

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NEW YORK

225 CADMAN PLAZA EAST

BROOKLYN, N. Y. 11201

MEMBERS OF
JOHN R. BARTELS
SENIOR JUDGE

MAY 23 12 25 PM '84

SA... ..

May 25, 1984

Honorable Benjamin Baer
Chairman, United States Parole Commission
Park Place Building
5550 Friendship Boulevard
Chevy Chase, Maryland 20815

Re: United States v. Zvonko Basic,
Julienne Basic, Peter Matanic,
Frane Pesut, and Mark Vlasic
76-CR-602


Dear Chairman Baer:

In my recent letter to you of May 9th relative to
Julienne Basic, I had intended to add as a suffix several
Supreme Court citations containing a quotation, which was
repeated in several Supreme Court decisions, reading as
follows:

"Face to face with living witnesses the
original trier of the facts holds a position
of advantage from which appellate judges are
excluded. In doubtful cases the exercise of
his power of observation often proves the
most accurate method of ascertaining the
truth ... how can we say the judge is wrong?
We never saw the witnesses."
United States v. Oregon Medical Society, 343
U.S. 326, 339 (1952); Marshall v. Lonberger,
___ U.S. ___, 103 S.Ct. 843, 851 (1983);
Maggio v. Fulford, ___ U.S. ___, 103 S.Ct.
2261, 2264 (1983).

I am sorry for this omission.

Sincerely yours,


JOHN R. BARTELS
United States District Judge

JRB/MFZ