BEFORE THE GOVERNOR FOR THE STATE OF TEXAS

In Re

ROBERT V. BLACK, Jr.

Petitioner.

PETITION FOR REPRIEVE FROM EXECUTION OF DEATH SENTENCE AND COMMUTATION OF SENTENCE TO IMPRISONMENT FOR LIFE

Submitted by:

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APPLICATION FOR CLEMENCY AND MEMORANDUM IN SUPPORT THEREOF

Robert Vannoy Black, Jr., respectfully submits this application for clemency, requesting that the Governor grant a 30-day reprieve of Mr. Black's May 22, 1992, execution date, so that the Board of Pardons and Paroles may convene and conduct a hearing to recommend that the Governor grant a commutation of Mr. Black's sentence of death to life imprisonment.

Although this application comes to the Governor and the Board of Pardons and Paroles just days before Mr. Black's scheduled execution, Mr. Black can in no way be faulted for this fact. On October 22, 1991, Mr. Black filed his first state petition for writ of habeas corpus with the Brazos County District Court, where it was pending until just six weeks ago. On April 7, 1992, the state trial court denied Mr. Black's petition and set the present execution date, without affording counsel for Mr. Black notice of either action. Mr. Black's petition was then reviewed by the Texas Court of Criminal Appeals, which denied relief on May 12, 1992, exactly one week ago today. Seventy-two hours later, Mr. Black filed his first federal petition for writ of habeas corpus with the United States District Court of Texas, Southern District, which is still pending in that court as of this writing. Although Mr. Black has requested that the federal courts grant him a stay of execution so that they may consider the merits of his claims in due course and not against the artificial "deadline" of an execution date, Mr. Black is in no position now to assume that he will have

additional time to make this application for clemency to the Governor and to the Board.

In short, Mr. Black has been engaged in the vigorous pursuit of his legal remedies within the judicial system right up to, and including, the moment of the submission of this application for clemency. Mr. Black never envisioned having to appeal for clemency in such short time, and it is only because of the courts' unseemly haste in deciding the merits of his legal claims that this application for clemency comes at this late hour.

Introduction

Robert Black is a living casualty of this country's tragic effort in Vietnam. In 1967, at the tender age of 20, Mr. Black stepped forward and volunteered to serve his country in war. At that age, Bob -- Eagle Scout, American Legion Boy's State representative, and favorite son of Haskell, Texas -- seemed to have a full life of promise and success ahead of him. By 1972, that life was already over.

It is indisputable that for at least ten years preceding the commission of the offense in this case, Mr. Black suffered from a debilitating mental disorder which he sustained as a direct consequence of traumatic events he experienced while he was in combat in Vietnam. This mental illness, known as Post Traumatic Stress Disorder, transformed Mr. Black from the once ambitious and successful Eagle Scout, popular high school student, skilled aircraft crewmember, and decorated Marine veteran into a troubled and helpless adult who experienced difficulty coping as a civilian with the simplest tasks of everyday life.

Mr. Black's illness permeated every facet of his life.

Symptoms of the disorder, including increasing depression,

irritability, and angry and sometimes violent outbursts,

inevitably impaired his ability to readjust to civilian life.

His relationship with his wife, Sandra Kay, floundered; they were

divorced and later remarried, and many times separated over this

period. Mr. Black had difficulty maintaining employment, holding a succession of jobs punctuated by periods of unemployment. He despaired of the disappointments and unfulfilled dreams of his life. During one desperately low point in late 1984, Mr. Black unsuccessfully attempted to take his own life.

On two separate occasions, in 1976 and 1983, Mr. Black's mental health brought him to the brink of insanity, and he was hospitalized for psychiatric treatment for his disorders. Significantly, the evidence indicates that following these periods of treatment Mr. Black was able to restore some semblance of balance and stability to his life. During these periods his relationship with his wife and family demonstrated improvement and he was able to maintain steady employment. With medication and outpatient counseling, he was able to stabilize his mood swings and control his otherwise impulsive behavior. Without them, however, Mr. Black's disorder would again reassert itself, and his mental condition would resume its downward spiral of deterioration.

There can hardly be question that evidence of Mr. Black's mental disorder is relevant to a fair determination of the appropriateness of his death sentence. Post Traumatic Stress Disorder transformed Bob Black from a young man who embraced all that life had to offer with energy, determination, and vigor into a profoundly unhappy man whose life descended to such a miserably low point that he, irrationally, asked another man to take his wife's life. Although this conduct certainly can never be

excused, it cries out to be understood.

The jury that sentenced Mr. Black to death knew little of his highly decorated service to the country and nothing of the mental illness he suffered as a direct consequence of his traumatic experiences during the war. Although Mr. Black and his family struggled mightily to bring Mr. Black's record of service in Vietnam and his subsequent psychological problems to his attorneys' attention, the attorneys failed to make any affirmative efforts to investigate the significance of the disorder and to consider the possible use of this compelling evidence in mitigation of Mr. Black's offense. They failed to consult with mental health experts, to obtain readily available records concerning Mr. Black's psychiatric history, or to otherwise investigate these issues. Instead, they relied on their own lay perceptions of Mr. Black and their inexpert understanding of his disorder to justify their failure to investigate these issues and their relevance to this case.

In our system, a jury's verdict is rightly accorded respect when it reflects a full consideration of evidence concerning the crime and the defendant's character, background, and culpability. In this case, however, it cannot be said that Mr. Black's jury heard the most important evidence about the man whose life was in their hands. His attorneys did not develop or present the significant evidence that demonstrated that Mr. Black did not deserve the death penalty. Because the jury in this case was deprived of this critical information, their sentence of death

cannot be said to reflect a fully reasoned moral response to Mr. Black's offense.

As a review of the compelling facts of Mr. Black's life history makes clear, Mr. Black is deserving of a grant of clemency and a commutation of his sentence to life imprisonment. He is deserving of a life sentence because he volunteered to serve his his country in combat and because it was only through this selfless and life-endangering service that he came to experience the traumatic events that would lead to the menacing mental disorders that would unravel his life in the years after Vietnam. And without these terrible demons, there can be little doubt that Mr. Black would never have found himself at such a low stage in his life that he would ask another man to take his wife's life. The appropriateness of Mr. Black's sentence of death has never before been measured in light of this compelling evidence. It is imperative that it be so measured now.

1. Robert Black's exemplary life history preceding and including his voluntary service in Vietnam.

Robert V. Black, Jr., grew up in Haskell, Texas, one of the most popular and promising sons of that small town. Active in the Boy Scouts at a young age, Bob eventually rose to the level of Eagle Scout and volunteered to serve as a "den chief" to the younger boys in a Cub Scout troop. E.H. Vol. I at 62. In high

¹The designation "E.H." is used herein to indicate a citation to the transcripts of the evidentiary hearing conducted before the Brazos County District Court on March 18 and 19, 1992. These transcripts are available upon request from counsel for Mr. Black.

school, Bob played football, ran track, and played the cornet in the school band. He did well in school, earning good grades and the high regard of his teachers and peers. <u>Id</u>. at 41. In 1964, he was chosen by his teachers to represent the school at Boys State. <u>Id</u>.

Upon completing high school, Bob left small town Haskell for Texas A&M University in Bryan, where he planned to study to become a chemical engineer. <u>Id</u>. at 42. After two years of college, however, at the height of the Vietnam War, Bob surprised his family by volunteering for service in the Marines in 1967.

Bob's decision to volunteer for military service followed in the steps of a long line of men in the Black family. Bob's father and three uncles all served in combat in World War II.

Bob's father, Robert V. Black, Sr., volunteered for service and was held as a prisoner of war for 13 months in a German concentration camp. Although Mr. Black's experiences as a POW scarred him for life -- he has been diagnosed as "30 percent"

Post Traumatic Stress Disorder and has been in counselling for nearly two decades -- he endeavored to instill in his two sons as they were growing up the same sense of patriotism and duty to country that led him to volunteer for service.²

Like his father before him, Bob volunteered to serve the country out of a sense of patriotism and duty. Although Bob

²Bob's younger brother, Gary Franklin Black, was a Green Beret in the Army for seven years in the 1970's, and is still in the Army Reserves, with an Army medic unit, today. Unlike his older brother Bob, however, Gary was never subjected to the terrors of combat.

desired most to fly with the Air Force, he has written that he joined the Marines instead after the Air Force recruiter was "outmatched" by a "patriotic and rousing appeal from the Marine Corps recruiter." And while Bob's decision to forego draft exemption and to volunteer for service at the height of the war was met cooly by family and friends, Bob embraced his new duties with energy and determination.

Indeed, Bob wished to pursue a lifetime of service in the military. In boot camp, he quickly distinguished himself, and was chosen squad leader and later awarded the "Dress Blues Honor" as the "outstanding member" of the platoon. He then was selected to attend Officer's Candidate School (OCS) in Quantico, Virginia, where he applied with renewed interest for training as a fighter pilot. Rejected, however, because of slightly imperfect vision in one eye, Bob accepted training as a Radar Intercept Officer (RIO) in a fighter plane as "the next best thing."

In December 1967, during a leave from boot camp, Bob married Sandra Kay Eimann, whom he had met at an ROTC dance in Bryan, Texas. Over the next three years, the couple moved frequently, living together in California, Virginia, Florida, Georgia, and Hawaii, as Bob received his various combat training assignments. Their only child, Gary Wayne Black, was born on October 7, 1969.

Upon completion of OCS, Bob was promoted to the rank of second lieutenant and then assigned to Marine Fighter/Attack Squadron 242, Marine Air Group 15, 1st Marine Airwing, based at the Iwakuni Marine Corps Air Station in Iwakuni, Hawaii. There

he was teamed with pilot John Blackman, and together they trained to fly an F-4J Phantom II fighter plane in combat.

As "gung ho" as Bob was about being in the military, he was a far from typical serviceman. As his friend John Blackman explained:

Bob was highly regarded in our squadron, both for his qualities as a person and for his abilities as a radio intercept operator. Bob and I had a great deal of success as a flight crew and I credit much of that to Bob's abilities as an RIO.

But what I remember Bob most for was his compassion for people. He rarely had unkind things to say about anyone, even though we lived in a very close, tense environment. For example, when one particular pilot in our squadron refused to fly combat missions, Bob did not chastise or criticize him as most did, but said he understood his reasons.

In fact, Bob seemed to go out of his way to do things for others. This attitude was not limited to Americans, either, because Bob treated the nationals of each country we were in very graciously. Because many American military personnel were typical of the so-called "Ugly American," I found it refreshing to be associated with him.

See Exhibit 5 (affidavit of John Blackman).

In late 1971 and early 1972, the squadron was deployed in Subic Bay, Philippines, for additional combat training. In April 1972, the squadron received its first combat orders for Vietnam. Bob spent 11 months, 5 days in foreign and overseas service, which included a period of time from June 1972 to October 1972 where he served in Vietnam based out of Da Nang and Nam Phong, Thailand. Exhibit 4. During this period, he and John Blackman flew almost 100 combat missions together. Exhibit 5 (flight log of John Blackman and Robert Black, Jr.).

Mr. Blackman recalls that, ten years after their return to the United States, when Mr. Black and his son Gary Wayne visited

Mr. Blackman at his home in Iowa in 1983, Mr. Blackman was "amazed at Bob's vivid recollection of some of our missions. It was clear that many of our experiences had effected him deeply." Exhibit 5. Among the incidents that remained with Mr. Black most strongly was one bombing mission, which Mr. Black recalled "in exact detail," in which the squadron was to bomb "targets of opportunity." Exhibit 5. As Blackman explained, this meant they could bomb "anything that looked at all like a military target." On this occasion, they dropped their bombs on several small Id. boats in a river, not knowing whether the boats were used by the enemy to transport munitions or were simply fishing boats used by Vietnamese civilians. Years later, as they recalled this mission, "it was clear that it deeply bothered Bob that we were rather indiscriminately dropping thousands of pounds of bombs on what were indefinite targets." Id.

According to Blackman, Black blamed himself for another incident in which two planes in the squadron ran out of fuel and "flamed out" short of the runway. <u>Id</u>. Although there were no fatalities, Blackman recalled that Black "in particular, faulted himself for the accident, and the near loss of life, on the grounds that it had been primarily his responsibility to locate the airstrip for a safe landing." <u>Id</u>. Again, Blackman was impressed by the "very strong impact" that the event left on Mr. Black, still evident more than a decade later. <u>Id</u>.

