

ABO & FURUYA v. Rogers (Cons. no 25294 )  
Brownell, et al., etc.,

78/177

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*Nomura, Denishi &*

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 of the United States, etc., et al.,		Defendants.
13	and	}	<u>Cons. No. 25294-G</u>
14	-----		
15	MARY KANAME FURUYA, et al, etc.,	}	No. 25295
16	-vs-		
17	WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,	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(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having withdrawn all offers of proof heretofore made herein with  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 consession 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 (1) 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	NOMURA, Denichi D.	10-20-01

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.,	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 May 2, 1958 and entered May 2, 1958, with the name of -----Denichi D. Nomura-----, 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

Don E. Krepper  
Deputy Clerk.

Nomura, Kiyoko

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

ORIGINAL  
FILED  
MAY 27 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,

-vs-

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

and

MARY 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

FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED PLAINTIFFS  
AS TO WHOM THE DEFENDANTS HAVE WITHDRAWN ALL OFFERS OF PROOF

This cause (originally consisting of companion suits Nos. 25294-G and 25295-G which had been consolidated under No.25294-G) being submitted to this Court, sitting without a jury, for decision of the cause of certain individual parties-plaintiff hereinafter named, pursuant to the "DEFENDANTS' WITHDRAWAL OF OFFERS OF PROOF AS TO CERTAIN NAMED PLAINTIFFS AND CONSENT TO IMMEDIATE ACTION" filed herein and approved this date by this Court;

1 And it being conceded therein by counsel for certain  
2 defendants, namely the Attorney General of the United States,  
3 and those under his authority, that the evidence with respect  
4 to such named plaintiffs which the defendants have offered to  
5 produce is insufficient to overcome the presumption established  
6 by the decision of the United States Court of Appeals for the  
7 Ninth Circuit in this cause (McGrath v. Abo, 186 F. 2d 766),  
8 that the said plaintiffs' renunciations of citizenship were  
9 not their free and voluntary acts, and such concession being  
10 consistent with the Court's conclusion as to the effect of the  
11 applicable law in the circumstances; and formal findings of  
12 fact and conclusions of law having been waived;

13 And counsel for such parties-defendant having withdrawn  
14 any objection to the entry of a final order, judgment and  
15 decree, in accordance with the mandate of the Court of Appeals  
16 in this cause and having given their consent to immediate action  
17 by this Court in that regard as to the hereinafter specifically  
18 identified parties-plaintiff; and there being no just reason  
19 for delay;

20 NOW, THEREFORE, pursuant to Section 503 of the Nationality  
21 Act of 1940 as amended (former Title 8 U.S.C. Sec. 903), which  
22 was by Sec. 405 of the Act of June 27, 1952, 66 Stat. 280,  
23 effective December 24, 1952, continued in force and effect for  
24 purposes of this cause, and pursuant to the provisions of such  
25 "DEFENDANTS' WITHDRAWAL OF OFFERS OF PROOF AS TO CERTAIN NAMED  
26 PLAINTIFFS AND CONSENT TO IMMEDIATE ACTION,"

27 It is ORDERED, ADJUDGED, AND DECREED as and for a final  
28 order, judgment and decree directed to be entered in this cause:

29 I

30 That the plaintiffs hereinafter identified and listed in  
31 the attached schedule of 2 pages containing 62 names, are  
32 and at all times have been natives, nationals and citizens of

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 27th day of MAY, 1959.

16  
17  
18 /s/ LOUIS E. GOODMAN

19 UNITED STATES DISTRICT JUDGE

20  
21 APPROVED AS TO FORM:

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

26 By /s/ Charles Elmer Collett

27  
28 Assistant United States Attorney  
29 Attorneys for Defendants.

30  
31 NAME

DATE OF BIRTH

32 NOMURA, Kiyoko

4-2-22

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 MAY 27 1959 and entered MAY 27 1959, with the name of Kiyoko Nomura

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 4 day of June, A.D. 1959.

C. W. CALBREATH,  
Clerk  
By Don E. Freyber  
Deputy Clerk

NOMURA, Miyoko Eula  
Kasugabaru, Dependent Housing  
Area  
Fukuoka, Japan

M.R.  
12/4/51

\$300.00

*Komura, Miyoko Eula*

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

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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	NOMURA, Miyoko Eula	11/27/24

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."

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.....

.....  
NOMURA, Miyoko Eula  
.....

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.....

