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ORIGINAL
FILED
May 29, 1952
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San Francisco

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

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

12 Plaintiffs,)

13 -vs-)

No. 25294

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

Cons. No. 25294

16 Defendants.)
17)

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

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

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

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

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

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

NAME	BIRTHDATE
<u>YAMANAKA, Kunitake Morgan</u>	<u>4/14/24</u>

8 as follows:

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

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

25 3. The remaining defendants, other than those hereinabove
26 specifically named in paragraph (A) hereof, are, and each of them
27 is, and their agents, servants, employees and representatives are,
28 and each of them is, hereby permanently enjoined from detaining,
29 imprisoning or interning the plaintiffs whose names are listed in
30 paragraph (B) hereof or any of them and from restraining them
31 or any of them of liberty and from removing them or any of them
32 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.