Finally, "perhaps the most devastating" event that Blackman and Black experienced together was the loss of their "hootch

mate," Sam Cordova, who was shot down by enemy MIGs in August 1972. Id. On this occasion, Black and Blackman were among a division of fighters flying into an area to relieve another division of fighters on a bombing mission in North Vietnam. As they were doing so, they heard the radio transmission that Cordova's plane had been struck by an air-to-air missile. Id. A subsequent ground search for Cordova failed and he was declared "Missing In Action."

Shortly after his friend became "MIA," Mr. Black contacted Cordova's parents to extend his condolences and to offer to assist them in maintaining their son's affairs. See Exhibit 6 (correspondence between Bob Black and family of Leo Cordova). Many letters of support from Bob followed, as he tried to lift the spirits of the missing serviceman's parents. Id. same time, Bob ensured that no one in his unit would forget Lieutenant Cordova, painstakingly collecting \$315 from his fellow soldiers to purchase 123 "POW/MIA bracelets" bearing Cordova's name for every man to wear. Id. The Cordova family was grateful for this extraordinary expression of thoughtfulness and compassion, and invited Bob to visit them upon his return to the United States. Id. Years later, Bob was able to accept this invitation and meet the Cordova family in an emotional visit to their California home.

For his distinguished combat service, Mr. Black received numerous decorations and medals, including the National Defense Service Medal, the Meritorious Mast, the Vietnamese Service Medal

with one star, the Vietnam Campaign Medal with a device, the Republic of Vietnam Cross of Gallantry with the bronze star, and the Air Medal with nine awards, each award representing 25 hours of combat activity. See Exhibit 3.

Yet despite this valiant record of service, as the American forces began their withdrawal from Vietnam, Mr. Black was released from the military due to a "reduction in forces." He was honorably discharged as a Captain on January 15th, 1973 -- his dream of a lifetime of service in the Marines come to an end. Emotionally devastated by this unceremonious severance from the military, Mr. Black returned to Texas to rejoin his family.

2. Robert Black's difficulties adjusting after Vietnam and his record of Vietnam-related psychological problems.

Like many Vietnam veterans who returned home after that war, Mr. Black struggled to reintegrate into civilian society. The country, still in the throes of protests against the war, did not warmly welcome its veterans home. The fact that America's Vietnam veterans were met by their fellow citizens with unprecedented ambivalence -- and in some quarters, outward hostility -- certainly did not ease their readjustment to civilian life.

Upon his return, Bob registered his own quiet protest against the unappreciative treatment he had received for his years of toil and life-endangering service in the military. Gathering his service uniforms together, Bob took them to the college he had left to join the Marines and laid them on the

steps of a dormitory at Texas A&M University. E.H. Vol. I at 52. This simple symbolic gesture marked Bob's decisive split with the the profession that he had wanted to serve for a lifetime. Now Bob had to gather up the shards of his shattered life and begin anew.

Bob encountered difficulty almost from the start. Without practical job skills for the civilian work force, he went for long periods without employment. When he was employed, Bob experienced difficulty sustaining his interest and enthusiasm for his work -- a problem which he had never encountered before. The difficulties Bob had maintaining employment spilled over into his marriage, as Sandra Kay had to shoulder the financial burdens of the family. His behavior and moods became erratic; he was often irritable and he fell into long periods of profound depression. Bob's self-image deteriorated, and he began to drink more often and more heavily. Undoubtedly, somehow, Bob Black had changed: this was not the same aspiring, industrious, and successful young man who had left Haskell looking forward to the promise of the life before him.

In April 1976, recognizing that these symptoms had driven him to the breaking point, Bob checked himself into the Veterans Administration Hospital in Houston, Texas. See Exhibit 9. He advised hospital administrators that he had come to the hospital "because he felt that he needed help." Id. He reported suffering a "nervous breakdown" in November 1975, but stated that he had not received treatment at that time. Id. Now, according

to hospital notes, Bob was "asking for help with anger, control and depression." Id.

Bob's self-admission to the V.A. Hospital was his first desperate cry for help. At the time, he reported marital, financial, and employment problems. According to hospital records, he had come to Houston because Sandra Kay, from whom he was estranged at the time, was there and Bob had "tried to talk her into some reconciliation." Id. Bob recognized his problems in the marriage, candidly acknowledging that he sometimes felt "sudden," uncontrollable, and inexplicable outbursts that were often directed toward his wife. Id. These outbursts seemed as bewildering to Bob as they were to his family and friends. Unemployed at the time of his admission, he told doctors he had had a "series of unemployment" periods since his release from the military, poignantly explaining that "his only training is of a bombadier and there is no demand for them" in peacetime. Id.

Bob was admitted for observation and treatment, and remained there for four-and-a-half months. <u>Id</u>. He was diagnosed as suffering from an "explosive behavior" disorder³, and was placed on psychotropic medications. <u>Id</u>. Eventually, medication was

³As Dr. John Wilson explained at the evidentiary hearing in this case, the first time information about "PTSD" became available was December 1979, and the diagnosis was first listed by the American Psychiatric Association in the Diagnostic and Statistical Manual (3rd edition) in February 1980. E.H. Vol. I at 219. Therefore, prior to 1980, psychologists and psychiatrists were not making diagnoses of disorders as "PTSD." Id. As Dr. Wilson explained, a diagnosis of "personality disorder, explosive behavior," as here, was the kind of diagnosis commonly made for a disorder that now would be diagnosed as PTSD. Id.

discontinued as Mr. Black appeared to make progress. After nearly four-and-a-half months of inpatient hospitalization, "[i]t was felt that he had reached maximum benefits" so he discharged from the hospital. <u>Id</u>.

Although Mr. Black's four-month hospitalization led to temporary improvements in his behavior, it was destined to fail in the long-term. At the time of this institutionalization in 1976, the psychiatric community at large had little understanding of the behavior that is now recognized as symptomatic of Post Traumatic Stress Disorder. Indeed, it was not until 1980 that the Diagnostic and Statistical Manual of Mental Disorders -- the manual used by psychiatrists to diagnose mental illnesses -- included "PTSD" among its disorders. Given how little was generally known about the true nature of Mr. Black's disorder at the time of this hospitalization, it is perhaps not surprising that Mr. Black's doctors released him back to the community without a referral for outpatient treatment and without ensuring that he continued to receive medications.

Predictably, given this initial failure to implement an ongoing treatment plan for his disorder, Mr. Black experienced a recurrence of these problems. In June 1983, he was referred to Greenleaf Psychiatric Hospital, where he was admitted for "full psychological and medical evaluation." The intake document, prepared by Dr. Barney Davis, makes clear that Bob's problems are a repeat of his earlier difficulties:

"This 36 yr. old white male was in the office with complaints of depression, explosive personality behavior,

and a past history of a diagnosis of Paranoid Schizophrenia issued at the V.A. Hospital several years ago under similar circumstances. History was obtained in the office that the p[atien]t had been having difficulty in his marriage, becoming irritable and outburstive at home, as well as having generalized job dissatisfaction... [Mr. Black] indicates that he started having depressive symptoms while he was a Naval [sic] Flight Officer in Viet Nam."

See Exhibit 10.

During the course of Mr. Black's subsequent one-week hospitalization at Greenleaf, a "psychosocial history" was prepared based largely on an interview with Mr. Black's wife, Sandra Kay. As that document states:

"Sandy said Bob has begun talking about Vietnam flashbacks since the middle of May, after visiting a pilot whom he had been with in Vietnam. Mrs. Black believes that her husband's emotional problems began shortly after his discharge from the Marine Corp [sic] in 1973 and after serving in Vietnam as a flyer. Bob was unemployed for five years after the Marine Corp [sic] and Sandy describes him as being jealous, and unable to handle stress....

Bob's work history has been very erratic and one of Sandy's complaints is his lack of motivation towards work. During the last five years he has held four jobs and the most recent one has been at the post office for one year... Bob joined the Marine Corp [sic] in 1967, excelled as a flyer and was a Captain in Vietnam from 1970 -1971. After the war, the Marine Corp [sic] no longer needed Bob and Sandy said the transition to civilian life was a difficult adjustment for him. Mrs. Black reports that Bob never talked about his experiences in the war until after they saw the movie "The Deer Hunter." He then told her a story about seeing one of his best buddies being killed, describing some of the horror of war and then asking her never to bring it up again."

Id. Dr. Davis diagnosed Mr. Black as suffering from "Major Affective Disorder, Atypical Depression, and Post Traumatic Stress Disorder."
Id.

Following a week of treatment and counselling, there was sufficient progress in Mr. Black's condition that Dr. Davis

released him, to be followed up on an out-patient basis. During this period, Bob continued to receive medication which, according to Dr. Davis, assisted Bob in becoming "more settled and less depressed and less agitated." E.H. Vol. I at 104.

Dr. Davis' outpatient notes from his counselling sessions with Bob, and sometimes Sandra Kay too, support Dr. Davis' opinion that, with medication and treatment, there was "overall improvement" (E.H. Vol. I at 112) in Bob's mood and behavior. See Exhibit 11. On July 14, 1983, Dr. Davis reported that "[o]verall [Bob] feel significantly improved," and that Sandra Kay reported a "decrease in his explosive behavior." Id. August 8, 1983, both Bob and Sandra came in for counselling and Davis again reported that "[g]enerally I think things are going well and his current medication dosage is appropriate." Id. Similarly, on August 30, 1983, both Bob and Sandra met with Dr. Davis and told him that "[g]enerally things are going well from a depression standpoint. There's been no major disruption since he was last seen." <u>Id</u>. On September 28, 1983, however, Sandra Kay reported another "flare-up" in Bob's behavior, and Dr. Davis responded by recommending a change in Bob's medication. next several visits, Dr. Davis experimented with increased dosages of lithium to modulate Bob's behavior. Id. By November 16, 1983, the dosage was strong enough that the couple reported that "Bob has done relatively well with no major upswings or downswings since last seen." Id. On January 4, 1984, Bob met with Dr. Davis alone, and the two of them "spent much of the time

reflecting on his Vietnam experience and the sadness that generated." Id. On February 1, 1984, Bob and Sandra both met with Dr. Davis and reported that "[t]he last month has gone very well," prompting Dr. Davis to shorten their session. Id. came in alone to the last session, conducted on March 8, 1984, and spoke "some about his dissatisfaction with his current life," but reported "that things are generally going well." Id. Sometime after this last session on March 8, 1984, Dr. Davis moved his practice from Bryan, Texas, to Maryland. E.H. Vol. I at 114. Although Dr. Davis states that he advised his patients of the services of other psychiatrists in the area, E.H. Vol. I at 114, the unfortunate fact is that Mr. Black's promising outpatient treatment -- and therefore, his prescriptions to antidepressant medications -- came to an unexpected end with Dr. Davis' departure. E.H. Vol. I at 57. Without the necessary aid of counselling and treatment, Bob's disorder predictably reasserted control over his actions, and his life resumed a downward spiral of deterioration. By October 9, 1984 -- just six months later -- Bob tried to commit suicide, ingesting 91 percogesic tablets with alcohol in an attempted drug overdose. See Exhibit 12.

It was during that month -- October 1984 -- that Mr. Black first contacted John Wayne Hearn4, the man whom he would later

⁴Mr. Hearn, who admitted to killing two other persons in Florida earlier that year, agreed to plead guilty in all three slayings and testify against Mr. Black in exchange for consecutive life sentences. Today, Mr. Hearn -- three-time convicted murderer -- walks around in civilian clothes and has a key to his own cell

ask to kill his wife Sandra Kay. S.F. Vol. XIX at 4830.5

3. The relevance of Robert Black's psychological disorders to the conduct that led to offense in this case.

It not a mere coincidence that during the same period that Mr. Black's life was once again spinning out of control -- and during the same month that Mr. Black would attempt to end his own life -- that he would make contact with John Wayne Hearn, who eventually agree to kill Mr. Black's wife. An understanding of Mr. Black's psychological disorders is necessary to comprehend Mr. Black's conduct at the time of the offense -- an understanding of which the jury in Mr. Black's case was deprived.

