their purported  
31 renunciation of United States nationality pursuant to the  
provisions of Section 401(i) of the Nationality Act of 1940,  
as amended (former Title 8, U.S.C. Sec. 801(i) ), during the  
calendar years 1944 and 1945, and it being further stipulated  
that the one party-plaintiff named herein who was not a minor  
at the time of his purported renunciation, was not mentally  
competent to perform such a legally binding act, and certain  
defendants, namely the Attorney General and those under his  
authority, having informed this Court that they have no objection  
to the entry of judgment in favor of such claimants declaring  
them to be natives, nationals, and citizens of the United States  
and entitled to the rights and privileges of such nationality  
and citizenship, and there being no just reason for delay;

32 Now, Therefore, pursuant to Section 503 of the Nationality  
Act of 1940, as amended (former Title 8, U.S.C., Sec. 903), which

1 was, by Section 405 of the Act of June 27, 1952, 66 Stat. 280,  
2 effective December 24, 1952, continued in force and effect for  
the purpose of this cause, and pursuant to the terms of such  
3 stipulation.

4 IT IS ORDERED, ADJUDGED, AND DECREED as and for a final  
order, judgment and decree directed to be entered in this cause;

5 I.

6 That the plaintiffs hereinafter identified are and at all  
7 times have been natives, nationals, and citizens of the United  
8 States of America, entitled to the rights and privileges of such  
9 nationality and citizenship, notwithstanding their purported  
10 application for renunciation of United States nationality pursuant  
11 to Sec. 401(i) of the Nationality Act of 1940, as amended, their  
12 purported renunciations of United States nationality pursuant  
thereto and the approvals thereof given by the Attorney General,  
all of which occurred during the calendar years 1944 and 1945,  
and all of which are hereby declared to be, and at all times to  
have been null, void and without legal effect upon the status  
and rights as nationals and citizens of the United States of  
any such plaintiffs, whose names and birthdates are as follows:

13	NAME	BIRTHDATE
14	NAKAO, Kimiko	8-14-26

15 II.

16 That no costs shall be taxed by the Clerk to any party.  
17 Done in open Court this 12th day of August, 1955.

18  
19 /s/ LOUIS E. GOODMAN  
UNITED STATES DISTRICT JUDGE

20 APPROVED AS TO FORM:

21 GEORGE S. LEONARD, Acting Assistant Attorney General.  
22 LLOYD H. BURKE, United States Attorney, and a Defendant.  
23 ENOCH E. ELLISON, Attorney, Department of Justice.  
PAUL J. GRUMBLY, Attorney, Department of Justice.

24 By: /s/ Charles Elmer Collett  
Assistant United States Attorney

25 Attorneys for Defendants

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,

Plaintiffs,

-vs-

HERBERT BROWNELL, JR., as Attorney General  
of the United States, etc., et al.,

Defendants.

No. 25294

- - - - and - - - - -  
MARY KANAME FURUYA, et al., etc.,

Plaintiffs,

-vs-

HERBERT BROWNELL, JR., as Attorney General  
of the United States, etc., et al.,

Defendants.

Cons. No. 25294-G

No. 25295

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED PARTIES-PLAINTIFF WHO WERE INCOMPETENT TO RENOUNCE THEIR CITIZENSHIP AT THE TIME THEY ATTEMPTED TO DO SO made and filed in the above-entitled cause on August 12, 1955, and entered August 15, 1955, with the name of

NAKAO, Kimiko,

a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California, this 24 day of August, A D. 1955.

C. W. CALBREATH,  
Clerk,

By Margaret Bear  
Deputy Clerk

NAKASHIMA, Fujiye Helen, nee  
Takahashi  
aka

NAKASHIMA, Helen Fujiye

No Address.

\$200.00

*Nakashima, Fujuye  
Kelen*

1 Wayne M. Collins  
1701 Mills Tower  
2 San Francisco 4, Calif.  
GARfield 1-1218  
3 Attorney for Plaintiffs

ORIGINAL  
FILED  
May 29, 1952  
Clerk, U.S. Dist. Court  
San Francisco

8 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

TADAYASU ABO, et al., etc., )  
Plaintiffs, )  
-vs- ) No. 25294  
JAMES P. McGRANERY, as Attorney General ) Cons. No. 25294  
of the United States, etc., et al., )  
Defendants. )

ORDER, JUDGMENT AND DECREE EXECUTING MANDATE  
OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

In compliance with the Mandate of the United States Court of Appeals for the Ninth Circuit entered in this cause on October 17, 1951,

(A) It is Ordered that the Final Order, Judgment and Decree of this Court entered in this cause on April 12, 1949, and modified by an order of this Court entered in this cause on May 2, 1949, insofar as it pertained to the following named defendants sued in their representative capacities herein, to-wit, Dean Acheson, as Secretary of State, John W. Snyder, as the Secretary of the Treasury, Julius A. Krug, as the Secretary of the Interior, Dillon S. Myer, as Director, War Relocation Authority, and Raymond R. Best, as Project Director, Tule Lake Center, be and the same hereby is set aside.

(B) It is Further Ordered that the Final Order, Judgment and Decree of this Court, entered in this cause on April 12, 1949, and modified by an Order of this Court entered in this cause on May 2, 1949, be, and the same hereby is amended to read as follows:

"IT IS ORDERED, ADJUDGED AND DECREED as and for a final order, judgment and decree against the defendants herein, excepting those

1 specified in paragraph (A) hereinabove, and in favor of each and  
2 all of the One Thousand Four (1,004) specifically named plaintiffs  
3 listed and set forth in the following thirty-two (32) pages and  
4 of whom 985 are plaintiffs in proceeding No. 25294 herein and of  
5 whom 19, indicated by an asterisk following their respective names,  
6 are plaintiffs in proceeding No. 25295 herein, consolidated there-  
7 with, to-wit:-

NAME	BIRTHDATE
NAKASHIMA, Fujiye Helen nee Takahashi, aka	3/18/24
as follows: NAKASHIMA, Helen Fujiye	

1. The application for renunciation of United States nation-  
ality and citizenship heretofore executed by each of the plaintiffs  
hereinabove specifically named in paragraph (B) hereof in 1944  
or 1945, the renunciation of his or her United States nationality  
and citizenship and the order of the defendant Attorney General  
approving each such application and renunciation are, and each of  
said things is, wholly illegal, contrary to law and public policy,  
null and void ab initio, and they are, and each of said things is,  
hereby cancelled and set aside.

2. Each of the plaintiffs hereinabove specifically named in  
paragraph (B) hereof at birth and ever since then has been and now  
is a native born national and citizen of the United States of  
America and domiciled therein and each is entitled to the full  
and complete exercise and enjoyment of all his or her rights,  
privileges, liberty and immunities of United States nationality  
and citizenship.

3. The remaining defendants, other than those hereinabove  
specifically named in paragraph (A) hereof, are, and each of them  
is, and their agents, servants, employees and representatives are,  
and each of them is, hereby permanently enjoined from detaining,  
imprisoning or interning the plaintiffs whose names are listed in  
paragraph (B) hereof or any of them and from restraining them  
or any of them of liberty and from removing them or any of them  
to Japan or elsewhere and from interfering with their freedom of  
movement within the United States and right of access to their  
homes in the United States from abroad and from interfering with  
their full and complete exercise and enjoyment of each and all  
of their rights, privileges and immunities of United States  
nationality and citizenship."

(C) It is Further Ordered that as to the Plaintiffs in this  
cause excepting those hereinabove specifically listed by name  
in paragraph (B) hereof, the Order, Judgment and Decree of this  
Court entered on April 12, 1949, hereby is set aside and that, as  
to such remaining plaintiffs in this cause, further proceedings  
be had in this cause in accordance with the said Mandate of the  
said United States Court of Appeals entered in this cause on  
October 17, 1951.

Done in Open Court this 29th day of May, 1952.

LOUIS E. GOODMAN,  
UNITED STATES DISTRICT JUDGE

Approved as to form:  
(S) Edgar R. Bonsall  
Asst. U.S. Atty.

**United States District Court**  
**For the Northern District of California, Southern Division**

TADAYASU ABO, et al., etc.,

*Plaintiffs,*

vs.

