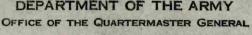


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WASHINGTON 25, D. C.

QMGMT 293 GRS Far East 28 November 1949

SUBJECT: Identification of World War II Deceased

TO

IN REPLY REFER TO

: Commanding Officer American Graves Registration Service Philcom Zone APO 900, c/o Postmaster San Francisco, California

1. Reference is made to Board Proceedings, your headquarters, dated 8 February and 26 April 1949, recommending the following individual identifications:

> Unknown X-1572 as 1st Lt Kenneth L. Wilson 0 398 233 "X-4685" 2d Lt Alexander R. Nininger 0-23761

2. Unknown X-1752 was recovered from an isolated grave in Hermosa, Bataan, P.I., and recommended for identification on the basis of information furnished by Mr. Jose Yondoc, a Philippine citizen. The next of kin of Lt Wilson were provided with the facts of this case, however, they were in possession of certain information which they believe, and which contradicts the statement of Mr. Yondoc. This information is forwarded to your headquarters in Inclosure #3 and is an extract of a statement by Mr. Lee C. Brooks, formerly Lt Brooks and later Major Brooks, who was a close personal friend of Lt Wilson and was at Abucay at the time Lt Wilson was killed.

3. Unknown X-4685 was recovered from Grave #9, Soldiers Row, Abucay Cemetery, Abucay, P.I. A letter from the father of Lt David W. Maynard, 0-38762, indicates that Lieutenants Maynard, Wilson, Compton, Green and Nininger, and Capt Meyer were interred in the churchyard at Abucay. Burials of these men were under the supervision of a Chaplain Secina.

4. This Office has succeeded in contacting Lt Col John W. Raulston, M.C., who was in command of the medical collecting station located in the Catholic Church at Abucay. He has furnished a diagram showing the approximate location of burials performed by Chaplain Secina. An extract of his statement and diagram are also attached.

Identification Branch

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	Case 5:17-cv-00467-XR Documer	nt 63-7 Filed 04/22/1	19 Page 3 of 17	
	Declassified Per E.O. 13526 dtd 5 Jan 2010	MAIL		4
	QMGMT 293 GRS Far East SUBJECT: Identification of World		3 November 1949	
	5. In view of the evidence presented the subject Board Pro- ceedings have been disapproved and are returned herewith. It is requested that your headquarters reinvestigate the facts in this case and submit to this Office a report of your investigation.			
	 FOR THE QUARTERMASTER GI 7 Inels Bd Proc (Nininger, A.J., Jr) B Proc (Nininger, A.J., Jr) B Proc (Nininger, A.J., Jr) M (Wilson, K.L.) Extract cpy info lst ind dtd 11/5/49 Extract cpy info obtained telephone converstion between Capt Vogel & Mr Brooks Map of Abucay, Bataan OQMG Form 371 (in dup) for Wilson, Kenneth L. 	ENERAL: T. H. METZ It. Colonel, QMC Memorial Division	Jan de la construcción de la con	
	AM 50 STALL	NAN File Mentific	2 Aug 50 at Aug 50 at Aug 50 at Branch	
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GRPZ 293 lst Ind (28 November 1949) SUBJECT: Identification of World War II Deceased.

HEADQUARTERS, AMERICAN GRAVES REGISTRATION SERVICE, PHILCOM ZONE APO 900 7 MAR 1950

TO: The Quartermaster General, Department of the Army, Washington 25, D. C., ATTN: Memorial Division

1. The following are the reinvestigation findings pertinent to the cases of 1st Lt. Kenneth L. Wilson and 2nd Lt. Alexander R. Mininger:

a. Case of Lt. Wilson:

(1) A thorough check of all Abucay recoveries does not reveal any Unknown which could be associated with the deceased on the basis of favorable comparisons of physical and dental characteristics.