On August 2, 1985, Dr. John Walker performed an evaluation of Mr. Black to determine whether Mr. Black suffered from PTSD at the time of the offense, and if so, whether the disorder had any connection to the commission of the charged offense. See Exhibit 13. Dr. Walker's report of that evaluation stated, in significant part, the following:

Bob demonstrated instability in a number of areas including interpersonal relationships, mood and self-image.

in a federal prison located near his family in Columbia, South Carolina. Mr. Black, in contrast, is locked down 23 hours a day, walks in chains, and awaits his death next week.

Yet while the disparity in their respective fates is striking, the reasons for a reprieve and ultimate commutation of Mr. Black's sentence have to do with Mr. Black and not Mr. Hearn.

^{5&}quot;S.F." is used here to designate a citation to a volume of the "Statement of Facts" of Mr. Black's trial. The "Statement of Facts" are those volumes of the transcript that comprise the testimony at the guilt/innocence and punishment phases of the trial.

Interpersonal relationships for Bob tend to be rather intense, situation specific, and unstable. Mood can change within a matter of moments and can shift from extremely dysphoric to elated. On numerous occasions this shift was noted throught the assessment period. Behaviorally Bob is likely to be rather impulsive and unpredictable. Potential self-damaging behavior is always possible. Periodic angry outbursts and difficulty modulating emotion are characteristic. Bob also is having and has had difficulty coming to grips with his self-identity.

These characteristics, although indicated to a lesser degree before Vietnam, were probably exacerbated due to the stressors of combat. Bob reported recurrent and intrusive thoughts about combat, increased detachment and estrangement from others over time, as well as sleep disturbances, survival guilt and memory impairment. All of these symptoms are associated with a Post-Traumatic Stress disorder. Bob describes himself, after Vietnam, as silent, antisocial, temperamental, isolated, hurt and guilt ridden.

Years after Bob came back from Vietnam, he states that he "relives the war daily." At times, Bob himself, became the target of all his pent up rage as manifested in several reported suicide attempts. At other times, his wife Sandra became the target. She was seen by Bob as the cause of all In his mind she became the enemy. He reported his rage. that she never accepted him after Vietnam, was available and was so much weaker than he. Bob stated "the more she clung to me, it seemed as if she was trying to destroy me." Because of difficulty adjusting to civilian life in combination with his apparent personality disorder, Bob appears to have had a series of vocational and personal The more he failed the more intense his disturbance and the more his rage spilled over at his wife. This intense emotionality and instability is still very much in evidence in Bob at this time.

Id. (emphasis added) Dr. Walker then concluded his report with
the following diagnoses:

AXIS I - 309.81 - <u>Post-Traumatic Stress Disorder</u> <u>delayed and chronic</u>

AXIS II - 301.83 - Borderline Personality Disorder with depressive and anxious features

AXIS III - Deferred

AXIS IV - Severity of Psychosocial Stressors: Extreme

AXIS V - <u>Highest level of Adaptive functioning in last</u> year: Very poor

<u>Id</u> (emphasis added).

As Dr. Walker noted, as Mr. Black's untreated disorders increased his levels of frustration and depression, his wife became the misplaced focus for him of his problems and his sense of failure -- "[i]n his mind she became the enemy." This irrational perception of his wife as the source of his increasing sense of failure and frustration with himself was a result of the distorting lens of his disorders.

Indeed, to fully understand the relationship of the disorders to Mr. Black's behavior it is necessary to have a full comprehension of the nature of his disability. Dr. John P. Wilson, an internationally recognized expert in PTSD, testified at the evidentiary hearing in this case, that in about half of the cases in which a veteran suffers from PTSD, the disorder is "co-morbid" -- in other words, coincides -- with another psychiatric disorder as well. E.H. Vol. I at 203. Dr. Wilson's diagnosis of Mr. Black, formed after a lengthy interview with Mr. Black and after a review of extensive records documenting Mr. Black's mental health history, was that Mr. Black suffers from Major Depression and Post Traumatic Stress Disorder. E.H. Vol. I at 203.

As Dr. Wilson explained, the relevance of Mr. Black's mental disorder to his behavior can really only be understood in terms of the interrelationship of these "co-morbid" diagnoses:

Q: [T]o really understand [Mr. Black's behavior] is it necessary to understand the Post Traumatic Stress Disorder diagnosis?

- A: I think it's important to understand the Post Traumatic Stress Disorder diagnosis, and I think it's also important to understand how that relates to the depression. Those two go together. As I said earlier, they're co-morbid conditions in the way they feed each other, if you can thing of it in those terms.
- Q: What's the cycle?
- A: The cycle is that the depression is associated with helplessness, suicidal ideation, poor feelings of self worth, guilt, inadequacy, sleep disturbances and agitation. In turn, that often triggers his feelings of helplessness and vulnerability at the end of his combat tour of duty in Vietnam, that this had changed him, he now felt helpless, he did not have the career opportunity, he did not know where to go with his life.

And now he's starting to think about what it is that he did in the war, did he kill civilians, did he kill innocent women and children, was that the right thing to [do]. So you get these two syndromes feeding each other in a very dynamic way. So he can have an alteration of being very depressed and withdrawn with episodes of [] aggression, hostility, irritability, outbursts of anger and rage behavior.

E.H. Vol. I at 278-79.

When the <u>interraction</u> of Mr. Black's co-morbid disorders of PTSD and Major Depression is taken into account, the relevance of these disorders to Mr. Black's involvement in his wife's murder becomes more apparent:

- Q: How would these disorders have affected Mr. Black at the time of the crime?
- A: In my opinion the existence of his depression and Post Traumatic Stress Disorder impaired on his judgment, that it decreased his capacity for rational decisionmaking, it decreased his ability to be logical and to think and make decisions about his life and the things that were important to [him] in his his life at that time because of the disorder.
- Q: Would it have contributed to any marital problems?
- A: Unquestionably.
- Q: Is that common in victims of PTSD?

- A: Par for the course.
- Q: [W]ould it have contributed to any aggressiveness?
- A: Yes.
- Q: Would it have resulted in any kind of diminished capacity?
- A: Yes.
- Q: Can you discuss that a little bit?
- A: I think I already have, but I'll reiterate. I believe the existence of the depression in a Post Traumatic Stress Disorder impacted on his ability to reason logically, to have sound judgment and to find alternatives in terms of confronting the issues that he had in his life at that time, specifically the relationship to his wife, Sandy Kay....

E.H. Vol. I at 211-12.

Perhaps even more importantly, evidence of Mr. Black's mental disorders also explain how Mr. Hearn may have manipulated or exerted a strong influence on the clearly ambivalent Mr. Black in carrying through with the offense. As Dr. Wilson explained in response to questions at the evidentiary hearing:

- Q: [I]n your opinion would this disorder have rendered him more susceptible to influence?
- A: Yes.

- Q: And why is that?
- A: Because in my opinion Mr. Black had a very low selfimage. I think he felt extremely vulnerable in
 addition to being depressed and troubled by what he had
 gone through in Vietnam. And because of that inner
 state of what I actually think is dependency as opposed
 to assertiveness in taking charge of his life, that he
 was vulnerable to influence from external sources.
- Vol. I at 213. Dr. Wilson then explained the significance of this aspect of Mr. Black's disorder to his relationship with Mr.

Hearn, and its possible effect on Mr. Black's involvement in the offense:

- Q: Was there anything significant in [John Wayne Hearn's] testimony about Mr. Hearn that you think would be relevant to Mr. Black's behavior in this case?
- A: Yes.
- Q: Could you describe that?
- A: I'm paraphrasing because I don't have that testimony in front of me. Mr. Hearn presented himself as a Marine Corps officer, colonel, as a colonel. And to me that's significant, because I think Mr. Black looked up to people higher in rank and authority. And I think he perceived him [not just] as a fellow Marine, but a fellow Marine who was a colonel as opposed to a him being a captain [Mr. Black's rank] and, therefore, a authority figure.
- Q: And so how would that have affected Mr. Black?
- A: In my opinion it [] rendered him vulnerable and susceptible to Mr. Hearn's motives, so to speak.

E.H. Vol. I at 215-16.

The jury in Mr. Black's case was deprived of <u>any</u> information about Mr. Black's development of Post Traumatic Stress Disorder after his combat in Vietnam. Without it, they had no choice but to perceive Mr. Black as a fully rational, clear-headed, but cold-blooded killer. Indeed, the man who Mr. Black's jury sentenced to death was not the real Robert Black.

As the jury foreman at Mr. Black's trial stated in a recent affidavit:

[Since the trial] I have ... become aware of the difficulties Mr. Black experienced making a readjustment to civilian life upon his return to the United States and of the fact that Mr. Black had been diagnosed as suffering from Post Traumatic Stress Disorder as a result of his experiences in combat. As a veteran of the Vietnam war myself, I personally am familiar with a number of soldiers

with whom I served who experienced similar difficulties upon returning to the United States. From this personal knowledge, I take Post Traumatic Stress Disorder seriously as a very real psychological affliction with very real debilitating consequences.

Had Mr. Black's attorneys presented evidence of the difficulties Mr. Black experienced upon his return to the United States, this evidence would also have effected my It is my opinion that such information would deliberations. have contributed to an understanding of Mr. Black's post-Vietnam life and character. If this information about Mr. Black had been known to the jury, I would have shared my personal knowledge about Post Traumatic Stress Disorder and its effects on servicemen with the rest of the jury. would have made it a significant issue in our deliberations because it was of substantial significance to me then and is still of substantial significance to me today.

In retrospect, I feel that because I was deprived of this information as a juror I was not able to judge Mr. Black clearly and with equanimity. In short, I was deprived of what I consider the most important evidence in regard to my decision about the appropriate sentence in Mr. Black's

case.

See Exhibit 8.

Mr. Black's accomplishments as a young man, his selfless act of volunteering to serve the country in wartime, and his outstanding record of service to the country in combat all must be recognized as making Mr. Black more deserving of a grant of clemency than those who have not acted similarly in their Moreover, it must be recognized that it was only lifetimes. because Mr. Black volunteered to serve this country that he acquired the disintegrating mental disorders which destroyed his ability to enjoy a fruitful and productive life. Had he never acquired these illnesses, there can be no question that Mr. Black would never have reached that point at the bottom of his life in which he irrationally asked another man to take his wife's life.

It is time for our government to acknowledge and to take

responsibility for the human destruction that was wrought on our sons by our tragic efforts in Vietnam. Mr. Black made personal sacrifices, risked his life for this country, and in return received a pat on the back and a dreadfully debilitating mental disorder. For this, he does not deserve to die.

Request for Relief

On behalf of Robert Vannoy Black, Jr., we respectfully petition the Texas Board of Pardons and Paroles for a recommendation to the Honorable Ann Richards, Governor for the State of Texas, to commute Mr. Black's sentence of death to life imprisonment, and to convene a hearing to consider evidence and argument in support of this petition.

We respectfully request that the Honorable Ann Richards, Governor for the State of Texas, ask the Board of Pardons and Paroles to consider Mr. Black's petition for a commutation of his death sentence to life imprisonment our request for a 30-day reprieve of Mr. Black's May 22, 1992, execution date so that the Board of Pardons and Paroles can conduct a full and fair hearing on Mr. Black's petition for clemency.

Respectfully submitted,

RAOUL D. SCHONEMANN

VIRGINIA C. LINDSAY MANDY WELCH EDEN E. HARRINGTON Texas Resource Center 1206 San Antonio Street Austin, Texas 78701 (512) 320-8300

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was delivered to the Office of the Attorney General for the State of Texas on this $\frac{19^{13}}{1992}$ day of $\frac{1992}{1992}$.