JAMES P. McGRANERY, as Attorney General of  
the United States, etc., et al.,

*Defendants.*

No. 25294

Cons. No. 25294

**CERTIFICATE OF CLERK.**

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true and full copy of the original ORDER, JUDGMENT AND DECREE EXECUTING MANDATE OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT made and filed in the above-entitled cause on May 29, 1952, and entered June 2, 1952, with the exception of the listing of the names of the plaintiffs in paragraph (B) thereof other than.....

NAKASHIMA, Fujiye Helen nee Takahashi, aka NAKASHIMA,  
now remaining among the records of the said Court in my office. Helen Fujiye

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California, this 11th day of June, A. D. 1952.

C. W. CALBREATH,  
*Clerk,*

By Margaret Bear  
*Deputy Clerk.*

NAKASHIMA, Kaji

c/o J. Nosaka )

1958 Bush St. )M.R.

San Francisco, Calif. )12/4/51

\$300.00

*Nakashima, Kajir*

1 Wayne M. Collins  
1701 Mills Tower  
2 San Francisco 4, Calif.  
GARfield 1-1218  
3 Attorney for Plaintiffs

ORIGINAL  
FILED  
May 29, 1952  
Clerk, U.S. Dist. Court  
San Francisco

8 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

TADAYASU ABO, et al., etc.,	)	
	)	
	)	
-vs-	)	No. 25294
	)	
JAMES P. McGRANERY, as Attorney General	)	Cons. No. 25294
of the United States, etc., et al.,	)	
	)	
Defendants.	)	

ORDER, JUDGMENT AND DECREE EXECUTING MANDATE  
OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

In compliance with the Mandate of the United States Court of Appeals for the Ninth Circuit entered in this cause on October 17, 1951,

(A) It is Ordered that the Final Order, Judgment and Decree of this Court entered in this cause on April 12, 1949, and modified by an order of this Court entered in this cause on May 2, 1949, insofar as it pertained to the following named defendants sued in their representative capacities herein, to-wit, Dean Acheson, as Secretary of State, John W. Snyder, as the Secretary of the Treasury, Julius A. Krug, as the Secretary of the Interior, Dillon S. Myer, as Director, War Relocation Authority, and Raymond R. Best, as Project Director, Tule Lake Center, be and the same hereby is set aside.

(B) It is Further Ordered that the Final Order, Judgment and Decree of this Court, entered in this cause on April 12, 1949, and modified by an Order of this Court entered in this cause on May 2, 1949, be, and the same hereby is amended to read as follows:

"IT IS ORDERED, ADJUDGED AND DECREED as and for a final order, judgment and decree against the defendants herein, excepting those

1 specified in paragraph (A) hereinabove, and in favor of each and  
2 all of the One Thousand Four (1,004) specifically named plaintiffs  
3 listed and set forth in the following thirty-two (32) pages and  
4 of whom 985 are plaintiffs in proceeding No. 25294 herein and of  
5 whom 19, indicated by an asterisk following their respective names,  
6 are plaintiffs in proceeding No. 25295 herein, consolidated there-  
7 with, to-wit:-

8	NAME	BIRTHDATE
9	NAKASHIMA, Kaji	12/29/25

10 as follows:

11 1. The application for renunciation of United States nation-  
12 ality and citizenship heretofore executed by each of the plaintiffs  
13 hereinabove specifically named in paragraph (B) hereof in 1944  
14 or 1945, the renunciation of his or her United States nationality  
15 and citizenship and the order of the defendant Attorney General  
16 approving each such application and renunciation are, and each of  
17 said things is, wholly illegal, contrary to law and public policy,  
18 null and void ab initio, and they are, and each of said things is,  
19 hereby cancelled and set aside.

20 2. Each of the plaintiffs hereinabove specifically named in  
21 paragraph (B) hereof at birth and ever since then has been and now  
22 is a native born national and citizen of the United States of  
23 America and domiciled therein and each is entitled to the full  
24 and complete exercise and enjoyment of all his or her rights,  
25 privileges, liberty and immunities of United States nationality  
26 and citizenship.

27 3. The remaining defendants, other than those hereinabove  
28 specifically named in paragraph (A) hereof, are, and each of them  
29 is, and their agents, servants, employees and representatives are,  
30 and each of them is, hereby permanently enjoined from detaining,  
31 imprisoning or interning the plaintiffs whose names are listed in  
32 paragraph (B) hereof or any of them and from restraining them  
or any of them of liberty and from removing them or any of them  
to Japan or elsewhere and from interfering with their freedom of  
movement within the United States and right of access to their  
homes in the United States from abroad and from interfering with  
their full and complete exercise and enjoyment of each and all  
of their rights, privileges and immunities of United States  
nationality and citizenship."

33 (C) It is Further Ordered that as to the Plaintiffs in this  
34 cause excepting those hereinabove specifically listed by name  
35 in paragraph (B) hereof, the Order, Judgment and Decree of this  
36 Court entered on April 12, 1949, hereby is set aside and that, as  
37 to such remaining plaintiffs in this cause, further proceedings  
38 be had in this cause in accordance with the said Mandate of the  
39 said United States Court of Appeals entered in this cause on  
40 October 17, 1951.

41 Done in Open Court this 29th day of May, 1952.

42 LOUIS E. GOODMAN,  
43 UNITED STATES DISTRICT JUDGE

44 Approved as to form:  
45 (S) Edgar R. Bonsall  
46 Asst. U.S. Atty.

**United States District Court**  
**For the Northern District of California, Southern Division**

TADAYASU ABO, et al., etc.,

*Plaintiffs,*

vs.

JAMES P. McGRANERY, as Attorney General of  
the United States, etc., et al.,

*Defendants.*

No. 25294

Cons. No. 25294

**CERTIFICATE OF CLERK.**

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true and full copy of the original ORDER, JUDGMENT AND DECREE EXECUTING MANDATE OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT made and filed in the above-entitled cause on May 29, 1952, and entered June 2, 1952, with the exception of the listing of the names of the plaintiffs in paragraph (B) thereof other than.....

NAKASHIMA, Kaji

now remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California, this 11<sup>th</sup> day of June, A. D. 1952.

C. W. CALBREATH,  
*Clerk,*

By Margaret Blair  
*Deputy Clerk.*

ENGLISH BOND

1 Wayne M. Collins  
2 Mills Tower  
3 220 Bush Street  
4 San Francisco 4, Calif.  
5 Garfield 1-5827  
6 Attorney for Plaintiffs.

ORIGINAL  
FILED  
APR 16 1958  
Clerk, U.S. Dist. Court  
San Francisco

7 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10	TADAYASU ABO, et al., etc.,	} Plaintiffs,	} <u>No. 25294</u>
11	-vs-		
12	WILLIAM P. ROGERS, as Attorney	} Defendants.	} <u>Cons. No. 25294-G</u>
13	General of the United States, etc., et al.,		
14	and		
15	MARY KANAME FURUYA, et al., etc.,	} Plaintiffs,	} <u>No. 25295</u>
16	-vs-		
17	WILLIAM P. ROGERS, as Attorney	} Defendants.	
18	General of the United States, etc., et al.,		

19 FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
20 PLAINTIFFS WHO HAVE SUBMITTED AFFIDAVITS IN LIEU OF ORAL TESTIMONY

21 This cause (originally consisting of companion suits Nos.  
22 25294 and 25295 which had been consolidated under No. 25294-G)  
23 being submitted to this Court, sitting without a jury, for decision  
24 of the causes of certain individual parties-plaintiff hereinafter  
25 named, pursuant to a written "Stipulation That Certain Plaintiffs  
26 May Introduce Affidavits In Lieu Of Oral Testimony And That Entry  
27 of Final Judgments Against Certain Defendants Will Not Be Opposed  
28 In Such Cases" entered into between the parties hereto and filed  
29 herein this date together with certain affidavits which are hereby  
30 accepted in lieu of the oral testimony of affiants in accordance  
31 with the provisions of such stipulation;