(2) The information furnished by Mr. Lee C. Brooks definitely precludes the possibility of associating Unknown X-1572 with Lt. Wilson. The statement of Mr. Jose Yondoc may be discounted since he recalls the name of the deceased only as "1st Lt. Wilson" and the first name is unknown. The previous association, however, was established on the basis of information furnished by your office to the effect that Lt. Kenneth L. Wilson is the only Wilson listed as killed in action in the area where the Unknown was recovered and within the dates indicated as the approximate date of death of the Unknown.

(3) In view of the negative findings, the case of Lt. Wilson is currently under process as Non-recoverable and Unknown X-1572 is being considered as Unidentifiable.

b. Case of Lt. Nininger:

dentification

(1) After a re-study of this case, it was determined that no other Unknown could be positively associated with Lt. Nininger aside from Unknown X-4685. The identification data for all the other Abucay Unknowns, most particularly those recovered from the immediate vicinity of the Abucay church, were carefully screened with unfavorable results.

(2) The information that Lts. Nininger, Wilson, Maynard, Compton, Green and Capt. Meyer were interred in the churchyard at Abucay has been found to be inconsistent with the fact that the remains of Capt. Adolph E. Meier (correct name of Capt. Meyer) were disinterred from US Army Cemetery No. 3, Mariveles, Bataan.

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GRPZ 293 (28 November 1949) SUBJECT: Identification of World War II Deceased

Cont'd

A check made by your Office does not show a casualty listed as Capt. Meyer who was killed in action in Bataan.

(3) The information furnished by Lt. Col. John W. Raulston, MC, and Mr. Lee C. Brooks does not positively establish the fact that either Lt. Nininger or Lt. Wilson was buried in the spot shown on enclosed diagram since neither of the two informants was present personally when the burials were made under the supervision of Chaplain Secina.

(4) The foregoing findings, therefore, give way to the probability that the body of Lt. Nininger was buried in Grave 9 of the Abucay Cemetery from where Unknown X-4685 was disinterred. On the other hand, it is also probable that the team which made the recovery of Unknown X-4685 might have arbitrarily named the place of recovery as "Abucay Cemetery". It is believed that the agreement in the grave number is sufficient basis to establish the association of this Unknown with Lt. Nininger since two probabilities clearly exist with regards to the exact place of burial of the deceased.

(5) Moreover, available records in this Headquarters show that fourteen (14) remains were recovered from Abucay churchyard, only two (2) of which are Americans - Capt. H. A. McCurdy, 0-28378 (identified by tag) and Unknown X-1671, ACRS Mausoleum (formerly X-3431, Manila #2). The rest are those of PS soldiers. No other recoveries are carried on our records as recovered from the churchyard. According to the next of kin of Lt. Nininger an officer personally saw the decedent's grave sometime in 1945. Several searches have since been conducted in that area and there is no doubt that the remains of subject deceased have been recovered as an Unknown and there is very little possibility for our search teams to overlook that grave located in such a very prominent place.

(6) In view of the above, it is the opinion of this Headquarters that the remains of Unknown X-4685 are in reality those of Lt. Nininger. The Board Proceedings are being returned herewith for a reconsideration.

2. In the event that the resubmittal of our previous recommendation in the case of Lt. Nininger is not acceptable to your Office, it is requested

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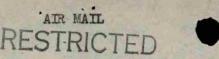
Identification Branch

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Complete copy of a WWII Unknown File scanned by DPMO from an original currently housed at the Washington National Records Center, Suitland, MD. Page 21 of 87 AIR MAIL





GRPZ 293 (28 November 1949) SUBJECT: Identification of World War II Deceased

Cont'd

that this Headquarters be so advised as soon as practicable to allow an early resolution of the case as Non-recoverable.

FOR THE COMMANDING OFFICER:

niela OHN SHYPUL.