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EXHIBIT 1
Eagle Scout card

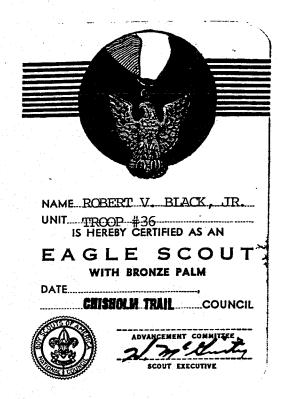


EXHIBIT 2

Haskell High School records

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EXHIBIT 3

Certificates of military commendations and promotions



To all who shall see these presents, greeting:

Know ye that, reposing special trust and confidence in the patriotism, valor, fidelity and abilities of ROBERT V BLACK, JR 457700620 Ido

appoint HIM A

CAPTAIN

in the

Meserve of the United States Marine Corps

to rank as such from the FIRST day of JULY nindem hundred and SEVENTY-TWO. This officer will therefore carefully and diligently discharge the duties of the office to which appointed by doing and performing all manner of things thereunto belonging.

And I do strictly charge and require those officers and other personnel of lessor rank to render such obedience as is due an officer of this grade and position. And this officer is to observe and follow such orders and directions, from time to time, as may be given by the President of the United States of America, or other superior officers acting in accordance with the laws of the United States of America.

This commission is to continue in force during the pleasure of the President of the United States of America under the provisions of those public laws relating to afficers of the Armed Forces of the United States of America and the component thereof in which this appointment is made.

Done at the bity of Washington, this FIFTEENTH day of APRIL in the year of our Lord one thousand nine hundred and SEVENTY-SEVEN, and of the Independence of the United States of America, the TWO-HUNDRED AND FIRST
By the President:

Registered No.

Sure dale lakes rank.

A Occident of the Marine Gurps

W. Cohom Butsaf



The President of the United States takes pleasure in presenting the AIR MEDAL (First Strike/Flight Award) to

FIRST LIEUTENANT ROBERT V. BLACK

UNITED STATES MARINE CORPS RESERVE

for service as set forth in the following

CITATION:

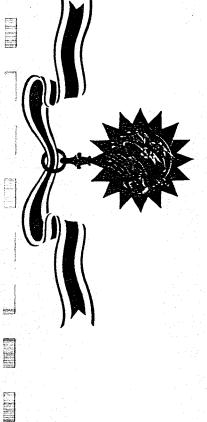
"For meritorious achievement in aerial flight as a designated Naval Flight Officer with Marine Fighter/Attack Squadron 232, Marine Aircraft Group Fifteen, First Marine Aircraft Wing. During combat support missions in support of the Republic of Vietnam against the enemy from 10 April to 25 April 1972, First Lieutenant Black contributed materially to the success of his unit. His courage and devotion to duty in the face of hazardous flying conditions were in keeping with the highest traditions of the Marine Corps and of the United States Naval Service."

The Numeral "1" to represent One Strike/Flight Award is authorized.

FOR THE PRESIDENT,

WILLIAM K JONES

LIEUTENANT GENERAL, U. S. MARINE CORPS COMMANDING GENERAL, FLEET MARINE FORCE, PACIFIC



STATES OF AMERICA HIE UNITED

PRESIDENT OF THE UNITED STATES OF AMERICA IS TO CERTIFY THAT HAS AWARDED THE THE

 $AIR\ MEDAL$ (strike/flight numeral "9" for the second through ninth awards)

TO

CAPTAIN ROBERT V. BLACK, JR., UNITED STATES MARINE CORPS RESERVE

FOR

MERITORIOUS ACHIEVEMENT IN AERIAL FLIGHT FROM 9 APRIL TO 9 OCTOBER 1972

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This document is housed in the Capital Punishment Clemency Petitions (APAP-214) collection in the M.E. Grenander Department of Special Collections and Archives, University Libraries, University at Albany, SUNY.



To all who shall see these presents, greeting:

Know Ye, that reposing special trust and confidence in the fidelity and abilities

Robert V. Black Jr. 2384646/0311 ,Ido

appoint him a

Lance Corporal

in the

United States Marine Corps

to rank as such from the	Illst	aay of	Thran	· ,/wneceen
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This appointee will therefor	re carefully a	nd diligently d	ischarge the	e duties of the
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Armed Forces of the United Stat	tes of America			1. 10. 10. 10. 10. 10. 10. 10. 10. 10. 1
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DATE OF PROMOTION 9 April 1968

J. C. WILSON MAJOR USEC Commanding

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This document is housed in the Capital Punishment Clemency Petitions (APAP-214) collection in the M.E. Grenander Department of Special Collections and Archives, University Libraries, University at Albany, SUNY.



for the Air Combat Tactics Course Fleet Marine Force Commanding General,

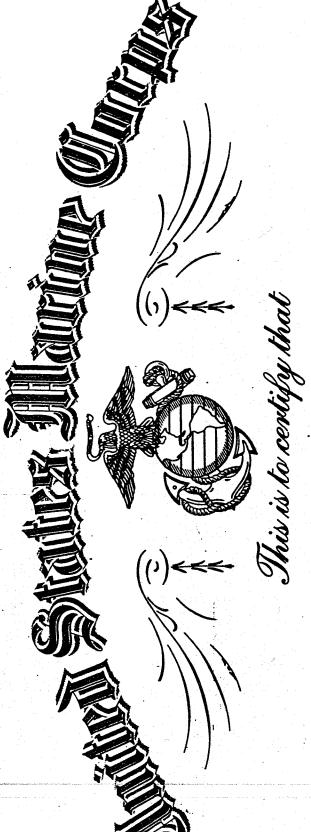
Given at

Third Marine wircraft Wing, Marine Corps California (Santa Ana), Pacific, Marine Air Weapons Training Unit, Air Station,

Lieutenant Colonel, U. S. Marine Corps

Commanding General, Third Marine Aircraft Wing

this document is housed in the Capital Punishment Clemency Petitions (APAP-214) collection in the M.E. Grenander Department of Special Collections and Archives, University Libraries, University at Albany, SUNY.



First Lieutenant R. V. BLACK, Jr., USMC

has completed the course prescribed

Commanding General, Fleet Marine Force for the Basic Conventional Weapons Delivery/ Basic Aircraft Maneuvering Course

Given at

Marine Air Weapons Training Unit, Pacific, Third Marine Aircraft Wing, Marine Air Station, El Toro (Santa Ana), California

This 27th day of March

Lieutenant Colonel, U. S. Marine Corps Officer in Charge

Major General, U. S. Marine Corps Commanding General, Third Marine Aircraft Wing

NAVMC 184 (REV. 12-62) (1550)

Naval Air Maintenance Fraining Delachment 1028 F-4981 F-49198F-49 Marine Corps Sir Station Panta Ana, California 92709 This is to certify that El Foro

1stLT. R. V. BLACK Jr.

has successfully completed a course of instruction in the

F-4B, RF-4B, F-4J AIRCRAFT PILOTS FAMILIARIZATION

6 6th. day of February

Anding officer, Nayst Air Maintenance Training

Officer in Charge





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United States Nawy Naval Air Training Command

Know all men by these presents that

ROBERT VANNOY BLACK, JR.

FIRST LIEUTENANT, UNITED STATES MARINE CORPS RESERVE

has completed the prescribed course of training and
having met successfully the requirements of the

course is designated a

Naval Flight Officer

In Witness Whereof, this certificate has been signed and the Seal of the Chief of Naval Air Training affixed hereunto on this the SIXTEENTH day of JANUARY 1970.

Naval Flight Officer Number G-4802



Austreau



This is to certify that

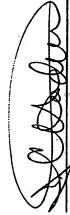
ROBERT VANNOY BLACK, JR. FIRST LIEUTENANT, UNITED STATES MARINE CORPS RESERVE

has successfully completed the following course!

RADAR INTERCEPT OPERATOR

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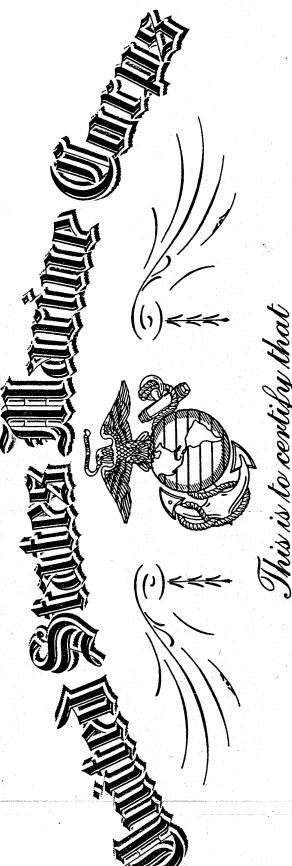
Swarded this



J. C. HODELL, LT, USN STIDENT CONTROL OFFICER

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This document is housed in the Capital Punishment Clemency Petitions (APAP-214) collection in the M.E. Grenander Department of Special Collections and Archives, University Libraries, University at Albany, SUNY.



This is to certify th

has completed the course prescribed by the Marine Corps Second Tieutenant Anbert II. Black Ir Commandant of

Basic Class 4-69, 8 October 1968 to 5 March 1969 The Basic Course Given at Marine Corps Development and Education Command, Quantico, Virginia

Commanding Officer, Che Maste Bethoo Colonel, B. D. Aarfine Corps

Deputy for Coucation Major General, Bi. S. Affai

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NAVMC 184-PD (REV. 12-62)



from the Armed Forces of the United States of America

CORPORAL ROBERT VANNOY BLACK JR.

H. D. LEKITES JR

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curnent is housed in the Capital Parishment Clemency Petitions (APAP-214) collection in the M.E. Grenander Department of Special Collections and Archives, University Libraries, University & Albany, SUNY.

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53. I understand that, upon enlistment in a Reserve component of any of the Armed Forces of the United States, or upon transfer or assignment thereto, in time of war or National emergency declared by Congress, or when otherwise authorized by law, I may be ordered to active duty for the duration of the war or National emergency and for six months thereafter.

54. I have had this contract fully explained to me, I understand it, and certify that no promise of any kind has been made to me concerning assignment to duty, reographical area, schooling, special programs, assignment of government quarters, or transportation of dependents except as indicated except as indicated

55. I swear (or affirm	that the foregoing statements have been res	ad to me, that my statements have been correctly recorded and are true in enlisting.
In all respects and that I	the understand the conditions under which	SIGNATURE OF APPLICANT (First Name - Middle Name - Last Name)
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		Cily Annual Review (National Guard or Air National Guard)
OATH OF ENLISTMENT	For service in Regular or Reserve Component of	f the Armed Forces except National Guard or Air National Guard)
20	me - Middle Name - Last Name) th day of SEPTEMBER 19	USMCR(J) for a period of
prescribed by law, this	day of, 19	ority; and I do solemnly swear (or affirm) that I will support and defen
GNATURE	Commerce Strip	The second second
3.		National Guard or Air National Guard)
	$\overline{\cdot}$	
I do hereby acknowled		day of, 19, in the (Army) (Air) Nations
Guard of the State of		and as a Reserve of the (Army) (Air Force) with membership in the (Arm
	nited States) (Air National Guard of the Uni	
under the conditions presc	ribed by law, unless sooner discharged by pro	spec audionity.
1.		. do solemnly swear (or affirm) that I will support and defend the Cons
(First N	ame - Middle Name - Last Name)	
tution of the United States ar	d of the State of	against all enemies, foreign and domest
that I will bear true fair	h and allegiance to them; and that I will	obey the orders of the President of the United States and the Governor of the orders of the officers appointed over me, according to law, regul
tions, and the Uniform Code	of Military Justice. So help me God.	
SIGNATURE		
i9.	CONFIRMATIO	N OF ENLISTMENT
		GWALLIANDD 6
The above oath was s	ibscribed and duly sworn to before me the	20th day of SEPTEMBER 19 6
To the best of my judger	nent and belief, enlistee fulfills all legal requirem nt. The above oath, as filled in, was read to	nents, and in enlisting this applicant, I have strictly observed the regulation the applicant prior to subschibing theseto.
TYPED NAME, GRADE/RANK.	AND ORGANIZATION OF ENLISTING	SIGNATURE OF ENLISTING OFFICER
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50. I know that if I secure my enlistment by means of any false statement, willful misrepresentation or concealment as to my qualifications for enlistment, I am liable to trial by court martial or discharge for fraudulent enlistment and that, if rejected because of any disqualification known and concealed by me, I will not be furnished return transportation to place of acceptance.

