

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

78/177

C



*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

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.,	Defendants.		
14	and	-----		<u>Cons. No. 25294-G</u>
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	-----			

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

23 This cause (originally consisting of companion suits Nos.  
24 25294-G and 25295-G, which have been consolidated under No. 25294-  
25 G) being submitted to this Court, sitting without a jury, for  
26 decision on the merits of the individual causes of certain parties-  
27 plaintiff, hereinafter named, pursuant to a written "Stipulation Re  
28 Judgment as to Certain Named Parties-Plaintiff Who Have Been Docu-  
29 mented or Recognized as United States Nationals" entered into  
30 between the parties hereto and filed herein this date; and it being  
31 stipulated that, subsequent to their purported renunciations of  
32 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having withdrawn all offers of proof heretofore made herein with  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 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  
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, Denichi D.	10-20-01

II.

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

Done in open Court this 2nd day of May, 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 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

Dore E. Krepper  
Deputy Clerk.



Nomura, Kiyoko

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

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

<u>NAME</u>	<u>DATE OF BIRTH</u>
<u>NOMURA, Kiyoko</u>	<u>4-2-22</u>

31  
32



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 Dore E. Freyppel  
Deputy Clerk



NOMURA, Miyoko Eula  
Kasugabaru, Dependent Housing  
Area

Fukuoka, Japan

\$300.00

M.R.  
12/4/51



*Nomura, Myoko Eula*

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

ORIGINAL  
FILED  
May 29, 1952  
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-

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

Defendants.

No. 25294

Cons. No. 25294

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 Treas-  
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.

(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



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

NAME	BIRTHDATE
NOMURA, Miyoko Eula	11/27/24

as follows:

1. The application for renunciation of United States nationality 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.....

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.*



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 /s/ 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 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.	)	
-----	(	

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 Tadao 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. Lepper  
Deputy Clerk.



*Nomura, Tsuyako*

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 TADAYASU ABO, et al., etc.,

Plaintiffs,

-vs-

No. 25294

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

and

Cons. No. 25294-G

14 MARY KANAME FURUYA, et al, etc.,

Plaintiffs,

-vs-

No. 25295

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

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  
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.



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.,		No. 25294
		Defendants,
and		Cons. No. 25294-G
<hr/>		
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 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 \_\_\_\_\_  
-----Tsuyako 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 10 day of March, A. D. 1958.

C. W. CALBREATH,  
Clerk,

By Dore E. Krueger  
Deputy Clerk.



NORITAKE, KIMIYE

2744 S Raymond

L. A.



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

ORIGINAL  
FILED  
AUG 12 1955  
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-

No. 25294

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,

-vs-

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

No. 25295

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 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 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  
for the purpose of this cause, and pursuant to the terms of such  
stipulation,

7  
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.  
28 PAUL J. GRUMBLY, Attorney, Department of Justice.

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



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

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

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 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.,	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 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

Don E. Knipper  
Deputy Clerk.



*Harvey, Minsky*

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.,  
10 Plaintiffs,

11 -vs-

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

15 and

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

18 -vs-

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

No. 25294

Cons. No. 25294-G

No. 25295

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 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.,	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 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. Knapp  
Deputy Clerk.



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

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 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.,	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 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. Frensch  
Deputy Clerk.



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

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

No. 25294

15 and -----

Cons. No. 25294-G

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

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

No. 25295

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

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

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 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 ~~NOVEMBER~~ 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.



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

TADAYASU ABO, et al., etc.,	)	No. 25294
Plaintiffs,		
vs.	)	Cons. No. 25294-G
WILLIAM P. ROGERS, as Attorney General of the United States, etc., et al.,		
Defendants,	)	
and		
MARY KANAME FURUYA, et al., etc.,	)	No. 25295
Plaintiffs,		
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 SUBMITTED AFFIDAVITS IN LIEU OF ORAL TESTIMONY made and filed in the above-entitled cause on

DEC - 1 1958, and entered  
DEC - 1 1958, 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 day of December, A.D. 1958.

C. W. CALBREATH,  
Clerk,

By

Dore E. Knapp  
Deputy Clerk