1st Lt., Infantry Adjutant

7 Incls: 1 & 2: n/c 3: w/d 6: n/c 7: w/d Add ed: 8: Cy, Report of Disinterment re: Capt. McCURDY 9: Cy, Report of Disinterment re: X-3431, Manila #2

NAN File

Identification Branch



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Declassified Per E.O. 13526 dtd 5 Jan 2010



QMGMT 293 GRS Far East SUBJECT: Identification of World War II Deceased

Dept. of the Army, OQMG, Washington 25, D. C., 24 March 1950

TO: Commanding Officer, American Graves Registration Service, Philcom Zone, APO 900, c/o Postmaster, San Francisco, California

The reinvestigation recently conducted by your headquarters, 1. as narrated in your 1st indorsement, has been carefully considered, however, a question of a complete and comprehensive search and recovery operation in the exact area indicated on the drawing of the Abucay Churchyard, (Incl #1), remains doubtful. The statement and drawing submitted to this Office by Lt Col John W. Raulston are clear and unquestionable. He states that Chaplain Secina "established a little graveyard in a plot of ground within the five foot wall around the church". This information agrees in every detail with statements received from other persons who were present at Abucay and who are now in the U. S. Paragraph 1, sub-paragraph 5 of 1st indorsement states that "(14) remains were recovered from Abucay Churchyard". These fourteen graves containing 2 Americans and 12 Philippine Scouts were located outside of the five foot wall around the churchyard and therefore were not within the churchyard. The difference between these two locations is clear and they cannot be collectively designated within the churchyard.

2. The resolution of this case is further dependent upon the information furnished to the next of kin of the afficers involved. Fellow officers who survived and have returned to the U.S. have presented to the NOK a clear picture of interment in the Abucay Churchyard.

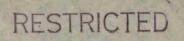
3. In view of the above, it is requested that a search and recovery team be dispatched to the Abucay Churchyard and that an extensive excavation of the location marked on inclosure 6 be undertaken. It is further requested that an accurate drawing be made of the churchyard and that the area excavated be accurately marked. In view of the numerous requests made to this Office by NOK, it is also requested that every attempt be made to expedite the above, and forward to this Office the results of your investigation.

FOR THE QUARTERMASTER GENERAL: 7 Incls: n/c Lt. Colonel. QMC Memorial Division -6 dentification

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EXHIBIT

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GRPZ 293 (28 Nov 49) GRS Far East SUBJECT: Identification of World War II Deceased

Headquarters American Graves Registration Service, PHILCOM Zone APO 928 - JUN 1950

TO: OQMG, Department of the Army, Washington 25, D. C. ATTN: Memorial Division

1. Attached are additional Inclosures Nos. 10, 11 and 12 which pertain to the investigation at the churchyard at Abucay, Bataan in the search for the remains of 2d Lt. Alexander R. Mininger. In view of the fact that the only remains recovered in this extensive investigation of the churchyard proved to be Mongoloid, the conclusion must be drawn that the remains of Lt. Nininger have not yet been recovered or that his remains are among those now in custody of AGRS as unidentifiable unknowns.

2. Since no information is at hand on which to continue the search for Lt. Nininger's remains nonrecoverable action in the case of this casualty will be forwarded by the Zone Board of Review.

FOR THE COMMANDING OFFICER:

10 Incls 1 to 9 - n/cAdded 3 incls 10. Rpt of Inv dtd 19 May 50 w/4 incls Statement of Anthropologist 71. AGRS Radio cite R 5043 GRPZ 12.

CHARLES R. WHAYLEN 2d Lieutenant, QMC Assistant Adjutant

TAT Identification Branch

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Identification of World Mar II Deceased

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: Commanding Officer American Graves Registration Service Philcos Zone APO 928. c/o Postmaster San Francisco, California

1. Proceedings of your Board of Review, dated 8 December 1948 and 26 April 1949, recommending the identification of the remains of Unknown X-4665, AORS Meusoleum, Manila, P.I., (formerly X-1130, USAF Cemetery Manila #2, P.I.) as Second Lieutenant Alexander H. Mininger, 0-23761, are returned horavith dissported.