32 And it being conceded by counsel for certain defendants,  
namely the Attorney General of the United States, and those under  
his authority, that notwithstanding the proofs heretofore made  
and offered in this cause, the representations set forth in such  
affidavits, in the light of the decisions of the United States  
Court of Appeals for the Ninth Circuit in the cases of Acheson v.  
Murakami 176 F. 2d 953 and McGrath v. Abo 186 F 2d 766, among  
others, remove any efficacious defense to the suits of such  
parties-plaintiff, and such concession being consistent with the  
Court's conclusion as to the effect of applicable law in the

1 circumstances; and formal findings of fact and conclusions of  
2 law having been waived;

3 And the Court having been advised that counsel for such  
4 parties-defendant will offer no objection to the entry of a final  
5 order, judgment and decree on the merits of the causes herein,  
6 in favor of the hereinafter specifically identified parties-  
7 plaintiff; and there being no just reason for delay;

8 NOW THEREFORE, pursuant to Section 503 of the Nationality  
9 Act of 1940 as amended, (former Title 8 USC Sec. 903), which was  
10 by Section 405 of the Act of June 27, 1952, 66 Stat. 280 effective  
11 December 24, 1952, continued in force and effect for purposes of  
12 this cause, and pursuant to the terms of such stipulation;

13 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
14 judgment and decree directed to be entered in this cause;

15 I.

16 That the plaintiffs hereinafter identified are and at all  
17 times have been, natives, nationals and citizens of the United  
18 States of America, and entitled to the rights and privileges of  
19 such nationality and citizenship, notwithstanding their purported  
20 applications for renunciation of United States nationality  
21 pursuant to Section 401 (i) of the Nationality Act of 1940, as  
22 amended, their purported renunciations of United States National-  
23 ity pursuant thereto and the approvals thereof given by the  
24 Attorney General, all of which occurred during the calendar years  
25 1944 and 1945, and all of which are hereby declared to be, and at  
26 all times to have been, null, void, and without legal effect upon  
27 the status and rights as nationals and citizens of the United  
28 States of any such plaintiffs, whose names and birthdates are  
29 as follows:

19 NAME	BIRTHDATE
20 NAKASHIMA, Masao	10-12-15

31 II.

32 That no costs shall be taxed by the Clerk to any party.  
Done in open Court this 16<sup>th</sup> day of April, 1958.

/s/ LOUIS E. GOODMAN  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

GEORGE COCHRAN DOUB, Assistant Attorney General.  
LLOYD H. BURKE, United States Attorney, and a Defendant.  
ENOCH E. ELLISON, Attorney, Department of Justice.  
PAUL J. GRUMBLY, Attorney, Department of Justice.

By: /s/ Charles Elmer Collett

Assistant United States Attorney  
Attorneys for Defendants.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,  
Plaintiffs,  
vs.  
WILLIAM P. ROGERS, as Attorney General  
of the United States, etc., et al.,  
Defendants,  
and  
MAY KANAME FURUYA, et al., etc.,  
Plaintiffs,  
vs.  
WILLIAM P. ROGERS, as Attorney General  
of the United States, etc., et al.,  
Defendants.

No. 25294  
Cons. No. 25294-G  
No. 25295

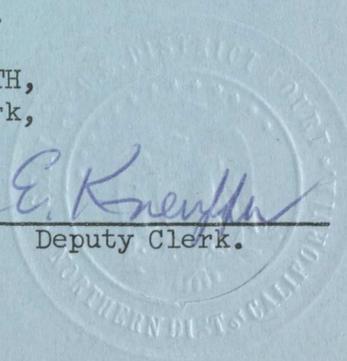
CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED PLAINTIFFS WHO HAVE SUBMITTED AFFIDAVITS IN LIEU OF ORAL TESTIMONY made and filed in the above-entitled cause on APR 16 1958, and entered APR 16 1958, with the name of Masao Nakashima, a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California, this 16 day of April, A.D. 1958.

C. W. CALBREATH,  
Clerk,

By Dore E. Kneiff  
Deputy Clerk.



*Nakashima, Takashi (2)*

1 Wayne M. Collins  
Attorney at Law  
2 Mills Tower, 220 Bush Street  
San Francisco 4, California  
3 GARfield 1-5827  
Attorney for Plaintiffs  
4  
5

ORIGINAL

FILED  
SEP 30 1958

Clerk, U.S. Dist. Court  
San Francisco

6 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9 ----- )  
10 TADAYASU ABO, et al., etc., Plaintiffs,

-vs-

No. 25294

11 WILLIAM P. ROGERS, as Attorney General  
12 of the United States, etc., et al.,  
Defendants

13 and

Cons. No. 25294-G

14 MARY KANAME FURUYA, et al, etc., Plaintiffs,

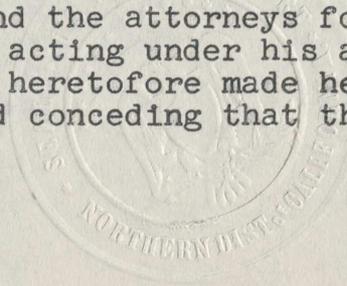
15 -vs-

No. 25295

16 WILLIAM P. ROGERS, as Attorney General  
17 of the United States, etc., et al.,  
Defendants  
18 ----- )

19 FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
UNITED STATES NATIONALS

20  
21 This cause (originally consisting of companion suits Nos.  
22 25294-G and 25295-G, which have been consolidated under No. 25294-  
23 G) being submitted to this Court, sitting without a jury, for  
24 decision on the merits of the individual causes of certain parties-  
25 plaintiff, hereinafter named, pursuant to a written "Stipulation Re  
26 Judgment as to Certain Named Parties-Plaintiff Who Have Been Docu-  
27 mented or Recognized as United States Nationals" entered into  
28 between the parties hereto and filed herein this date; and it being  
29 stipulated that, subsequent to their purported renunciations of  
30 United States nationality pursuant to the provisions of Section  
31 401(i) of the Nationality Act of 1940, as amended (former title  
32 8 U.S.C., Section 801 (i) ), during the calendar years 1944 and  
1945, said plaintiffs have been documented or recognized as United  
States nationals upon their applications duly made either to the  
Department of State or to the United States Immigration and  
Naturalization Service, and it being stipulated that such purported  
acts of renunciation occurred while such parties-plaintiff were  
resident at the Segregation Center of the War Relocation Authority  
at Tule Lake, Newell, California; and the attorneys for the  
defendant Attorney General and those acting under his authority  
having withdrawn all offers of proof heretofore made herein with  
respect to such parties-defendant and conceding that they have



1 made out a prima facie case for relief under the ruling of the  
2 United States Court of Appeals for the Ninth Circuit in this cause  
3 (McGrath v. Abo, 186 F. 2d 766), such concession being consistent  
4 with the Court's conclusions as to the effect of applicable law in  
5 the circumstances; and formal findings of fact and conclusions of  
6 law herein being waived; and the Court being advised that counsel  
7 for such defendants will offer no objection to the entry of a final  
8 order, judgment and decree on the merits of the causes herein, in  
9 favor of the hereinafter specifically identified parties-plaintiff;  
10 and there being no just reason for delay;

11 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
12 Act of 1940, as amended (former Title 8, U.S.C., Section 903)  
13 which was, by Section 405 of the Act of June 27, 1952, 66 Stat.  
14 280, effective December 24, 1952, continued in force and effect  
15 for the purpose of this cause, and pursuant to the terms of such  
16 stipulation.

17 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
18 judgment and decree directed to be entered in this cause:

19 I.

20 That the plaintiffs hereinafter identified are and at all  
21 times have been, natives, nationals and citizens of the United  
22 States of America, and entitled to the rights and privileges of  
23 such nationality and citizenship, notwithstanding their purported  
24 applications for renunciation of United States nationality under  
25 Section 401 (i) of the Nationality Act of 1940, as amended, their  
26 purported renunciations of United States nationality pursuant  
27 thereto and the approvals thereof given by the Attorney General,  
28 all of which occurred during the calendar years 1944 and 1945,  
29 A.D., and all of which are hereby declared to be, and at all times  
30 to have been, null, void and without legal effect upon the status  
31 and rights as nationals and citizens of the United States of any  
32 such plaintiffs, whose names and birthdates are as follows:

20	NAME	BIRTHDATE
21	<u>NAKASHIMA, Takashi (2)</u>	<u>1-10-21</u>

22 II.

23 That no costs shall be taxed by the Clerk to any party.

24 Done in open Court this 29 day of September, 1958.

25  
26 /s/ LOUIS E. GOODMAN  
27 UNITED STATES DISTRICT JUDGE

28 APPROVED AS TO FORM:

29 GEORGE COCHRAN DOUB, Assistant Attorney General  
30 ROBERT H. SCHNACKE, United States Attorney, and a Defendant  
31 ENOCH E. ELLISON, Attorney, Department of Justice  
32 PAUL J. GRUMBLY, Attorney, Department of Justice.