I am of the legal age to enlist. I have never deserted from and I am not a member of the Armed Forces of the United States, the US Coast Guard or any Reserve component thereof; I have never been discharged from the Armed Forces or any type of civilian employment in the United States or any other country on account of disability or through sentence of either civilian or military court unless so indicated by me in item 56, "Remarks" of this contract. I am not now drawing retired pay, a pension, disability allowance, or disability compensation from the government of the United States.

51. SECTION 5538 OF TITLE 10 OF THE UNITED STATES CODE is quoted: "(a) The Secretary of the Navy may extend enlistments in the Regular Navy and the Regular Marine Corps in time of war or in time of national emergency declared by the President for such period as he considers necessary in the public interest. Each member whose enlistment is extended under this section shall be discharged not later than six months after the end of the war or national emergency, unless he voluntarily extends his enlistment. (b) The substance of this section shall be included in the enlistment contract of each person enlisting in the Regular Navy or Regular Marine Corps."

52. SECTION 5540 OF TITLE 10 OF THE UNITED STATES CODE is quoted: "(a) The senior officer present afloat in foreign waters shall send to the United States by Government or other transportation as soon as possible each enlisted member of the naval service who is serving shall send to the United States by Government has expired, and who desires to return to the United States. However, when the senior officer present afloat considers it essential to the public interest, he may retain such a member on active duty until the vessel returns to the United States. (b) Each member retained under this section —(1) shall be discharged not later than 30 days after his arrival in the United States; and (2) except in time of war is entitled to an increase in basic pay of 25 percent. (c) The substance of this section shall be included in the enlistment contract of each person enlisting in the naval service."

53. I understand that, upon enlistment in a Reserve component of any of the Armed Forces of the United States, or upon transfer or assignment thereto, in time of war or National emergency declared by Congress, or when otherwise authorized by law, I may be ordered to active duty for the duration of the war or National emergency and for six months thereafter.

54. I have had this contract fully explained to me, I understand it, and certify that no promise of any kind has been made to me concerning assignment to duty, geographical area, schooling, special programs, assignment of government quarters, or transportation of dependents except as indicated.

55. I swear (or affirm) that the foregoing statements have been all respects and that I fully understand the conditions under which I	read to me, that my statements have been correctly recorded and are true am enlisting.
NATURE OF WITNESS!	SIGNATURE OF APPLICANT (First Name - Middle Name : Last Name)
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and the second s	
	V
OATH OF ENLISTMENT. (For service in Regular or Reserve Componen	t of the Armed Forces except National Guard or Air National Guard)
I. ROBERT VANNOY BLACK, JR.	_, do hereby acknowledge to have voluntarily enlisted under the conditions
(First Name - Middle Name - Last Name)	, in the USMCfor a period of
rescribed by law, and	
the Constitution of the United States against all enemies, foreign and will obey the orders of the President of the United States and the Uniform Code of Military Justice. So help me God.	d domestic; that I will bear true faith and allegiance to the same; and that I orders of the officers appointed over me, according to regulations, and the
Xallel (mmare Stack	(de
OATH OF ENLISTMENT (For service	In National Guard or Air National Guard)
	Carry Carry Notional
I do hereby acknowledge to have voluntarily enlisted this	day of, 19, in the (Army) (Air) Nationaland as a Reserve of the (Army) (Air Force) with membership in the (Army
National Guard of the United States) (Air National Guard of the U	United States) for a period of
under the conditions prescribed by law, unless sooner discharged by	proper authority.
I,(First Name - Middle Name - Last Name)	, do solemnly swear (or affirm) that I will support and defend the Consti-
total - Esta VI-ted States and of the State of	against all enemies, foreign and domestic
that I will bear true faith and allegiance to them; and that I wil	ll obey the orders of the President of the United States and the Governor of
tions, and the Uniform Code of Military Justice. So help me God.	and the orders of the officers appointed over me, according to law, regula
SIGNATURE	
9. CONFIRMAT	ION OF ENLISTMENT
	28th day of SEPTEMBER 1967
The above oath was subscribed and duly sworn to before me this To the best of my judgement and belief, enlistee fulfills all legal requi-	rements, and in enlisting this applicant, I have strictly observed the regulation
governing such enlistment. The above oath, as filled in, was read	to the applicant prior to subscribing thereto.
R.E.CONCHA, CPT, AFEES, HOUSTON, TEXAS	Manne
DD FORM 4, 1 AUG 66 REPLACE CD FORM 4, 1 OCT 63. V	

his document is housed in the Capital Punishment Clemency Petitions (APAP-214) collection in the M.E. Grenande

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PATTERN ANALYSIS (PA)	113	ELECTRONIC		(EL)	126		
CLASSIFICATION INVENTORY (CI)	137	GENERAL MAINTENANC	E	(GM)	119		
MECHANICAL APTITUDE (MA)	120	MOTOR MAINTENANCE		(MM)	115		
CLERICAL SPEED (ACS)	117	CLERICAL	· ·	(CL)	115		
RADIO CODE (ARC)	127	GENERAL TECHNICAL		(GT)	122		
GENERAL INFORMATION (GIT	126	RADIO CODE	·	(RC)			
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BLACK ROBERT V 2384646 OCT 67 34122

NAME (LAST) (FIRST) (MIDDLE) SERVICE NO. DATE OF PREPARATION R.U. CODE

NAVMC 118 (8) - PD (REV 4-66) (2-64 EDITION WILL BE USED) ORIGINAL FORWARD TO REPORTING UNIT

NAVMC 123 (2)-PD

		DUTY ASSIGNMENTS	DOLLARY DUTIES	. ADDITIONAL DUTIES
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EMBOSSED PLATE IMPRESSION

BLACK, ROBERT V. JR.

M 2384646

NAME (Last)

(First)

(Middle)

SERVICE NO.

Department of Special Collections and Archives, University Libraries, University Albany, SUNY. 3086

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BLACK		Robert	V Jr	238446 SERVICE NO.	DATE PREPARED 28Nov67	
NAME (Last)	(REV. 9-65)	2-64 EDITION	WILL BE USED		* GPO : 1966 O-231-831	A-17

Department of Special Collections and Archives, University Libraries, University (SAID) and SUNY.

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EMBOSSED PLATE IMPRESSION

BLACK, Robert V. Jr.
NAME (Last, First, Middle)

0108240 SERVICE NO.

NAVMC 118(9)-PD (REV. 6-65)

COMBAT HISTORY - EXPEDITIONS - AWARDS RECORD (1070)

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BLACK, Robert V.
NAME (Last, First, Middle)

NAYMC 118(9) (REV. 6-65)

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This document is housed in the Capital Bunishment Clemency Petitions (APAP-214) collection in the M.E. Grenander Department of Special Collections and Archives, University Libraries, University at Abany, SUNY.

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EMBOSSED PLATE IMPRESSION

BLACK, Robert V. Jr.

457-70-0620 0108240 (Middle) SERVICE NO.

NAVMC 118 (6) (REV. 8-67)

NAME (Last)

(Previous editions are obsolete and will not be used)

jA.

U.S. GOVERNMENT PRINTING OFFICE : 1968 OF-286-4

his document is housed in the Capital Punishment Clemency Petitions (APAP-214) collection in the M.E. Grenander of Special Collections and Archives, University Libraries, University Albany, SUNY.



DEPARTMENT OF THE NAVY HEADQUARTERS UNITED STATES MARINE CORPS WASHINGTON, D.C. 20380

MREPLY REFER TO

DHA-ccb

1 Sep 1971

From: Commandant of the Marine Corps

To: Commanding General, 1st Marine Brigade, FMF

Subj: Permanent promotion

Ref: (a) Title 10, U. S. Code, Chapter 549

Enci: (1) 3 Commission(s)

The President of the United States, having appointed the following named officer(s) to the grade indicated, pursuant to the provisions of reference (a) the Commandant takes pleasure in transmitting the englosed commission(s).

FIRST LIEUTENANT	SER NO	DATE OF RANK
FIRST DIMOTRALE		
ROBERT V BLACK, JR	010 82 40	1 DEC 1969
FRANK L BREWER	010 82 57	•
WILLIAM A GREEN, JR	010 83 21	

D. A. JOHNSON By direction

Appt. signed for Pres. by John H. CHAFEE Reg. by Leonard F. CHAPMAN, Jr. Commandant of the Marine Corps
Appt. ata1 SEP 1971
Pro. Br Nemo# 49-71
FILE CORMISPONDENCE CASE

is the ument is housed in the Capital Punishment Clemency Petitions (APAP-214) collaborated the M.E. Grenander partment of Special Collections and Asskives, University Libraries, University at Amany 20NY.

DEPARTMENT OF THE NAVIORATION OFFICE OF THE SECRETARY WASHINGTON, D.C. 20350

1 JULY 1972

From: Secretary of the Navy

To: CAPTAIN ROBERT V BLACK JR 457700620 USMER VIA: COMMANDING GENERAL, 1ST MARINE AIRCRAFT WING

Subj: Temporary appointment

Ref: (a) Title 10, U.S. Code, SECTION 5769

1. Pursuant to the provisions of reference (a), the President of the United States temporarily appoints you a

CAPTAIN

in the United States Marine Corps RESERVE to rank from 1 JULY 1972 effective 1 JULY 1972

For the President:

Secretary of the Navy

Registered No. 9

Appt. signed for Pres. by John W. WARNER Commandant of the Marine CorpsReg. by R. E. CUSHMAN, Jr. Commandant of the Marine Corps

Appt.	. dt	d	 	 			1	
		d		 49	-	77		
		Memo						

FILE CORRESPONDENCE CASE

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The President of the United States takes pleasure in presenting the AIR MEDAL (Second through Ninth Strike/Flight Awards) to

CAPTAIN ROBERT V. BLACK, JR.

UNITED STATES MARINE CORPS RESERVE

for service as set forth in the following

CITATION:

"For meritorious achievement in aerial flight as a designated Naval Flight Officer with Marine Fighter/Attack Squadron 232, Marine Aircraft Group Fifteen, First Marine Aircraft Wing. During combat support missions in support of the Republic of Vietnam against the enemy from 9 April to 9 October 1972, Captain Black contributed materially to the success of his unit. His courage and devotion to duty in the face of hazardous flying conditions were in keeping with the highest traditions of the Marine Corps and of the United States Naval Service."

The Numeral "9" to represent Nine Strike/Flight Awards is authorized.

FOR THE PRESIDENT,

LOUIS H. WILSON

LIEUTENANT GENERAL, U. S. MARINE CORPS COMMANDING GENERAL, FLEET MARINE FORCE, PACIFIC His document is floused in the Capital Punishment Clemency Petitions (APAP-214) collection in the M.E. Grenander Department of Special Collections and Aschives, University Libraries, University (1994) bany, SUNY.

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NAVMC 118(9) (REV. 6-65)



CLASSIFICATION	AND	ASSIGNMENT	TEST	RESULTS

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LACK ROBERT V	2384646	UCT 57	34122

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PROMOTIONS AND REDUCTIONS

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ON TRANSFER TO A NEW ORGANIZATION

EMBOSSED PLATE IMPRESSION

BLACK, Robert V. Jr.

2384646 SERVICE NO. (Niddle)

(Pirst)

his document is housed in the Capital Punishment Clemency Petitions (APAP-214) collection in the M.E. Grenander epartment of Special Collections and Ardines, University Libraries, University at Albany, SUNY.



DEPARTMENT OF THE NAVY HEADQUARTERS UNITED STATES MARINE CORPS WASHINGTON, D.C. 20380

IN REPLY REFER TO
MMSR-5-BR1/epb
15 Jul 1977

From: Commandant of the Marine Corps

To: Secretary of the Navy

Subj: Discharge from the Marine Corps Reserve

Ref: (a) SECNAVINST 1920.6

Encl: (1) Copy of Marine Corps Reserve Officer Disposition Board 1tr RFAC-3:SLH:mer 1900 of 22Apr77 with DIR, MCRFAC 1st End RFAC-3:SLH:mer 1900 of 10Jun77

(2) Honorable Discharge Certificates (106)

1. In accordance with the provisions of reference (a), a Board of officers has recommended that the officers listed on enclosure (1) be involuntarily discharged from the Marine Corps Reserve.

2. The recommendations of the board are concurred in. The records of the officers listed warrant the issuance of honorable discharge certificates.

