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DEPARTMENT OF JUSTICE

UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF FLORIDA
TAMPA

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JUN 29 1953

CIVIL RIGHTS SECTION

June 24, 1953

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JUN 29 1953

CRIMINAL DIVISION

Honorable Warren Olney III
Assistant Attorney General
Criminal Division
Department of Justice
Washington, D. C.

NEW

144-18-293
DEPARTMENT OF JUSTICE
17 JUN 26 1953
RECORDS BRANCH
CRIM.-CIVIL RIGHTS SEC

M. M. T.

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Rec
7/1/53
WVY

Re: Thomas Presslie Fields;
Ernest Joel Thrower;
Willard Eugene Winnett;
Fred Willie Lovering;
Driskle H. Handley, Jr;
Albert Ray Keen;
James W. Duncan;
Henry Thompson, aka
Henry Thomas (deceased) - victim.
Civil Rights

Dear Sir:

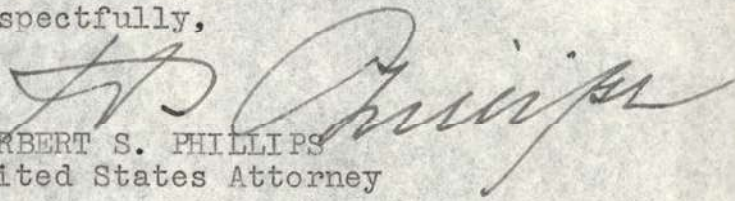
This is to advise that I have received copies of the report of Agent Prue C. Clinkscales, Federal Bureau of Investigation, Lakeland, Florida, relating to the above captioned matter, and upon examining the same, I find that the evidence is not sufficient to justify prosecution of anyone for violation of the civil rights statute. The facts briefly stated are as follows: Henry Thompson aka Henry Thomas, now deceased, was charged by Pearl Harrel, a neighbor, for shooting her dog which had caught one of his chickens. The officers went out to the place and tried to talk to Thompson who held the officers at bay with his shotgun in his hand and refused to come out of his house and talk to the officers, or permit them to talk to him. An acquaintance of Thompson, Charlie Footman, tried to persuade Thompson to come out of his home and Thompson shot at Footman. Other police officers were called to assist and after repeated demands for victim to put down his gun and talk to the officers, victim fired his shotgun several



times from his home and yard at the officers. The officers returned fire with the result that victim was killed. The facts clearly show that the officers were discharging their duty as peace officers and that victim resisted arrest and tried to kill the officers.

Therefore, I conclude there was no violation of the civil rights statute and the matter should be closed.

Respectfully,


HERBERT S. PHILLIPS
United States Attorney