33 By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
Attorneys for Defendants.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc., vs. WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al., and MARY KANAME FURUYA, et al., etc., vs. WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al., Defendants.	} Plaintiffs, } Defendants, } Plaintiffs, } Defendants.	} No. 25294 } Cons. No. 25294-G } No. 25295
--	--	---

CERTIFICATE OF CLERK

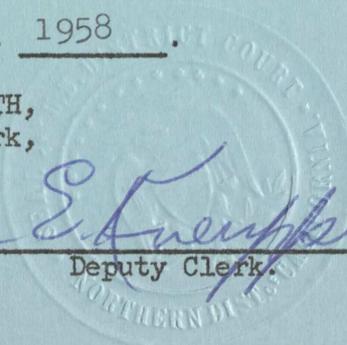
I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED PLAINTIFFS WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS UNITED STATES NATIONALS, made and filed in the above entitled cause on SEP 29 1958 and entered SEP 30 1958, with the name of Takashi Nakashima (2), a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California this 30 day of September, A. D. 1958.

C. W. CALBREATH,  
Clerk,

By

Dore E. Knepper  
Deputy Clerk.



1 Wayne M. Collins  
2 Mills Tower, 220 Bush Street  
3 San Francisco 4, California  
4 GARfield 1-5827  
5 Attorney for Plaintiffs

ORIGINAL  
FILED

JUL 24 1961

With Clerk, U. S. Dist. Court  
San Francisco

6  
7  
8 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11  
12 TADAYASU ABO, et al., etc.,  
13 Plaintiffs,

14 -vs-

15 ROBERT F. KENNEDY, as Attorney General  
16 of the United States; et al.; JOSEPH  
17 MAY SWING as the Commissioner of the  
18 United States Immigration and Natural-  
19 ization Service; CHARLES J. BEECHIE,  
as the District Director of the United  
States Immigration and Naturalization  
Service for the Northern District of  
California, etc., et al.,

20 Defendants.

21 and

22 MARY KANAME FURUYA, et al., etc.,

23 Plaintiffs,

24 -vs-

25 ROBERT F. KENNEDY, as Attorney General  
26 of the United States; et al.; JOSEPH  
27 MAY SWING, as the Commissioner of the  
28 United States Immigration and Natural-  
29 ization Service; CHARLES J. BEECHIE, as  
the District Director of the United  
States Immigration and Naturalization  
Service for the Northern District of  
California, etc., et al.,

30 Defendants.  
31  
32

No. 25294

Cons. No. 25294-G

No. 25295

1                    FINAL ORDER, JUDGMENT AND DECREE AS TO HIDEO NAKASHIMO  
2                    AS TO WHOM THE DEFENDANTS HAVE WITHDRAWN ALL OFFERS OF PROOF

3                    This cause (originally consisting of companion suits Nos.  
4 25294-G and 25295-G which had been consolidated under No. 25294-G)  
5 being submitted to this Court, sitting without a jury, for deci-  
6 sion of the cause of Hideo Nakashimo, a party-plaintiff pursuant  
7 to the "DEFENDANTS' WITHDRAWAL OF OFFERS OF PROOF AS TO HIDEO  
8 NAKASHIMO AND CONSENT TO IMMEDIATE ACTION" filed herein and  
9 approved this date by this Court;

10                   And it being conceded therein by counsel for certain defend-  
11 ants, namely the Attorney General of the United States, and those  
12 under his authority, that the evidence with respect to said Hideo  
13 Nakashimo which the defendants have offered to produce is insuffi-  
14 cient to overcome the presumption established by the decision of  
15 the United States Court of Appeals for the Ninth Circuit in this  
16 cause (McGrath v. Abo, 186 F. 2d 766), that the said Hideo  
17 Nakashimo's renunciation of citizenship was not his free and  
18 voluntary act, and such concession being consistent with the  
19 Court's conclusion as to the effect of the applicable law in the  
20 circumstances; and formal findings of fact and conclusions of law  
21 having been waived;

22                   And counsel for such parties-defendant having withdrawn any  
23 objection to the entry of a final order, judgment and decree, in  
24 accordance with the mandate of the Court of Appeals in this cause  
25 and having given their consent to immediate action by this Court  
26 in that regard as to said Hideo Nakashimo, a party-plaintiff; and  
27 there being no just reason for delay;

28                   NOW, THEREFORE, pursuant to Section 503 of the Nationality  
29 Act of 1940 as amended (former Title 8 U.S.C. Sec. 903), which was  
30 by Sec. 405 of the Act of June 27, 1952, 66 Stat. 280, effective  
31 December 24, 1952, continued in force and effect for purposes of  
32 this cause, and pursuant to the provisions of such "DEFENDANTS'

1 WITHDRAWAL OF OFFERS OF PROOF AS TO HIDEO NAKASHIMO AND CONSENT  
2 TO IMMEDIATE ACTION,"

3 It is ORDERED, ADJUDGED, AND DECREED as and for a final  
4 order, Judgment and decree directed to be entered in this cause:

5 I

6 That Hideo Nakashimo, a party-plaintiff, whose birthdate  
7 is December 28, 1911, is and at all times has been a native, a  
8 national and a citizen of the United States of America, and  
9 entitled to the rights and privileges of such nationality and  
10 citizenship, notwithstanding his purported application for renun-  
11 ciation of United States nationality pursuant to Section 401(i) of  
12 the Nationality Act of 1940, as amended, his purported renuncia-  
13 tion of United States nationality pursuant thereto and the  
14 approval thereof given by the Attorney General, all of which  
15 occurred during the calendar years 1944 and 1945, and all of which  
16 are hereby declared to be and at all times to have been null, void  
17 and without legal effect upon the status and rights of said Hideo  
18 Nakashimo as a national and citizen of the United States.

19  
20 II

21 That no cost shall be taxed by the clerk to any party.  
22 Done in open Court this 24 day of July, 1961.

23  
24 /s/ LOUIS E. GOODMAN

25 UNITED STATES DISTRICT JUDGE

26 I hereby certify that the annexed  
27 instrument is a true and correct copy  
of the original on file in my office.  
ATTEST:

28 JAMES P. WELSH  
Clerk, U. S. District Court  
Northern District of California

29 By Margaret Bean  
Deputy Clerk

30 Dated JUL 24 1961

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

APPROVED AS TO FORM:

WILLIAM H. ORRICK, JR., Asst. Attorney General  
CECIL F. POOLE, United States Attorney  
PAUL J. GRUMBLY, Attorney, Department of Justice

By: /s/ Charles Elmer Collett  
Assistant United States Attorney

Attorneys for Defendants.





1 the United States of America, and entitled to the rights and  
2 privileges of such nationality and citizenship, notwithstanding  
3 their purported applications for renunciation of United States  
4 nationality pursuant to Section 401(i) of the Nationality Act  
5 of 1940, as amended, their purported renunciations of United  
6 States nationality pursuant thereto and the approvals thereof  
7 given by the Attorney General, all of which occurred during the  
8 calendar years 1944 and 1945, and all of which are hereby  
9 declared to be and at all times to have been null, void and  
10 without legal effect upon the status and rights as nationals  
11 and citizens of the United States of any such plaintiffs whose  
12 names and birthdates are set forth on the attached schedule.