3. It is recommended that enclosure (2) be signed and returned to this Headquarters.

A. LOPEZ
By direction

APPROVED:

6. Alidalp





IN REPLY REFER TO MMSR-5-US/orb 29 Jul 1977

Commandant of the Marine Corps

To: Captain Robert V. BLACK. Jr. 457-70 06 20 USHCR

Director, Marine Corps Reserve Forces Administrative Center

1500 East Bannister Road, Kansas City, Missouri 64131

Subj: Discharge from the Marine Corps Reserve

Ref: (a) CMC ltr MMSR-5-BR1/eph of 15Jul77

(b) MARCORSEPMAN, par 4009

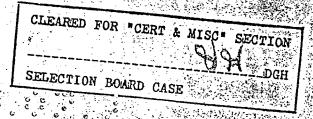
Encl: (1) Honorable Discharge Certificate

1. By direction of the President, you are honorably discharged from the Marine Corps Reserve, effective this date.

2. A certificate of discharge, issued in accordance with the authority contained in references (a) and (b), which reflects your honorable ser vice in the Marine Corps Reserve, is forwarded as enclosure;(1).

3. Your loyal and valuable service in the Marine Corps Reserve is sincerely appreciated.

> ANJAH TUPER By direction



INSERT THIS COPY IN OFFICER'S CASE FILE

Headquarters Ù. S. Marine Corps Air Station El Toro (Santa Ana), California 92709

45770 Ole 20

lba:FRH:jm 1650 16 July 1973

THIRD ENDORSEMENT on CG, 1st MAW 1tr 7A/BJM/wpc over 1650 of 9Apr73

Commanding General, Marine Corps Air Station, El Toro (Santa Ana), From:

California 92709

Commanding Officer, Marine Corps Reserve Forces Class 111, 1500 To:

East Bannister Road, Kansas City, Missouri 64131

Award of the Republic of Vietnam Gallantry Cross with Bronze Star

Readdressed and forwarded for appropriate action

2. Records of this headquarters indicate that Captain R. V. BLACK, 457 70 66 20, U. S. Marine Corps, has been released from active duty.

Copy to:

CMC (Code DGH)

CMC (Code DL)

W. L. BECKER By direction

CLEARED FOR *FAVORABLE* SECTION DGH SELECTION BOARD CASE

7D/met 1650 2 Nov 1972

From: Commanding General, Fleet Marine Force, Pacific To: Captain Robert V. BLACK Jr. 457 70 0620 USMCR

Via: Commandant of the Harine Corps (Code DL)

Subj: Award of the Numeral 9 to represent Nine Strike/Flight Air Hedals

Ref: (a) CINCPACELT INST 1650.1C

Encl: (1) Award Citation

1. In accordance with the authority delegated by reference (a), the Commanding General, Fleet Harine Ferce, Pacific takes pleasure in forwarding enclosure (1) in recognition of your service in connection with combat operations against the enemy in the Republic of Vietnam.

H. A. CROCKER By direction

Copy to:
SECHAV (w/1 copy of encl (1))
CMC (Code DGH) (w/1 copy of encl (1)) FOR FILE
CO. VMFA-232, MAG-15, IstMAN (w/1 copy of encl (1))
CG. IstMAN (w/1 copy of encl (1))

- 9 NOV 1972

MEMORANDUM ENDORSEMENT

From: Senior Member, NDBDM To: CMC (Code DL)

- 1. Reviewed and recorded.
- 2. Extraordinary Heroism:

YES NO

3. Forwarded for appropriate action.

BY DIRECTION

wis document is housed in the Capital Punishment Clemency Petitions (APAP-214) collection in the M.E. Grenander Repartment of Special Collections and Argines, University Libraries, University at Among, SUNY.

Headquarters U. S. Marine Corps Air Station El Toro (Santa Ana), California 92709

457700620

1BA:FRH:jm 1650 16 July 1973

THIRD ENDORSEMENT on CG, 1st MAW ltr 7A/BJM/wpc over 1650 of 9Apr73

From: Commanding General, Marine Corps Air Station, El Toro (Santa Ana),

California 92709

To: Commanding Officer, Marine Corps Reserve Forces Class 111, 1500

East Bannister Road, Kansas City, Missouri 64131

Subj: Award of the Republic of Vietnam Gallantry Cross with Bronze Star

1. Readdressed and forwarded for appropriate action

2. Records of this headquarters indicate that Captain R. V. BLACK, 457 70 66 20, U. S. Marine Corps, has been released from active duty.

2/21

W. L. BECKER By direction

CMC (Code DGH)

CLEARED FOR "FAVORABLE" SECTION

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SELECTION BOARD CASE

ns document is housed in the capital Funishment Clemency Petitions (APAP-214) collection in the M.E. Grenander epartment of Special Collections and Archives, University Libraries, University at Algany, SUNY.

7D/met 1655 18 Jul 1972

From: Commanding General, Fleet Marine Force, Pacific To: First Lieutenant Robert V. BLACK 457 70 0620 USMCR Via: Commanding General, 1st Marine Aircraft Wing, FMF

Subj: Award of the Numeral 1 to represent One Strike/Flight

Air Medal

Ref: (a) CINCPACELT INST 1650.1C

Encl: (1) Award Citation (2) Decoration Set

1. In accordance with the authority delegated by reference (a), the Commanding General, Fleet Marine Force, Pacific takes pleasure in forwarding enclosures (1) and (2) in recognition of your meritorious achievement.

H. A. CROCKER By direction

Copy to: SECNAV (w/1 copy of encl (1)) CMC (Code DGH) (w/1 copy of encl (1)) FOR FILE

CLEARED FOR "FAVORABLE" SECTION

DOM:
SELECTION BOARD CASE



The President of the United States takes pleasure in presenting the AIR MEDAL (First Strike/Flight Award) to

FIRST LIEUTENANT ROBERT V. BLACK

UNITED STATES MARINE CORPS RESERVE

for service as set forth in the following

CITATION:

"For meritorious achievement in aerial flight as a designated Naval Flight Officer with Marine Fighter/Attack Squadron 232, Marine Aircraft Group Fifteen, First Marine Aircraft Wing. During combat support missions in support of the Republic of Vietnam against the enemy from 10 April to 25 April 1972, First Lieutenant Black contributed materially to the success of his unit. His courage and devotion to duty in the face of hazardous flying conditions were in keeping with the highest traditions of the Marine Corps and of the United States Naval Service."

The Numeral "I" to represent One Strike/Flight Award is authorized.

FOR THE PRESIDENT,

WILLIAM K JONES

LIEUTENANT GENERAL, U. S. MARINE CORPS: COMMANDING GENERAL, FLEET MARINE FORCE, PACIFIC

This document is noused in the Capital Resolution Clemency Petitions (APAP-214) collection in the M.E. Grenander Department of Special Collections and Archives, University Libraries, University at Albany, SUNY.



DEPARTMENT OF THE NAVY HEADQUARTERS UNITED STATES MARINE CORPS WASHINGTON, D.C. 20380

DLAJULIUS

From: Commandant of the Marine Corps

To: First Lieutenant Robert V. BLACK, 457 70 06 20 USNCR

Via: Commanding General, 1st Marine Aircraft Wing, FMF

Subj: Certificate signed by the Secretary of the Navy;

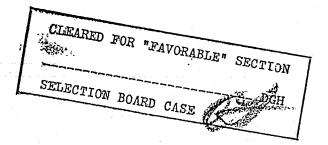
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Encl: (1) Certificate for the Air Medal (1st S/F Avarage.

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1. Enclosure (1) is forwarded herewith.

R. R. EPPS
By direction





The President of the United States takes pleasure in presenting the AIR MEDAL (Second through Ninth Strike/Flight Awards) to

CAPTAIN ROBERT V. BLACK, JR.

UNITED STATES MARINE CORPS RESERVE

for service as set forth in the following

CITATION:

"For meritorious achievement in aerial flight as condesignated Naval Flight Officer with Marine Fighter/Attack Squadron 232, Marine Aircraft Group Fifteen, First Marine Aircraft Wing. During combat support missions in support of the Republic of Vietnam against the enemy from 9 April to 9 October 1972, Captain Black contributed materially to the success of his unit. His courage and devotion to duty in the face of hazardous flying conditions were in keeping with the highest traditions of the Marine Corps and of the United States Naval Service."

The Numeral "9" to represent Nine Strike/Flight Awards is authorized.

FOR THE PRESIDENT,

LOUIS H. WILSON

LIEUTENANT GENERAL, U. S. MARINE CORPS COMMANDING GENERAL, FLEET MARINE FORCE, PACIFIC his document is housed in the Capital Punishment Clemency Petitions (APAP-214) collection in the M.E. Grenander lepartment of Special Collections and Asshives, University Libraries, University as Albany, SUNY.

OTICIAL FILE COPY

!!EADQUARTERS

3d Battalion, 2d Infantry Training Regiment
Marine Corps Base, Camp Pendleton, California 92055
BnBul 1650
JCW/rsb
10 June 1968

BATTALION BULLETIN 1650

From: Commanding Officer To: Distribution List

Subj: Meritorious Mast; case of Lance Corporal Robert V. BLACK, Jr

2384646/0311/0141/0000 USMC

Ref: (a) MARCORPERSMAN par 8052.1 (b) MCO P5000.3

1. <u>Purpose</u>. To publish information concerning the subject Meritorious Mast in accordance with reference (a).

- The Commanding Officer, 3d Battalion, 2d Infantry Training Regiment, Marine Corps Base, Camp Pendleton, California, hereby recognizes and commends Lance Corporal Robert V. BLACK Jr. for his exceptional performance of duty while a member of this unit from 29 February 1968 to 10 June 1968. Assigned as an Administrative man in the Central Administration Section he has demonstrated outstanding leadership, professional ability and exceptional devotion to duty which contributed greatly to the overall success of his section. His always ready, willing and able attitude distinguishes him as an earnest Marine. As a clerk in the Central Administration Section he has demonstrated outstanding attitude and effort towards his assigned tasks. His diligence and perserverance enabled him to do outstanding work. Although he had no prior experience in the Administration field, he attained a high state of efficiency as an Administration Clerk; his initiative, ability, and dedication have made him a valuable asset to this Battalion and a credit to himself and the United States Marine Corps.
- 3. Action. In accordance with the provisions of reference (b), the Commanding Officer, Headquarters Company, 3d Battalion, 2d Infantry Training Regiment, is directed to have an appropriate entry made in Lance Corporal BLACK's service record book, and a copy of the Mast forwarded to the Commandant of the Marine Corps (Code DGH) to become a part of his official service records.

4. Self-cancellation. 10 July 1968

//////J.C.WILSON

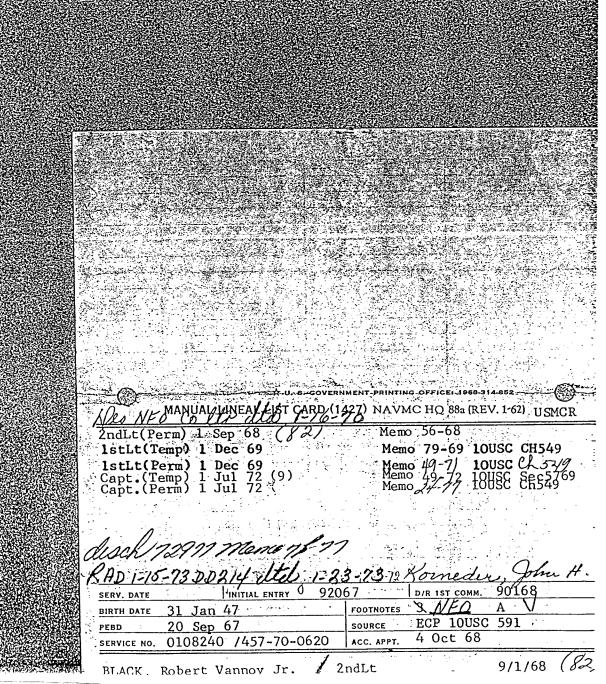
DISTRIBUTION: "B"

Copy to:

CMC (Code DGH)

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Individual concerned



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- OCCASION CODES: 1 End of Anniversary Year

 2 Separated from active reserve status

 3 Detached, transferred, or unit mobilization

(First) NAME (Last) (Hiddle) SERVICE NO. BLACK Jr. Robert 457 7<u>0 06 20</u>



UNISED STATES ARMED FORCES INSTITUTE Madison, Wisconsin 53703

MILITARY TEST REPORT

COMMANDING OFFICER V 23 2 ITR 3 BN MCB CAMP PENDLETON CA 92055 68032

VALUE SERVICE NO Re of Service

BLACK ROBERT V

2384646

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has completed the following USAFI tests with achievement as indicated. For an explanation of test scores, percentile ranks, and USAFI retest policies, see the reverse side of this report and the current USAFI Catalog.