2. The evidence presented in this case cannot be interpreted as sufficient basis for identification due to the following reasons:

a. The dental comparison is inconclusive. The comparison is not unfavorable; nevertheless, there is no existing criteria that could possibly conclude the comparison.

b. The height comparison is negative. The recorded height for 1st Lt Mininger is 5'11", whereas the estimated height accomplished for the Unknown remains is 5'1 3/9" and 5' 2 1/9". This major factor alone, obviates the possibility of these remains being the remains of Mentamant Mininger.

Es." Records of the Adjutant General's Office attains rent for Alarghday 3. Juinger, Jr., 0-23761, as First Meutentious

, FOR THE QUARTERVASTER GEVERAL:

2 Incls 1. Bd Proc dtd 8 Dec 48 2. a a a 26 Apr 49 CAPT GHO Nemorial Division

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cc: Adm Section

N. McLaurin:dal C. C. Salser

Opy furnished: CINCFE, APO 500

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HEADQUARTERS AMERICAN GRAVES REGISTRATION SERVICE PHILCOM ZONE

APO 900 928

6 Sept 1950 (Date) EXHIBI

28

SUBJECT: Unidentifiable Remains

TO: The Quartermaster General, Department of the Army Washington 25, D. C. ATTN: Memorial Division

The records pertaining to Unknown X-1130, Plot 2, Row 22, Grave 2836, USMC USAF Cem Manila #2, have been reviewed and it is the opinion of this office that insufficient evidence is available to establish the identity of this decedent, and that these remains should be classified as unidentifiable.

FOR THE COMMANDING OFFICER:

Incl: Form 1044

nona

Captain, QMC Chief, Records Branch

Received 18 Lift 30 OQNG Not identifiable from information presently available 9. Reynolds 32 Sept 55

Complete copy of a WWII Unknown File scanned by DPMO from an original currently housed at the Washington National Records Center, Suitland, MD. Page 10 of 87 CH #11

HEADQUARTERS AMERICAN GRAVES REGISTRATION SERVICE PHILCOM ZONE

> APO 928 12 Sept 1950

CASE HISTORY FOR REMAINS CONSIDERED NON-RECOVERABLE

NININGER, Alexander J. Jr. 1st Lt., 0-23 761

BASIS FOR DECLARING REMAINS NON-RECOVERABLE

1. According to attached OQMG Form 371, 1st Lt Alexander J. Nininger Jr., was killed in action on 12 January 1942 at Bataan, Luzon, Philippine Islands.

2. No report of burial is on file for subject deceased.

3. Information obtained from A. R. Nininger, next of kin, states that subject officer was buried on 13 Jan 1942 in the churchyard of Abucay, Bataan, Philippine Islands in a grave marked No. 9. Investigation reveals that 14 remains were recovered from behind the south wall of the Abucay churchyard, only two of which were Americans, the balance being those of Philippine Scouts. A cross-comparison of the processing data of these remains with the army records for subject officer reveals unfavorable results.

4. Further investigation indicates the feasibility of associating Unknown X-4685, AGRS Mausoleum, Manila, P. I., a recovery from Grave #9, Soldier's row, Abucay Cemetery, Abucay, Bataan, Philippine Islands, with Lt Nininger, on the basis of favorable dental comparison. Board Proceedings recommending this identification, however, were not favorably acted upon by OQMG in view of the preponderance of evidence showing that subject officer was buried at Abucay churchyard, among which is a statement signed by Lt. Col. John W. Raulston, MC, who was in command of the medical collecting station located in the Catholic church at Abucay. Col. Raulston's statement reads in part:

"In regard to the burials, when it became necessary for the burial units to take care of that function, a chaplain by the name of Secina supervised it. He kept records, but he lost his life in 1944 on a Jap transport which was torpedoed. I do not know whether his records were left in the Philippines or not. He established a little graveyard in the plot of the ground within the five foot wall around the church. I cannot recall

EXHIB!