13 II

14 That no cost shall be taxed by the clerk to any party.

15 Done in open Court this 13 day of April, 1959.

16  
17 LOUIS E. GOODMAN

18 UNITED STATES DISTRICT JUDGE  
19  
20  
21

22 APPROVED AS TO FORM:

23 GEORGE COCHRAN DOUB, Assistant Attorney General  
24 ROBERT H. SCHNACKE, United States Attorney, and a Defendant  
25 ENOCH E. ELLISON, Attorney, Department of Justice  
26 OLLIE COLLINS, Attorney, Department of Justice

27 By /s/ Charles Elmer Collett

28 Assistant United States Attorney

29 Attorneys for Defendants.

30 NAME

31 DATE OF BIRTH

32 NAKATA, Yaichi Ken (Yoichi)

3-4-11

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,	(	
	)	
Plaintiffs,	(	
-vs-	)	No. 25294
	(	
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,	)	
	(	
Defendants.	)	
and	(	
	)	Cons. No. 25294-G
MARY KANAME FURUYA, et al., etc.,	(	
	)	
Plaintiffs,	(	
-vs-	)	No. 25295
	(	
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,	)	
	(	
Defendants.	)	
	(	

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED PLAINTIFFS AS TO WHOM THE DEFENDANTS HAVE WITHDRAWN ALL OFFERS OF PROOF made and filed in the above-entitled cause on APR 13 1959 and entered APR 13 1959, with the name of Yaichi Ken (Yoichi) Nakata a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California, this 13 day of April, A.D. 1959.

C. W. CALBREATH,  
Clerk,

By Margaret Dean  
Deputy Clerk.

*Nakatsu, George*

1 Wayne M. Collins  
Attorney at Law  
2 Mills Tower, 220 Bush Street  
San Francisco 4, California  
3 GARfield 1-5827  
Attorney for Plaintiffs  
4

ORIGINAL  
FILED  
FEB - 9 1959  
Clerk, U.S. Dist. Court  
San Francisco

5  
6 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

8			
9		- - - - - )	
10	TADAYASU ABO, et al., etc.,	Plaintiffs,	) No. 25294
11	-vs-		
12	WILLIAM P. ROGERS, as Attorney General	) Defendants.	) Cons. No. 25294-G
13	of the United States, etc., et al.,		
14	and		
15	MARY KANAME FURUYA, et al., etc.,	Plaintiffs,	) No. 25295
16	-vs-		
17	WILLIAM P. ROGERS, as Attorney General	) Defendants.	
18	of the United States, etc., et al.,		
19		- - - - - )	

20 FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
UNITED STATES NATIONALS

21 This cause (originally consisting of companion suits Nos.  
22 25294-G and 25295-G, which have been consolidated under No. 25294-  
23 G) being submitted to this Court, sitting without a jury, for  
24 decision on the merits of the individual causes of certain parties-  
25 plaintiff, hereinafter named, pursuant to a written "Stipulation Re  
26 Judgment as to Certain Named Parties-Plaintiff Who Have Been Docu-  
27 mented or Recognized as United States Nationals" entered into  
28 between the parties hereto and filed herein this date; and it being  
29 stipulated that, subsequent to their purported renunciations of  
30 United States nationality pursuant to the provisions of Section  
31 401(i) of the Nationality Act of 1940, as amended (former Title  
32 8 U.S.C., Section 801 (i) ), during the calendar years 1944 and  
1945, said plaintiffs have been documented or recognized as United  
States nationals upon their applications duly made either to the  
Department of State or to the United States Immigration and  
Naturalization Service, and it being stipulated that such purported  
acts of renunciation occurred while such parties-plaintiff were  
resident at the Segregation Center of the War Relocation Authority  
at Tule Lake, Newell, California; and the attorneys for the  
defendant Attorney General and those acting under his authority  
having withdrawn all offers of proof heretofore made herein with  
respect to such parties-defendant and conceding that they have

1 made out a prima facie case for relief under the ruling of the  
2 United States Court of Appeals for the Ninth Circuit in this cause  
3 (McGrath v. Abo, 186 F. 2d 766), such concession being consistent  
4 with the Court's conclusions as to the effect of applicable law in  
5 the circumstances; and formal findings of fact and conclusions of  
6 law herein being waived; and the Court being advised that counsel  
7 for such defendants will offer no objection to the entry of a final  
8 order, judgment and decree on the merits of the causes herein, in  
9 favor of the hereinafter specifically identified parties-plaintiff;  
10 and there being no just reason for delay;

11 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
12 Act of 1940, as amended (former Title 8, U.S.C., Section 903)  
13 which was, by Section 405 of the Act of June 27, 1952, 66 Stat.  
14 280, effective December 24, 1952, continued in force and effect  
15 for the purpose of this cause, and pursuant to the terms of such  
16 stipulation,

17 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
18 judgment and decree directed to be entered in this cause:

19 I.

20 That the plaintiffs hereinafter identified are and at all  
21 times have been, natives, nationals and citizens of the United  
22 States of America, and entitled to the rights and privileges of  
23 such nationality and citizenship, notwithstanding their purported  
24 applications for renunciation of United States nationality under  
25 Section 401 (i) of the Nationality Act of 1940, as amended, their  
26 purported renunciations of United States nationality pursuant  
27 thereto and the approvals thereof given by the Attorney General,  
28 all of which occurred during the calendar years 1944 and 1945,  
29 A.D., and all of which are hereby declared to be, and at all times  
30 to have been, null, void and without legal effect upon the status  
31 and rights as nationals and citizens of the United States of any  
32 such plaintiffs, whose names and birthdates are as follows:

NAME	BIRTHDATE
NAKATSU, George	7-8-23

II.

That no costs shall be taxed by the Clerk to any party.

Done in open Court this 9 day of February 1959.

/s/ LOUIS E. GOODMAN  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

GEORGE COCHRAN DOUB, Assistant Attorney General  
ROBERT H. SCHNACKE, United States Attorney, and a Defendant  
ENOCH E. ELLISON, Attorney, Department of Justice  
PAUL J. GRUMBLY, Attorney, Department of Justice.

By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
Attorneys for Defendants.

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

TADAYASU ABO, et al., etc.,	)	
Plaintiffs,	)	
vs.	)	
WILLIAM P. ROGERS, as Attorney General	)	No. 25294
of the United States, etc., et al.,	)	
and	)	Cons. No. 25294-G
MARY KANAME FURUYA, et al., etc.,	)	
Plaintiffs,	)	No. 25295
vs.	)	
WILLIAM P. ROGERS, as Attorney General	)	
of the United States, etc., et al.,	)	
Defendants.	)	

CERTIFICATE OF CLERK

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true copy of excerpt of the original FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED PLAINTIFFS WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS UNITED STATES NATIONALS, made and filed in the above entitled cause on FEB - 9 1959 and entered FEB - 9 1959, with the name of George Nakatsu, a plaintiff, remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California this 9 day of February, A. D. 1959.

C. W. CALBREATH,  
Clerk,

By Dore E. Krueger  
Deputy Clerk.

NAKATSUI Aiko

2600 Muronoki, Iwakuni Shi )M.R.  
Yamaguchi-ken, Japan )10/4/52

\$300.00

1 Wayne M. Collins  
1701 Mills Tower  
2 San Francisco 4, Calif.  
GARfield 1-1218  
3 Attorney for Plaintiffs

ORIGINAL  
FILED  
May 29, 1952  
Clerk, U.S. Dist. Court  
San Francisco

4  
5  
6  
7  
8 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10  
11 TADAYASU ABO, et al., etc., )

12 Plaintiffs, )

13 -vs- )

No. 25294

14 JAMES P. McGRANERY, as Attorney General )  
15 of the United States, etc., et al., )

Cons. No. 25294

16 Defendants. )  
17 )

18 ORDER, JUDGMENT AND DECREE EXECUTING MANDATE  
19 OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

20 In compliance with the Mandate of the United States Court of  
21 Appeals for the Ninth Circuit entered in this cause on October 17,  
1951,

22 (A) It is Ordered that the Final Order, Judgment and Decree  
23 of this Court entered in this cause on April 12, 1949, and modified  
24 by an order of this Court entered in this cause on May 2, 1949,  
25 insofar as it pertained to the following named defendants sued in  
26 their representative capacities herein, to-wit, Dean Acheson, as  
Secretary of State, John W. Snyder, as the Secretary of the Treas-  
27 ury, Julius A. Krug, as the Secretary of the Interior, Dillon S.  
Myer, as Director, War Relocation Authority, and Raymond R. Best,  
28 as Project Director, Tule Lake Center, be and the same hereby is  
29 set aside.