GENERAL EXAMINATIONS DESTHE COLLEGE-LEVEL EXAMINATION PROGRAM

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See reverse side for distribution of this report. Also, please review carefully the other information on the reverse side concerning USAFI tests.

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Commandant of the Marine Corps Commandant Coast Guard (PTP-1) William IF De WILLIAM H. DICKS REGISTRAR

USAF1 Form 6A2.]5 (7530-J05-0141) Rev. 1/67

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UNITED STATES MARINE CORPS APPOINTMENT ACCEPTANCE AND RECORD (1:400)

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^{42.} Oath of Office: I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; that I will well and faithfully discharge the dúties of the office on which I am about to enter; so help me God.

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SUPPLEMENTAL SHEET CASE OF BLACK, ROBERT V PERIOD COVERED FROM 220909 TO 221/10

period of observation which did not provide the opportunity for the connect and quidance which may have helped develop capt Blacking latent capabilities.

Capt Black did excell in his Eleonantical Capabilities. As a designated Combat Division fro, he demonstrated the major mature judgement, professional competence and versatility which lained the respect of all those with whom he flew. Captain Black flew numerous Strike! Idight Combat musions and was recommended for the Air Medal with apprepriate minerals

for the mission.

Captain Black attended the 1st MAW human relations course and is Capable of working, in harms
with out his or prejudice, with maines

regardless of race, Color or creed.

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SUPPLEMENTAL SHELT CASE OF CAPT ROBERT V. BLACK FROM 720715 TO 720805 PERIOD COVERED

He is career motivated and his attitude toward the Moune Corps has had a pronounced effect on those who come in contact with him.

CAPT BLACK is a personable officer who is easily engaged in conversation. He is actively concerned in current offairs and communicates his thoughts and icleas with ease. He has utilized this talent to good effect in his dealings with the new Human Relations Program within this Aquadron.

In addition to his regular duties, Capt BLACK has also qualified as a combat flight leader Radar Intercept officer. His aggressioneres and confidence in his air manship are ever apparant while air borne. He is often sought out by other junior officers to obtain his opinions and recommendations concerning different combat sibuations. During this reporting period, because of his knowledge and shillful airmonship, Capt BLACK was designated as one of the least RIO's to first engage in air combat over North Viet Nam.

Considering the's Marine's relative standing among all those I have known of the same grade, I assign a grace of 8.

IK allyh Ka MAJOR USMC PAGE (OF 1 PAGE(S)

REVIEWING OFFICER'S COMMENT SPEET: CASE OF GAP. R.V. BLACK
PERIOD COVERED FROM 720715 TO 720805

1. I CONCUR WITH THE MARKENES AND COMMENTS

2. CAPT. BURGES CONTUBERTION TO THE COMBAT CHARITURNESS OF THIS SQUADROW HAS BEEN Commendation His CAPABILITY AND POINT AS A RIO ANT RESPECTED By HIS COLLEAGUES, His Errons IN us onnes as GAREN PLANTER UNIC CASED CONSIDERABLY THE BURDEN OR OPERATING IN AN ANSTERE ENVIRONMENT WITH A CRITICAL SHORTAGE OF PERSONNEZ AS Expension by A HERITAM RECOURTMENT RATE. This mesonneeme, AMENTIVE OFFICER IS lowsinered To HAVE EXCENENT-OUTSTANDING GROWTH POTENTIAL.

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SECOND ENDORSEMENT on 1stLt BLACK's AA form of 26 Apr 1972

From: Commanding General, 1st Marine Aircraft Wing To: Commandant of the Marine Corps (Code DPB)

Subj: Meritorious Augmentation Nomination; case of First Lieutenant Robert V. BLACK, Jr., 457 70 06 20/7587 USMCR

- 1. Held personal interview 26 May and found that Lieutenant BLACK presents a fine military appearance, is articulate and professes total dedication to a Marine Corps career.
- 2. Based upon his general reputation, confidence expressed by his Group Commander, and my interview, I endorse his meritorious augmentation.

Jahran Jan

1/GKW/1tb 1500 10 May 1972

FIRST ENDORSEMENT ON 1stLt BLACK'S AA form of 26 April 1972

From: Commanding Officer, Marine Aircraft Group 15 To: Commandant of the Marine Corps (Code DPB) Via: Commanding General, 1st Marine Aircraft Wing

Subj: Meritorious Augmentation Momination; case of lstLt Robert V. BLACK Jr. 457 70 06 20/7587 USLICR

1. 1stLt BLACK is an industrious young officer well adapted to the Marine Corps way of life. He presents a soldierly appearance and has intense personal pride in his physical posture. 1stLt BLACK is enthusiastic about the Pilot-RIO concept of modern air warfare and is constantly striving to increase his knowledge and perfect his techniques. I heartily endorse his meritorious augmentation.

K. O'KEEFE.

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	and délègent manner. An original thenker, le has institute of	
	several new edeas for changes within his short that would	
one by	further inhance the se enlistment rate of this Aquaction.	
	Kalustant 15 (fel 12 Kallyhla. 30 ful;	72
Ţ	1940 - 24 Million, 1944 - 🖊 1950 - 1950 - 1964 - 1	-
	COMMANDING OFFICER, MANNEA	
1	TOTAL 232 ISANC	72

REVIEWING OFFICER'S COMMENT SHEET: CASE OF GAPT R.V. BLACK PERIOD COVERED FROM 720510 TO 720715

1. I LONGUR WITH THE COMMENT AND MARKS GIVEN BY THE REPORTING SENIOR

2. CADT. BEALIS INDUNCEDE, EXPERIENCE AND

LEADERSIND AS A SQUADDON RID HAVE BEEN

AN ASSET TO THIS ORGANIZATION DURINK 113

RECENT ASSIGNMENT TO COMBAT. HIS DURICT

NVOLVE LONG HOURS EXPENDED IN FRANK

OPENDADONS; ON TOP OF THIS, HE WAS

WHINKLY DESIGNED EXTEN TIME TO ENSINE

THAT THE QUALITY OF WORK PROPRIED

BY HIS SELAON DID NOT SUPPOR.

How Usme.

SUPPLEMENTAL SHEET CASE OF CAPT ROBERT V. BLACK PERIOD COVERED FROM 72-05-10 TO 72 67 15

He easily expresses himself and with clarity, which has been an asset in his daily communications with others. His position within this squadron has dictated several councillings with junior Mornies, which he has done with tact and unclesstanding,

Capt BLACK lagerly accepts responsibility and has assumed his present rank with no difficulties in dealing with his former contemporaries.

As a combat flight lead RIO, he has frequently demonstrated his excellent knowledge of the account, its systems and its' capabilities. His coolness under fire has contagious to those junior officers possessing lower thresholds of anxiety, enabling mission accomplishment with accurate bombing results.

Considering this Marines relative standing among all those of the same grack I have brown, I assign a grack of 8.

TK allight To MAJOR USMC.

If embossed plate impression is used, do not complete Items 1, 2, and 3.

ppropriate spaces below.	of the same grade whose profes- sofficer by marking "X" in the	NOT OBSERVED	UNSATISFACTORY	BELOW AVER	AVERAGE	ABOVE AVERAGE	EXCELLENT	UTSTANDING
PERFORMANCE OF DUTY (Based on fact)		ž	5	8	٧.	₹	<u> </u>	0
EGULAR DUTIES							싟	_
b) ADDITIONAL DUTIES				_			4	
() ADMINISTRATIVE DUTIES							A	
d) HANDLING OFFICERS		X						
		T					ス	7
(e) HANDLING ENLISTED PERSONNEL		区						
J) Indiana (Libertuse L. L. L. L. L. L. L. L. L. L. L. L. L.		T					Х	
(g) TACTICAL HANDLING OF TROOPS (Unit appropriate to officer's grade)		۰.	<u>. </u>	۰	<u> </u>			
7. TO WHAT DEGREE HAS HE EXHIBITED THE FOLLOWING?		11/		· · ·		.`` 		
a) ENDURANCE (Physical and mental ability for carrying on under fatiguing conditions)	Agents and the control of the contro	╁	+		-		x	·
b) PERSONAL APPEARANCE (The trait of habitually appearing neat, smart, and well-groomed in t	iniform or civilian attire)	╂	-	 	_	,		
(c) MILITARY PRESENCE (The quality of maintaining appropriate dignity and soldierly bearing).	<u> </u>	<u> </u>	<u>. </u>	<u> </u>	<u> </u>		X	
(d) ATTENTION TO DUTY (Industry; the trait of working thoroughly and conscientiously)			<u> </u>	<u> </u>		<u> </u>	X	
(e) COOPERATION (The faculty of working in harmony with others, military and civilian)				<u> </u>	L	_	<u> </u>	X
(f) INITIATIVE (The trait of taking necessary or appropriate action on own responsibility)				L		X		
(1) INITIATIVE (1 he truit of taxing necessary or appropriate action on our response	WESTER STREET, AND THE TOP		T		ž.	Γ	X	
(g) JUDGMENT (The ability to think clearly and arrive at logical conclusions)	rency or under great strain)	X	1	1	T	1	Γ	7
(h) PRESENCE OF MIND (The ability to think and act promptly and effectively in an unexpected energy	anable right or duty)	+^	\top	1	1	i.	X	
(i) FORCE (The faculty of carrying out with energy and resolution that which is believed to be reas	Little of may join the state of	+	1	H	T	1	İΧ	
(j) LEADERSHIP (The capacity to direct, control, and influence others and still maintain high mora	(e) the standard and th		 	i –	+	1	+-	7
(k) LOYALTY (The quality of rendering faithful and willing service, and unswerving allegiance unde	r any and all circumstances)	+-	+	1 3	+	+	ᅕ	۲
(1) PERSONAL RELATIONS (Faculty for establishing and maintaining cordial relations with milita	ry and civilian associates).		1.	<u> </u>	1	1:	12	-
m) ECONOMY IN MANAGEMENT (Effective utilization of men, money and materials). 8. Considering the possible requirements of service in war, indicate your ar	. ﴿ مَنْ مَا وَالْمُعْلِقِينَ مِنْ الْمُعْلَمُونَ وَالْمِنْ وَأَنْ أَنْ يَوْلُ لِينَا أَوْلُونِ وَالْ وَالْ وَ	کل	<u> </u>	<u> </u>	43.	1	ينيا.	L
NOT OBSERVED UNSATISFACTORY BELOW AVERAGE AYERAGE AYERAGE	ABOYE AVERAGE EXCEL	₫	ا ڈ	Π̈́.]	
(b) Show distribution of all Item 19 (a) markings awarded officers of h	is grade for this reporting occasion:		35	13 ¹³			3.20	•
(b) Show distribution of all Item 19. (a) markings awarded officers of h	is grade for this reporting occasion:	3	i.	4			S 1	
SECTION D (To be completed by reporting senior in pen and ink.) Record in this space a concise	R Lister & Francis L. 2 - Ist L.	<u> </u>	orted	4. on.			5	
	appraisal of the professional character of the off	<u> </u>	voiled	100 m				
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epartment of Special Collections and Archives, University Libraries, University at Albany, SUNY.

BLACK ROBERT V JR: 11/4-1

MATTER COLORD IJANTU. TO: 9-MAY 72

457-70-0620

It Black is an amiable, soft spoken young officer. He is an intent listener luit is, at times, content to be taken up into the "crowd" what he lacks in force he more than compensates for with cooperation and devotion to duty. He continually seeks responsibility and values it highly when given. His loyalty is an questionable, and his ideals are those of a dedicated american citizen.

As the career planning and education officer, It Black requires minimal superinsion: while producing excellent results. The inoch he originates is habitually administrationly correct and properly pluased.