CASE HISTORY FOR NON-RECOVERABLE REMAINS: (Cont'd)

NININGER, Alexander J. Jr. 1st Lt., 0-23 761

definitely the exact spot where the graves were located, but I have indicated on the map the general area to the best of my recollection, and have also added some building structures to the drawing of the church. I estimate that about six burials were made and the burials were done under cover of darkness. I was not present at the burials." (Italics supplied.)

5. In view of the above information and the fact that the remains recovered by this headquarters from the Abucay churchyard were located outside of the five foot wall around the churchyard, a search team was dispatched on 9 May 1950 to undertake an extensive excavation of the area within the five foot wall around the church. The excavation yielded several remains. These were examined at the Central Identification Laboratory with the result that all of the recoveries were found to be Mongoloid.

6. All other applicable recoveries from Bataan were checked for possible association with Lt. Nininger but results were negative.

7. No information is at hand on which to continue the search for Lt Nininger's remains.

8. It is therefore recommended that the remains of 1st Lt Alexander J. NININGER Jr., 0-23 761, be considered non-recoverable and that all records pertaining to search for and recovery of his remains be closed.

APPROVAL RECOMMENDED: 12 September 1950 . Lle GERHARDT R. VETTER BUCKLEY QMC Major. QMC

0-1 579 441 President

1st Lt., 0-1 595 235 Member

CHARLES R. WHATLEN

2d Lt., QMC 0-2 014 511 Recorder

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QMGMT 293 GRS Far East 22 September 1950

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SUBJECT: Identification of World War II Deceased

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: Commanding Officer American Graves Registration Service Philcom Zone APO 928, c/o Postmaster San Francisco, California

1. Reference is made to Certificates of Unidentifiability for the following Unknown Deceased:

Unknown X-4685, AGRS Mausoleum Manila (formerly X-1130 USAF Cemetery Manila #2) Unit 1, Page 8

Unknown X-5074, AGRS Mausoleum Manila, Unit 2, Page 25

2. Subject cases have been reviewed and this Office approves the classification of the above Unknown Deceased as Unidentifiable.

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FOR THE QUARTERMASTER GENERAL:

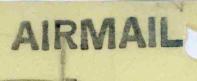
THOMAS E. COX CAPT QMC Memorial Division

G. Reynolds:dal C: C. Salser

Opy furnished: CINCFE, APO 500

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26 September 1950

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SUBJECT: Identification of World War II Decensed

: Commanding Officer American Graves Registration Service Philoon Some APO 928, c/o Postmaster Sen Francisco, California

1. Reference is made to Certificates of Unidentifiability for the following Unknown Deceased:

Unknown Z-4695, AORS Manusoleum Manila (formerly X-1130 USAF Comstery Manila #2) Unit 1, Page 8

Unknown X-5074, AGRS Mansaleum Manila, Unit 2, Page 25

2. Subject cases have been reviewed and this Office approves the classification of the above Unknown resains as Unidentifiable.

FOR THE GLARTER ASTER OFFICIAL:

THORAS N. COX CAPT QMC Memorial Division

cet Adm Section

G. Reynolds:dal G. C. Salser

Opy furnished:

CINCFE, APO 500



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Case 5:17-cv-00467-XR Document 63-7 Filed 04/22/19 Page 15 of 17

5 October 1950

RESUME OF THE RECORD

20-

Lt Nininger is reported by The Adjutant General as having been killed in action 12 January 1942.

Col George S. Clarke, under date of 20 February 1944, wrote to the father of Lt Nininger. His letter described in great detail the ferocity of the fighting and the extent to which the U.S. forces were hardpressed by the Japanese. He gave the following account of the burial of Lt Nininger:

"Sandy's remains were carefully brought to the church in the town of Abucay, Province of Bataan, The Philippines. Captain Cecine, Chaplain, 57th Inf. held a reverent and beautiful service for him. He is buried in grave No. 9 behind the South wall of the Abucay Church beside many of my fine brave young officers who also died in that same action. Men of his Company carefully placed the exotic flowers of the Philippines upon the wooded cross that marks his last resting place. I was present personally for your son's funeral services. It was beautiful and reverent, honoring a man that I loved, one of my fine young officers and a brave man. I may say that his men loved him too, and his memory will live with them as long as they live." (See Tab A)