30 (B) It is Further Ordered that the Final Order, Judgment and  
31 Decree of this Court, entered in this cause on April 12, 1949,  
and modified by an Order of this Court entered in this cause on  
32 May 2, 1949, be, and the same hereby is amended to read as follows:

"IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
judgment and decree against the defendants herein, excepting those

1 specified in paragraph (A) hereinabove, and in favor of each and  
2 all of the One Thousand Four (1,004) specifically named plaintiffs  
3 listed and set forth in the following thirty-two (32) pages and  
4 of whom 985 are plaintiffs in proceeding No. 25294 herein and of  
5 whom 19, indicated by an asterisk following their respective names,  
6 are plaintiffs in proceeding No. 25295 herein, consolidated there-  
7 with, to-wit:-

8	NAME	BIRTHDATE
9	NAKATSUI, Aiko	10/3/24

10 as follows:

11 1. The application for renunciation of United States nation-  
12 ality and citizenship heretofore executed by each of the plaintiffs  
13 hereinabove specifically named in paragraph (B) hereof in 1944  
14 or 1945, the renunciation of his or her United States nationality  
15 and citizenship and the order of the defendant Attorney General  
16 approving each such application and renunciation are, and each of  
17 said things is, wholly illegal, contrary to law and public policy,  
18 null and void ab initio, and they are, and each of said things is,  
19 hereby cancelled and set aside.

20 2. Each of the plaintiffs hereinabove specifically named in  
21 paragraph (B) hereof at birth and ever since then has been and now  
22 is a native born national and citizen of the United States of  
23 America and domiciled therein and each is entitled to the full  
24 and complete exercise and enjoyment of all his or her rights,  
25 privileges, liberty and immunities of United States nationality  
26 and citizenship.

27 3. The remaining defendants, other than those hereinabove  
28 specifically named in paragraph (A) hereof, are, and each of them  
29 is, and their agents, servants, employees and representatives are,  
30 and each of them is, hereby permanently enjoined from detaining,  
31 imprisoning or interning the plaintiffs whose names are listed in  
32 paragraph (B) hereof or any of them and from restraining them  
or any of them of liberty and from removing them or any of them  
to Japan or elsewhere and from interfering with their freedom of  
movement within the United States and right of access to their  
homes in the United States from abroad and from interfering with  
their full and complete exercise and enjoyment of each and all  
of their rights, privileges and immunities of United States  
nationality and citizenship."

(C) It is Further Ordered that as to the Plaintiffs in this  
cause excepting those hereinabove specifically listed by name  
in paragraph (B) hereof, the Order, Judgment and Decree of this  
Court entered on April 12, 1949, hereby is set aside and that, as  
to such remaining plaintiffs in this cause, further proceedings  
be had in this cause in accordance with the said Mandate of the  
said United States Court of Appeals entered in this cause on  
October 17, 1951.

Done in Open Court this 29th day of May, 1952.

LOUIS E. GOODMAN,  
UNITED STATES DISTRICT JUDGE

Approved as to form:  
(S) Edgar R. Bonsall  
Asst. U.S. Atty.

**United States District Court**  
**For the Northern District of California, Southern Division**

TADAYASU ABO, et al., etc.,

*Plaintiffs,*

vs.

JAMES P. McGRANERY, as Attorney General of  
the United States, etc., et al.,

*Defendants.*

No. 25294

Cons. No. 25294

**CERTIFICATE OF CLERK.**

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true and full copy of the original ORDER, JUDGMENT AND DECREE EXECUTING MANDATE OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT made and filed in the above-entitled cause on May 29, 1952, and entered June 2, 1952, with the exception of the listing of the names of the plaintiffs in paragraph (B) thereof other than.....

.....NAKATSUI, Aiko.....

now remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California, this.....11th day of June, A. D. 1952.

C. W. CALBREATH,  
*Clerk,*

By.....Margaret P. Beair.....  
*Deputy Clerk.*

*Nakatsui, Shigeru*

1 Wayne M. Collins  
Attorney at Law  
2 Mills Tower, 220 Bush Street  
San Francisco 4, California  
3 GARfield 1-5827  
Attorney for Plaintiffs  
4  
5

ORIGINAL  
FILED  
MAR 10 1958  
Clerk, U. S. Dist. Court  
San Francisco

6 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
8

9 -----  
10 TADAYASU ABO, et al., etc., Plaintiffs,  
11 -vs-

No. 25294

12 WILLIAM P. ROGERS, as Attorney General  
of the United States, etc., et al.,  
13 Defendants.

Cons. No. 25294-G

13 and -----

14 MARY KANAME FURUYA, et al, etc., Plaintiffs,  
15 -vs-

No. 25295

16 WILLIAM P. ROGERS, as Attorney General  
of the United States, etc., et al.,  
17 Defendants.  
18 -----

19 FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
20 PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
21 UNITED STATES NATIONALS

22 This cause (originally consisting of companion suits Nos.  
23 25294-G and 25295-G, which have been consolidated under No. 25294-  
24 G) being submitted to this Court, sitting without a jury, for  
25 decision on the merits of the individual causes of certain parties-  
26 plaintiff, hereinafter named, pursuant to a written "Stipulation Re  
27 Judgment as to Certain Named Parties-Plaintiff Who Have Been Docu-  
28 mented or Recognized as United States Nationals" entered into  
29 between the parties hereto and filed herein this date; and it being  
30 stipulated that, subsequent to their purported renunciations of  
31 United States nationality pursuant to the provisions of Section  
32 401(1) of the Nationality Act of 1940, as amended (former title  
8 U.S.C., Section 801 (1) ), during the calendar years 1944 and  
1945, said plaintiffs have been documented or recognized as United  
States nationals upon their applications duly made either to the  
Department of State or to the United States Immigration and  
Naturalization Service, and it being stipulated that such purporte  
acts of renunciation occurred while such parties-plaintiff were  
resident at the Segregation Center of the War Relocation Authority  
at Tule Lake, Newell, California; and the attorneys for the  
defendant Attorney General and those acting under his authority  
having withdrawn all offers of proof heretofore made herein with  
respect to such parties-defendant and conceding that they have

1 made out a prima facie case for relief under the ruling of the  
2 United States Court of Appeals for the Ninth Circuit in this cause  
3 (McGrath v. Abo, 186 F 2d 766), such concession being consistent  
4 with the Court's conclusions as to the effect of applicable law  
5 in the circumstances; and formal findings of fact and conclusions  
6 of law herein being waived; and the Court being advised that  
7 counsel for such defendants will offer no objection to the entry  
8 of a final order, judgment and decree on the merits of the causes  
9 herein, in favor of the hereinafter specifically identified parties  
10 plaintiff; and there being no just reason for delay;

11 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
12 Act of 1940, as amended (former Title 8, U.S.C., Section 903)  
13 which was, by Section 405 of the Act of June 27, 1952, 66 Stat.  
14 280, effective December 24, 1952, continued in force and effect  
15 for the purpose of this cause, and pursuant to the terms of such  
16 stipulation,

17 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
18 judgment and decree directed to be entered in this cause:

19 I.

20 That the plaintiffs hereinafter identified are and at all  
21 times have been, natives, nationals and citizens of the United  
22 States of America, and entitled to the rights and privileges of  
23 such nationality and citizenship, notwithstanding their purported  
24 applications for renunciation of United States nationality under  
25 Section 401 (i) of the Nationality Act of 1940, as amended, their  
26 purported renunciations of United States nationality pursuant  
27 thereto and the approvals thereof given by the Attorney General,  
28 all of which occurred during the calendar years 1944 and 1945,  
29 A. D., and all of which are hereby declared to be, and at all times  
30 to have been, null, void and without legal effect upon the status  
31 and rights as nationals and citizens of the United States of any  
32 such plaintiffs, whose names and birthdates are as follows:

19	NAME	BIRTHDATE
20	NAKATSUI, Shigeru	July 25, 1921 (7-22-21)

21 II.

22 That no costs shall be taxed by the Clerk to any party.

23 Done in open Court this \_\_\_\_\_ day of March 1958.

24  
25 /s/ LOUIS E. GOODMAN  
26 UNITED STATES DISTRICT JUDGE

27 APPROVED AS TO FORM:

28 GEORGE COCHRAN DOUB, Assistant Attorney General  
29 LLOYD H. BURKE, United States Attorney, and a Defendant  
30 ENOCH E. ELLISON, Attorney, Department of Justice  
31 PAUL J. GRUMBLY, Attorney, Department of Justice.