*Deputy Clerk.*

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

ORIGINAL  
F I L E D  
MAY 27 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,	)	
-vs-	)	<u>No. 25294</u>
WILLIAM P. ROGERS, as Attorney	)	
General of the United States, etc., et al.,	)	
Defendants.	)	
and	)	
-----	)	<u>Cons.No. 25294-G</u>
MARY KANAME FURUYA, et al., etc.,	)	
Plaintiffs,	)	
-vs-	)	<u>No. 25295</u>
WILLIAM P. ROGERS, as Attorney	)	
General of the United States, etc., et al.,	)	
Defendants.	)	
-----	)	

FINAL ORDER, JUDGMENT AND DECREE AS TO CERTAIN NAMED PLAINTIFFS  
AS TO WHOM THE DEFENDANTS HAVE WITHDRAWN ALL OFFERS OF PROOF

This cause (originally consisting of companion suits Nos. 25294-G and 25295-G which had been consolidated under No.25294-G) being submitted to this Court, sitting without a jury, for decision of the cause of certain individual parties-plaintiff hereinafter named, pursuant to the "DEFENDANTS' WITHDRAWAL OF OFFERS OF PROOF AS TO CERTAIN NAMED PLAINTIFFS AND CONSENT TO IMMEDIATE ACTION" filed herein and approved this date by this Court;



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 27th day of MAY, 1959.

16  
17  
18 /s/ LOUIS E. GOODMAN

19 UNITED STATES DISTRICT JUDGE

20  
21 APPROVED AS TO FORM:

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

26 By /s/ Charles Elmer Collett

27  
28 Assistant United States Attorney

29 Attorneys for Defendants.

30  
31 NAME

DATE OF BIRTH

32 NOMURA, Tadao

2-13-22

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.	)	
	)	

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IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at San Francisco, California, this 4 day of June, A.D. 1959.

C. W. CALBREATH,  
Clerk.

By Don E. Frey  
Deputy Clerk.

*Nomura, Tsuyako*

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

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

NAME	BIRTHDATE
NOMURA, Tsuyako	April 25, 1910

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.



NORITAKE , KIMIYE

2744 S Raymond

L. A.

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.,

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)  
being submitted to this Court, sitting without a jury, for decision  
21 on the merits of the individual causes of certain parties-plaintiff,  
hereinafter named, pursuant to a written "Stipulation Re Judgment  
22 as to Certain Named Parties-Plaintiff Who Have Been Documented or  
Recognized as United States Nationals" entered into between the  
23 parties hereto and filed herein this date; and it being stipulated  
that, subsequent to their purported renunciations of United States  
24 nationality pursuant to the provisions of Section 401(i) of the  
Nationality Act of 1940, as amended, (former Title 8 U.S.C.,  
25 Section 801(i) during the calendar years, 1944 and 1945, said  
plaintiffs have been documented or recognized as United States  
26 nationals upon their applications duly made either to the  
Department of State or to the United States Immigration and  
27 Naturalization Service, and it being stipulated that such pur-  
ported acts of renunciation occurred while such parties-plaintiff  
28 were resident at the Segregation Center of the War Relocation  
Authority at Tule Lake, Newell, California; and the attorneys  
29 for the defendant Attorney General and those acting under his  
authority having withdrawn all offers of proof heretofore made  
30 herein with respect to such parties-defendant and conceding that  
they have made out a prima facie case for relief under the  
31 ruling of the United States Court of Appeals for the Ninth Cir-  
cuit in this cause (McGrath v. Abo, 186 F 2d, 766), such con-  
32 cession being consistent 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

1 being advised that counsel for such defendants will offer no  
2 objection to the entry of a final order, judgment and decree  
3 on the merits of the causes herein, in favor of the hereinafter  
specifically identified parties-plaintiff; and there being no  
just reason for delay;

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

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

9 I.

10 That the plaintiffs hereinafter identified are and at all  
11 times have been, natives, nationals and citizens of the United  
12 States of America, and entitled to the rights and privileges of  
13 such nationality and citizenship, notwithstanding their purported  
14 applications for renunciation of United States nationality under  
15 Section 401(i) of the Nationality Act of 1940, as amended, their  
16 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,  
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  
such plaintiffs, whose names and birthdates are as follows:

17	NAME	BIRTHDATE
18	<u>NORITAKE, Kimiye Kojima</u>	<u>8-1-17</u>

19 II.

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

22 /s/ LOUIS E. GOODMAN

23 UNITED STATES DISTRICT JUDGE

24 APPROVED AS TO FORM:

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

28 By: /s/ Charles Elmer Collett  
Assistant United States Attorney  
29 Attorneys for Defendants  
30  
31  
32

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.  
- - - - and - - - - -  
MARY KANAME FURUYA, et al., etc.,  
Plaintiffs,  
-vs-  
HERBERT BROWNELL, JR., 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 PARTIES-PLAINTIFF WHO HAVE BEEN DOCUMENTED OR RECOGNIZED AS UNITED STATES NATIONALS made and filed in the above-entitled cause on August 12, 1955, and entered August 15, 1955, with the name of NORITAKE, Kimiye Kojima, 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 Blair  
Deputy Clerk.