Major Harold M. Imerman, MD, in a letter to this office on 10 October 1949, stated that Lt Nininger was brought into the hospital at Abucay and was found to be dead on admission; that if he can recall correctly Lt Nininger was buried in the immediate vicinity of the church of Abucay, probably in the church yard; that Father Secina officiated; and that he does not think Lt Nininger was buried in the Abucay cemetery. (See Tab B)

Lt Col John W. Raulston, MC, in a letter to this office on 5 November 1949, stated that he was in command of a medical collecting station located in the Catholic church at Abucay in the early part of the Bataan campaign; that he has personal knowledge concerning the death of several officers at Abucay but the only one he can remember is McCurdy; that there were one or two who were killed in their foxholes by snipers whose bodies could not be retrieved for awhile; that he was not sure now that they were ever recovered; that if not recovered they were buried on the spot; that Chaplain Secina, who later lost his life on a Japanese transport, performed the burials which were done under cover of darkness; and that the Chaplain established a little graveyard in the plot of ground within the five foot wall around the church. Col Raulston marked an overlay with his idea of the location of the graves. RESUME OF THE RECORD (Cont'd)

5 Oct 1950

Mr William P. Cain, formerly Captain, in a letter to this office on 2 November 1949 stated Lt Nininger was killed about 3/4 of a mile west of Mabatang while assisting Company K in retaking its lost ground; that he knows nothing concerning the burial of the remains of Lt Nininger; that he removed a West Point class ring from Lt Nininger's body; and that it may be that Lt Nininger was buried where he was killed. (See Tab D)

Within a short time after the Philippiens were retaken from the Japanese recovery of remains from isolated burial locations was undertaken. Among the early recoveries were fourteen remains from graves just south of the south wall of the Abucay church yard. Two of these remains were found to be American and the remainder Philippine Scouts. Of the two American remains one was identified as those of Capt McCurdy and the other has not been identified. The dental features of the remains recovered as an Unknown American (X-166) do not compare in any way with the dental information available for Lt Nininger. (See Tab E)

Remains which were interred in Abucay Cemetery at about the time Lt Nininger met his death were recovered also soon after the Japanese were driven out of the Philippines. This cemetery is located less than a mile south of the Abucay Catholic Church. The field has recommended on several occasions that the remains recovered from Grave 9 of the Soldiers' Row in this cemetery be identified as those of Lt Nininger. This recommendation has not been approved because the height of that individual in life was between eight and ten inches less than the height of Lt Nininger.

During May 1950 a Recovery Party disinterred the entire area within the walls of the Abucay Church yard not occupied by buildings or concrete memorials. The area where Col Raulston believed American graves were located was included in the operation. In that area many native caskets were found, many of which contained the remains of children. During the operation 18 remains were recovered which the search party decided should be taken to the laboratory for examination since there was a possibility that they could be American. Upon examination by the Anthropologist it was found that all 18 were individuals of Mongoloid ancestry. (See Tab F)

Many remains have been recovered in the Mabatang-Abucay area which have not been identified. A majority of these are without identifying features and those with such features do not match the recorded dental information for Lt Nininger.

The information furnished Mr Nininger and this office by various persons who were on duty in the Philippines at the time Lt Nininger was killed, is conflicting in many instances. That furnished to the father of Lt Nininger appears to have been composed with the idea of consoling him in his great loss.

RESUME OF THE RECORD (Cont'd)

5 Oct 50

A study of this entire case indicates that the remains of Lt Nininger were not removed from the place of death but were interred hastily at that place; and that his remains have not been recovered or they have been recovered near where he was killed but are unidentifiable because of the lack of identifying features.

ROBERT G. LAY Capt QMC Memorial Division