32 By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
Attorneys for Defendants.



NAKAYA, James Teruo

1449 2-Chome Setagaya, Setagayaku  
Tokyo, Japan

M.R. 5/2/51

\$280.00

*Nakaya, James  
Jr.*

1 Wayne M. Collins  
1701 Mills Tower  
2 San Francisco 4, Calif.  
GARfield 1-1218  
3 Attorney for Plaintiffs

ORIGINAL  
FILED  
May 29, 1952  
Clerk, U.S. Dist. Court  
San Francisco

8 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

TADAYASU ABO, et al., etc., )  
Plaintiffs, )  
-vs- ) No. 25294  
JAMES P. McGRANERY, as Attorney General ) Cons. No. 25294  
of the United States, etc., et al., )  
Defendants. )

ORDER, JUDGMENT AND DECREE EXECUTING MANDATE  
OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

In compliance with the Mandate of the United States Court of Appeals for the Ninth Circuit entered in this cause on October 17, 1951,

(A) It is Ordered that the Final Order, Judgment and Decree of this Court entered in this cause on April 12, 1949, and modified by an order of this Court entered in this cause on May 2, 1949, insofar as it pertained to the following named defendants sued in their representative capacities herein, to-wit, Dean Acheson, as Secretary of State, John W. Snyder, as the Secretary of the Treasury, Julius A. Krug, as the Secretary of the Interior, Dillon S. Myer, as Director, War Relocation Authority, and Raymond R. Best, as Project Director, Tule Lake Center, be and the same hereby is set aside.

(B) It is Further Ordered that the Final Order, Judgment and Decree of this Court, entered in this cause on April 12, 1949, and modified by an Order of this Court entered in this cause on May 2, 1949, be, and the same hereby is amended to read as follows:

"IT IS ORDERED, ADJUDGED AND DECREED as and for a final order, judgment and decree against the defendants herein, excepting those

1 specified in paragraph (A) hereinabove, and in favor of each and  
2 all of the One Thousand Four (1,004) specifically named plaintiffs  
3 listed and set forth in the following thirty-two (32) pages and  
4 of whom 985 are plaintiffs in proceeding No. 25294 herein and of  
5 whom 19, indicated by an asterisk following their respective names,  
6 are plaintiffs in proceeding No. 25295 herein, consolidated there-  
7 with, to-wit:-

8	NAME	BIRTHDATE
9	NAKAYA, James Teruo	2/20/20

10 as follows:

11 1. The application for renunciation of United States nation-  
12 ality and citizenship heretofore executed by each of the plaintiffs  
13 hereinabove specifically named in paragraph (B) hereof in 1944  
14 or 1945, the renunciation of his or her United States nationality  
15 and citizenship and the order of the defendant Attorney General  
16 approving each such application and renunciation are, and each of  
17 said things is, wholly illegal, contrary to law and public policy,  
18 null and void ab initio, and they are, and each of said things is,  
19 hereby cancelled and set aside.

20 2. Each of the plaintiffs hereinabove specifically named in  
21 paragraph (B) hereof at birth and ever since then has been and now  
22 is a native born national and citizen of the United States of  
23 America and domiciled therein and each is entitled to the full  
24 and complete exercise and enjoyment of all his or her rights,  
25 privileges, liberty and immunities of United States nationality  
26 and citizenship.

27 3. The remaining defendants, other than those hereinabove  
28 specifically named in paragraph (A) hereof, are, and each of them  
29 is, and their agents, servants, employees and representatives are,  
30 and each of them is, hereby permanently enjoined from detaining,  
31 imprisoning or interning the plaintiffs whose names are listed in  
32 paragraph (B) hereof or any of them and from restraining them  
or any of them of liberty and from removing them or any of them  
to Japan or elsewhere and from interfering with their freedom of  
movement within the United States and right of access to their  
homes in the United States from abroad and from interfering with  
their full and complete exercise and enjoyment of each and all  
of their rights, privileges and immunities of United States  
nationality and citizenship."

33 (C) It is Further Ordered that as to the Plaintiffs in this  
34 cause excepting those hereinabove specifically listed by name  
35 in paragraph (B) hereof, the Order, Judgment and Decree of this  
36 Court entered on April 12, 1949, hereby is set aside and that, as  
37 to such remaining plaintiffs in this cause, further proceedings  
38 be had in this cause in accordance with the said Mandate of the  
39 said United States Court of Appeals entered in this cause on  
40 October 17, 1951.

41 Done in Open Court this 29th day of May, 1952.

42 LOUIS E. GOODMAN,  
43 UNITED STATES DISTRICT JUDGE

44 Approved as to form:  
45 (S) Edgar R. Bonsall  
46 Asst. U.S. Atty.

**United States District Court**  
**For the Northern District of California, Southern Division**

TADAYASU ABO, et al., etc.,

*Plaintiffs,*

vs.

JAMES P. McGRANERY, as Attorney General of  
the United States, etc., et al.,

*Defendants.*

No. 25294

Cons. No. 25294

**CERTIFICATE OF CLERK.**

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true and full copy of the original ORDER, JUDGMENT AND DECREE EXECUTING MANDATE OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT made and filed in the above-entitled cause on May 29, 1952, and entered June 2, 1952, with the exception of the listing of the names of the plaintiffs in paragraph (B) thereof other than.....

NAKAYA, James Teruo

.....  
now remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California, this.....11th day of June, A. D. 1952.

C. W. CALBREATH,  
*Clerk,*

By Margaret P. Beave  
*Deputy Clerk.*

NAKAYA, Nancy Natsuko, Nakasato

1449 2-Chome, Setagaya Setagaya-ku  
Tokyo, Japan

*M.R. 5/2/51*

\$280.00

*Nakaya, Nancy  
Natsuko*

1 Wayne M. Collins  
1701 Mills Tower  
2 San Francisco 4, Calif.  
Garfield 1-1218  
3 Attorney for Plaintiffs

ORIGINAL  
FILED  
May 29, 1952  
Clerk, U.S. Dist. Court  
San Francisco

4  
5  
6  
7  
8 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

TADAYASU ABO, et al., etc., )  
Plaintiffs, )  
-vs- ) No. 25294  
JAMES P. McGRANERY, as Attorney General ) Cons. No. 25294  
of the United States, etc., et al., )  
Defendants. )

ORDER, JUDGMENT AND DECREE EXECUTING MANDATE  
OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

In compliance with the Mandate of the United States Court of Appeals for the Ninth Circuit entered in this cause on October 17, 1951,

(A) It is Ordered that the Final Order, Judgment and Decree of this Court entered in this cause on April 12, 1949, and modified by an order of this Court entered in this cause on May 2, 1949, insofar as it pertained to the following named defendants sued in their representative capacities herein, to-wit, Dean Acheson, as Secretary of State, John W. Snyder, as the Secretary of the Treasury, Julius A. Krug, as the Secretary of the Interior, Dillon S. Myer, as Director, War Relocation Authority, and Raymond R. Best, as Project Director, Tule Lake Center, be and the same hereby is set aside.

(B) It is Further Ordered that the Final Order, Judgment and Decree of this Court, entered in this cause on April 12, 1949, and modified by an Order of this Court entered in this cause on May 2, 1949, be, and the same hereby is amended to read as follows:

"IT IS ORDERED, ADJUDGED AND DECREED as and for a final order, judgment and decree against the defendants herein, excepting those

1 specified in paragraph (A) hereinabove, and in favor of each and  
2 all of the One Thousand Four (1,004) specifically named plaintiffs  
3 listed and set forth in the following thirty-two (32) pages and  
4 of whom 985 are plaintiffs in proceeding No. 25294 herein and of  
5 whom 19, indicated by an asterisk following their respective names,  
6 are plaintiffs in proceeding No. 25295 herein, consolidated there-  
7 with, to-wit:-

8	NAME	BIRTHDATE
9	NAKAYA, Nancy Natsuko, Nakasato	7/13/21

10 as follows:

11 1. The application for renunciation of United States nation-  
12 ality and citizenship heretofore executed by each of the plaintiffs  
13 hereinabove specifically named in paragraph (B) hereof in 1944  
14 or 1945, the renunciation of his or her United States nationality  
15 and citizenship and the order of the defendant Attorney General  
16 approving each such application and renunciation are, and each of  
17 said things is, wholly illegal, contrary to law and public policy,  
18 null and void ab initio, and they are, and each of said things is,  
19 hereby cancelled and set aside.