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  
SEP 30 1958  
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, )  
11 -vs- ) No. 25294  
12 WILLIAM P. ROGERS, as Attorney General )  
of the United States, etc., et al., )  
13 Defendants )  
14 ----- )  
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  
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:

NAME	BIRTHDATE
<u>NORITAKE, Shingo</u>	<u>3-1-15</u>

II.

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

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

/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., 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.,	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 Shingo Noritake, 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

David E. Krueger  
Deputy Clerk.



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
NORIYE, Misuye	9-22-08 (9-21-08)

II.

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

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

/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., 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.,	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 Misuye Noriye, 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

Dave E. Anuska  
Deputy Clerk.

*Royce Tomajiro Tom*

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

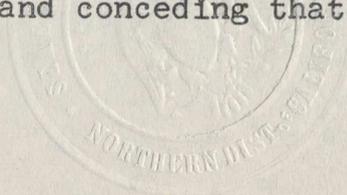
ORIGINAL  
FILED  
SEP 30 1958  
Clerk, U.S. Dist. Court  
San Francisco

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

9	TADAYASU ABO, et al., etc.,	Plaintiffs,	}	No. 25294
10	-vs-			
11	WILLIAM P. ROGERS, as Attorney General	Defendants	}	Cons. No. 25294-G
12	of the United States, etc., et al.,			
13	----- and -----			
14	MARY KANAME FURUYA, et al, etc.,	Plaintiffs,	}	No. 25295
15	-vs-			
16	WILLIAM P. ROGERS, as Attorney General	Defendants	}	
17	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
NORIYE, Tomojiro Tom	6-13-04 (6-16-04)

II.

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

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

/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.,  
vs. Plaintiffs,  
WILLIAM P. ROGERS, as Attorney General  
of the United States, etc., et al.,  
and Defendants,  
MAY KANAME FURUYA, et al., etc.,  
vs. Plaintiffs,  
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 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 Tomojiro Tom Noriye, 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. Anepka  
Deputy Clerk.

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

ORIGINAL  
FILED

DEC-1 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-  
WILLIAM P. ROGERS, as Attorney  
12 General of the United States, etc., et al.,  
Defendants.

No. 25294

13 and  
14 -----  
MARY KANAME FURUYA, et al., etc., Plaintiffs,  
15 -vs-  
WILLIAM P. ROGERS, as Attorney  
16 General of the United States, etc., et al.,  
Defendants.  
17 -----

Cons. No. 25294-G

No. 25295

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

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  
of Final Judgments Against Certain Defendants Will Not Be Opposed  
In Such Cases" entered into between the parties hereto and filed  
herein this date together with certain affidavits which are hereby  
accepted in lieu of the oral testimony of affiants in accordance  
with the provisions of such stipulation;

27 And it being conceded by counsel for certain defendants,  
28 namely the Attorney General of the United States, and those under  
29 his authority, that notwithstanding the proofs heretofore made  
and offered in this cause, the representations set forth in such  
30 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  
31 others, remove any efficacious defense to the suits of such  
parties-plaintiff, and such concession being consistent with the  
32 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 effec-  
11 tive December 24, 1952, continued in force and effect for pur-  
12 poses of 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 pur-  
21 suant 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 as  
29 follows:

30	NAME	BIRTHDATE
31	<u>NUNOTANI, Susumu</u>	<u>9-27-20</u>

32 II.

33 That no costs shall be taxed by the Clerk to any party.  
34 Done in open Court this 1st day of ~~XXXXXXXX~~ 1958  
35 December

36 /s/ LOUIS E. GOODMAN  
37 UNITED STATES DISTRICT JUDGE

38 APPROVED AS TO FORM:

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

43 By: /s/ Charles Elmer Collett

44 Assistant United States Attorney  
45 Attorneys for Defendants.

46

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  
MARY 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

DEC - 1 1958

DEC - 1 1958

\_\_\_\_\_, and entered  
\_\_\_\_\_, with the name of \_\_\_\_\_

Susumu Nunotani, 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 1st December day of ~~NOVEMBER~~, A.D. 1958.

C. W. CALBREATH,  
Clerk,

By

Dore E. Knapp  
Deputy Clerk