20 2. Each of the plaintiffs hereinabove specifically named in  
21 paragraph (B) hereof at birth and ever since then has been and now  
22 is a native born national and citizen of the United States of  
23 America and domiciled therein and each is entitled to the full  
24 and complete exercise and enjoyment of all his or her rights,  
25 privileges, liberty and immunities of United States nationality  
26 and citizenship.

27 3. The remaining defendants, other than those hereinabove  
28 specifically named in paragraph (A) hereof, are, and each of them  
29 is, and their agents, servants, employees and representatives are,  
30 and each of them is, hereby permanently enjoined from detaining,  
31 imprisoning or interning the plaintiffs whose names are listed in  
32 paragraph (B) hereof or any of them and from restraining them  
or any of them of liberty and from removing them or any of them  
to Japan or elsewhere and from interfering with their freedom of  
movement within the United States and right of access to their  
homes in the United States from abroad and from interfering with  
their full and complete exercise and enjoyment of each and all  
of their rights, privileges and immunities of United States  
nationality and citizenship."

33 (C) It is Further Ordered that as to the Plaintiffs in this  
34 cause excepting those hereinabove specifically listed by name  
35 in paragraph (B) hereof, the Order, Judgment and Decree of this  
36 Court entered on April 12, 1949, hereby is set aside and that, as  
37 to such remaining plaintiffs in this cause, further proceedings  
38 be had in this cause in accordance with the said Mandate of the  
39 said United States Court of Appeals entered in this cause on  
40 October 17, 1951.

41 Done in Open Court this 29th day of May, 1952.

42 LOUIS E. GOODMAN,  
43 UNITED STATES DISTRICT JUDGE

44 Approved as to form:  
45 (S) Edgar R. Bonsall  
46 Asst. U.S. Atty.

**United States District Court**  
**For the Northern District of California, Southern Division**

TADAYASU ABO, et al., etc.,

*Plaintiffs,*

vs.

JAMES P. McGRANERY, as Attorney General of  
the United States, etc., et al.,

*Defendants.*

No. 25294

Cons. No. 25294

**CERTIFICATE OF CLERK.**

I, C. W. CALBREATH, Clerk of the United States District Court in and for the Northern District of California, do hereby certify that the annexed and foregoing is a true and full copy of the original ORDER, JUDGMENT AND DECREE EXECUTING MANDATE OF THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT made and filed in the above-entitled cause on May 29, 1952, and entered June 2, 1952, with the exception of the listing of the names of the plaintiffs in paragraph (B) thereof other than.....

.....NAKAYA, Nancy Natsuko, Nakasato.....  
now remaining among the records of the said Court in my office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California, this 11<sup>th</sup> day of June, A. D. 1952.

C. W. CALBREATH,  
*Clerk,*

By Margaret P. Beaver  
*Deputy Clerk.*

*Nakayama, James Iwao*

1 Wayne M. Collins  
2 Attorney at Law  
3 Mills Tower, 220 Bush Street  
4 San Francisco 4, California  
5 Garfield 1-5827  
6 Attorney for Plaintiffs

ORIGINAL  
FILED  
FEB - 9 1959  
Clerk, U.S. Dist. Court  
San Francisco

7 IN THE SOUTHERN DIVISION OF THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

9		- - - - - )	
10	TADAYASU ABO, et al., etc.,	Plaintiffs,	) No. 25294
11	-vs-		
12	WILLIAM P. ROGERS, as Attorney General	) Defendants.	) <u>Cons. No. 25294-G</u>
13	of the United States, etc., et al.,		
14	and	- - - - - )	
15	MARY KANAME FURUYA, et al., etc.,	Plaintiffs,	) No. 25295
16	-vs-		
17	WILLIAM P. ROGERS, as Attorney General	) Defendants.	
18	of the United States, etc., et al.,		
18		- - - - - )	

19 FINAL ORDER, JUDGMENT, AND DECREE AS TO CERTAIN NAMED  
20 PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS  
21 UNITED STATES NATIONALS

22 This cause (originally consisting of companion suits Nos.  
23 25294-G and 25295-G, which have been consolidated under No. 25294-  
24 G) being submitted to this Court, sitting without a jury, for  
25 decision on the merits of the individual causes of certain parties-  
26 plaintiff, hereinafter named, pursuant to a written "Stipulation Re  
27 Judgment as to Certain Named Parties-Plaintiff Who Have Been Docu-  
28 mented or Recognized as United States Nationals" entered into  
29 between the parties hereto and filed herein this date; and it being  
30 stipulated that, subsequent to their purported renunciations of  
31 United States nationality pursuant to the provisions of Section  
32 401(i) of the Nationality Act of 1940, as amended (former Title  
8 U.S.C., Section 801 (i) ), during the calendar years 1944 and  
1945, said plaintiffs have been documented or recognized as United  
States nationals upon their applications duly made either to the  
Department of State or to the United States Immigration and  
Naturalization Service, and it being stipulated that such purported  
acts of renunciation occurred while such parties-plaintiff were  
resident at the Segregation Center of the War Relocation Authority  
at Tule Lake, Newell, California; and the attorneys for the  
defendant Attorney General and those acting under his authority  
having withdrawn all offers of proof heretofore made herein with  
respect to such parties-defendant and conceding that they have

1 made out a prima facie case for relief under the ruling of the  
2 United States Court of Appeals for the Ninth Circuit in this cause  
3 (McGrath v. Abo, 186 F. 2d 766), such concession being consistent  
4 with the Court's conclusions as to the effect of applicable law in  
5 the circumstances; and formal findings of fact and conclusions of  
6 law herein being waived; and the Court being advised that counsel  
7 for such defendants will offer no objection to the entry of a final  
8 order, judgment and decree on the merits of the causes herein, in  
9 favor of the hereinafter specifically identified parties-plaintiff;  
10 and there being no just reason for delay;

11 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
12 Act of 1940, as amended (former Title 8, U.S.C., Section 903)  
13 which was, by Section 405 of the Act of June 27, 1952, 66 Stat.  
14 280, effective December 24, 1952, continued in force and effect  
15 for the purpose of this cause, and pursuant to the terms of such  
16 stipulation,

17 IT IS ORDERED, ADJUDGED AND DECREED as and for a final order,  
18 judgment and decree directed to be entered in this cause:

19 I.

20 That the plaintiffs hereinafter identified are and at all  
21 times have been, natives, nationals and citizens of the United  
22 States of America, and entitled to the rights and privileges of  
23 such nationality and citizenship, notwithstanding their purported  
24 applications for renunciation of United States nationality under  
25 Section 401 (i) of the Nationality Act of 1940, as amended, their  
26 purported renunciations of United States nationality pursuant  
27 thereto and the approvals thereof given by the Attorney General,  
28 all of which occurred during the calendar years 1944 and 1945,  
29 A.D., and all of which are hereby declared to be, and at all times  
30 to have been, null, void and without legal effect upon the status  
31 and rights as nationals and citizens of the United States of any  
32 such plaintiffs, whose names and birthdates are as follows:

NAME	BIRTHDATE
NAKAYAMA, James Iwao	2-23-13

II.

That no costs shall be taxed by the Clerk to any party.

Done in open Court this 9 day of February 1959.

/s/ LOUIS E. GOODMAN  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

GEORGE COCHRAN DOUB, Assistant Attorney General  
ROBERT H. SCHNACKE, United States Attorney, and a Defendant  
ENOCH E. ELLISON, Attorney, Department of Justice  
PAUL J. GRUMBLY, Attorney, Department of Justice.

By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
Attorneys for Defendants.