It Black is a RIO section leader and has pronen to be a valuable esewmenter during combat flight operations in the RVN. It Blacks growth potential is excellent and be is submitting an application for augmentation outs the regular establishment,

Holdsuch PAGE LOF LPAGE(S)

s document is housed in the Capital Punishment Clemency Petitions (APAP-214) collection in the M.E. Gren partment of Special Collections and Archives, University Libraries, University at Albany, SUNY.

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			1	EFRUICE NO	···
NAME (Last)	(First)	(Middle initial) V. Jr.	GRADE 1stLt USMG	SERVICE NO	o. 0_0620
BLACK	Robert	V. 01.	113000	1457.19	0_0020
ORGANIZATION TIMES 22 MAG-15	lstMAW, FPO San Franc	isco 96602 (1	MCC 145)		·
PRIMARY MOS	<u></u>		ADDITIONAL MOS	\$	
7587			None	•	·
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. PERIODS OF NONAVAILABILITY (30 D.	AYS OR MORE) (Explain)		•		
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B. ADDITIONAL (Descriptive title and	number of months)		1	MARKSMANSHIP QUALL	FICATIONS
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y) TACTICAL HANDLING OF TROOPS (Unit appropriate to of					Т			X	
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(i) FORCE (The faculty of carrying out with energy and resolu				\dashv	39	+	\vdash		}
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SUPPLEMENTAL SHEET CASE OF -BOOCK RV JR 457-70-0626 PERIOD COVERED FROM 21NOV71 TO 26APR 72

During reporting period this regulation has accomplished two rings diplogments. One a training diplogment of six weeks duration, and the other from garrison to combit where the regulation is presently committed. It Black profited immeasurable from the training diplogment and has shown himself to be a definite asset as an air-crewman in comfact air operations. He is developing rapidly and displays those traits necessary in an element leader and should soon earn the

designation of RIO section leader.

It Black is applying for meritorious augmentation into the regular establishment and in my opinion he is a prime candidate for assimulation, the is an intelligent, competent young officer in every respect. He has made his decession to apply for augmentation as a result of cariful thought spanning a long puriod of time and horse on a variety of situations. He was exposed to combat in the initial phases of this organismos commitment and was exposed to the privations and daugus attendent to such aperations. Ilvis exposure did not deturbed picture lint nother gave him a more complete picture

of the feel meaning of a mulitary coreer.

SUPPLEMENTAL SHEET CASE OF -BLACK, RVJR 457-70.0620 PERIOD COYERED FROM 21, NOV 71 TO 26 A/R 72

It Black is senone in the clicine to become a regular marine officer and muth the experience to be gained through continued service, challenging situations and assignments, and proper quidance. The wiel he a credit to the Corps. He possesses excellent growth protential and thrives on demanding assignments, and is capable of accepting positions of brooder scope and increased responsibilities. It Black is unable heartedly endorsed for augmentation.

Has USMC

OFFICER FITNESS—REPORT—U.S. MARINE CORP	s (1611)			
(SUPERSEDES 2-37 AND 4-41 EDITIONS WHICH WILL BE USED)	SECTION A	SSED PLATE IMPRESSI		0620
EMBOSSED PLATE IMPRESSION (Name, Grade, Service No., MOS	3) EMBOS	SOLD FERTE IN RESO.		
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*1. NAME (Last) (First BLACK Robe	/	e initial) Jr	GRADE 1stIt USMC R	SERVICE NO. 010 82 40
BLACK Rober *2. ORGANIZATION VMFA-232, MAG-15, 1stMAW, FPO	医二甲基甲烷医乙炔 化油 選索	96602 (14CC	145)	
VMFA-232, PAG-15, ISTMAW, FFO	ban iidiidiid		ADDITIONAL MOS'S	
7587 A. OCCASION FOR THIS REPORT (Cheek appropriate box)				
SEMIANNUAL DETACHMENT OF OFFICER REPOR	TED ON detached, below)	HANGE OF REPORTING	CONCURRENT	OTHER (Explain b
70	(Day, month, year)		MONTHS	
18 November 1971	31 December	1971		
6. PERIODS OF NONAVAILABILITY (30 DAYS OR MORE) (Explain	《大学》(1985年)			
7. DUTY ASSIGNMENTS DURING PERIOD COVERED: A. REGULAR	(Dates, descriptive title, and du	ty MOS)		
Squadron RIO, 7587 B. ADDITIONAL (Descriptive title and number of months)				ANSHIP QUALIFICATIONS
Assistant Intelligence Off	icer, l		P	ints and Captains) -EX
a. Wife's ADDRESS	Ct. Lion Moyes	77040		
1017 Winding Road College 9. AGE, RELATIONSHIP OF DEPENDENTS REQUIRING TRANSPOR	TATION TEXAS	77840		
10. OF ICER'S PREFERENCE FOR NEXT ASSIGNMENT (1st choice) NABTC NAS Pensacola; Florida	(MCC G78)			
(2nd choice)	(3a c	choice)	Beaufort, S.C.	(MCC 142)
NATTO NAS Glynco, Ga. (MCC (SIGNATURE OF OFFICER REPOBLED ON	*(D)	<u> </u>		DATE Special
Lollew Black f	SECTION B (To be completed by			, Caro , .
11. NAME AND GRADE OF REPORTING SENIOR		DUTY ASSIGNMENT		
J. L. GREGORCYK, LtCol 13. RECOMMENDATIONS FOR OFFICER'S NEXT DUTY ASSIGNMENT		Commanding	Officer	
	(등의원)의 (현 경영하다 (독일사 기원 등 현급)			
14. DURING THE PERIOD COVERED BY THIS REPORT—	YES No	o If YES	in (a), (b), or (c), and the CMC, attach separa	a report has NOT be
TALL DOMING	ted on in a . [tendant	circumstances. If a reference such report below.	ore has oven submitted
(a) Has the work of this officer been report commendatory way?	a diamental de la companya di Tanana di Tanana di Tanana di Tanana di Tanana di Tanana di Tanana di Tanana di T			
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onsidering the officer reported on in comparional abilities are known to you personally sire propriate spaces below.	ison with all other officers of the same grade whose profes- ndicate your estimate of this officer by marking "X" in the	T OBSERVED	UNSATISFAC	OW AVE	ERAGE	ABOVE AVERA	ELLENT	UTSTANDI	·
L.C.		Ş	ž	BEL	₹	¥ P	ă	9	
PERFORMANCE OF DUTY (Based on fact)				y,i	4,				
REGULAR DUTIES		\top					·		
b) ADDITIONAL DUTIES									
) ADMINISTRATIVE DUTIES		1.	1						•
d) HANDLING OFFICERS	·				$\overline{\cdot}$				•
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g) TACTICAL HANDLING OF TROOPS (Unit appropriate to a	officer's grade)			Ь	٠		<u>. </u>	_	•
						*		•	
7. TO WHAT DEGREE HAS HE EXHIBITED THE FOLLO	OWING?		1	Т		Γ.			•
(ENDUBANCE (Physical and mental ability for corrying on	under fatiguing conditions)			╁		-	-	 	•
(b) PERSONAL APPEARANCE (The trait of habitually appear	ing neal, smart, and well-groomed in uniform or civilian attire)		- -	-	-		-	 	•.
(c) MILITARY PRESENCE (The quality of maintaining approp	printe dignity and soldierly bearing)			┼				-	-
(d) ATTENTION TO DUTY (Industry; the trait of working thor	roughly and conscientiously)			-	-	<u> </u>	 -	<u> -</u>	-
(e) COOPERATION (The faculty of working in harmony with	others, military and civilian)		1-	<u> </u>	↓_	<u> </u>	 -		-
(f) INITIATIVE (The trait of taking necessary or appropriate	action on own responsibility)			<u> </u>	1	 	1	1	-
(g) JUDGMENT (The ability to think clearly and arrive at log	eical conclusions)	<u> </u>	ـــــــــــــــــــــــــــــــــــــــ	1	1_	<u> </u>	1:	-	-
(g) JUDGMENI (I he dottily to think treatly and arrive at we	ly and effectively in an unexpected emergency or under great strain)			Ŀ	_		Ľ_	1	-
(h) PRESENCE OF MIND (! ne doutif to think and act prompt	ty and effectively in the liered to be reasonable, right or duty)		-		1	L	<u> </u>	1	
(i) FORCE (The faculty of carrying out with energy and reso	olidion that which is believed to be reasonable, right or duty)	: 1		\mathbf{L}_{i}			1.:	1_	-
(j) LEADERSHIP (The capacity to direct, control, and influen	nce others and still maintain and all circumstances)			T	<u> </u>	L		L	_
(k) LOYALTY (The quality of rendering faithful and willing s	service, and unsurerving allegiance under any and all circumstances)			1	T	Π			_ • • • • •
950 SONAL REL'ATIONS (Faculty for establishing and mu	aintaining cordial relations with mittain and tretton ossessing		1	1	1.	1	1.	1	_
(m) ECONOMY IN MANAGEMENT (Effective utilization of m	rvice in war, indicate your attitude toward having this officer	ınder	you	r cor	nma	nd.		•	
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TACTICAL HANDLING OF TROOPS (Unit appropriate to officer's grade)		لـــا		<u> </u>	الليا	لدي	 .
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TO WHAT DEGREE HAS HE EXHIBITED THE FOLLOWING?				<u> </u>	_		 ;
ENDURANCE (Physical and mental ability for carrying on under fatiguing conditions)	_			├	V	\vdash	 -
PERSONAL APPEARANCE (The trait of habitually appearing neat, smart, and well-groomed in uniform or civilian attire)			<u> </u>	-	门	<u> </u>	Y
MILITARY PRESENCE (The quality of maintaining appropriate dignity and soldierly bearing).	<u> </u>	-	\vdash	-	┝╌┤	-	
ATTENTION TO DUTY (Industry; the trait of working thoroughly and conscientiously)	<u> </u>	-	-	-	\vdash	-	
COOPERATION (The faculty of working in harmony with others, military and civilian)	<u> </u>	<u> </u>	<u> </u>	-	 	-	
INITIATIVE (The trait of taking necessary or appropriate action on own responsibility)	-		-	-	-	K	<u> </u>
HIDGMENT (The ability to think clearly and arrive at logical conclusions)	Į.,	<u> </u>	-	-	-	ĻΧ	
PRESENCE OF MIND (The ability to think and act promptly and effectively in an unexpected energency or under great strain)	X	1_	<u> </u>	1		 	<u> </u>
FORCE (The faculty of carrying out with energy and resolution that which is believed to be reasonable, right or duty)		·	<u> </u>	ļ:-:-		ĮŞ	
LEADERSHIP (The capacity to direct, control, and influence others and still maintain high morale)	<u> </u>	_	Ŀ		-		\
LOYALTY (The quality of rendering faithful and willing service, and unswerving allegiance under any and all circumstances)	1	Ŀ	_	1		1	IX.
WIALIT (The quality of translating jumps.				1/2		<u></u>	X_{-}
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PERSONAL RELATIONS (Faculty for establishing and maintaining cordial relations with military and civilian associates)		77.7		1.			X
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Lt Black is a resourceful officer who possesses a strong desire to excel in all endeavors and as a rusult produces positive results. A guiet man with an unassuming personality the remains a capable administrative assistant and able leader whose prefessionalism has earned him the respect of all thoree with whom he work. Not an individual to acceep a static situation, he has laten steps through off duty sources to improve his Formal education and thus increase his general value to the Marine Corps. As a squadron KIO he has demonstrated exceptional knowledge and proficiency of the complicated F4I rodor system. He willingly devotes extra hours to both his regular military duties but also to many AF station squadron projects. He is a perceptive and eager officer who is considered to be an asset in any capacity and is thought to have excellent growth potential

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ocument is housed in the Capital Punishment Clemency Petitions (APAP-214) collection partment of Special Collections and Archives, University Libraries, University at Albany, SU OFFICER FITNESS-REPORT-U.S. MARINE CORPS (1611) MAYMC 10147 (REY. 6-63) (SUPERSEDES 2-37 AND 4-61 EDITIONS WHICH WILL BE USED) SECTION A EMBOSSED PLATE IMPRESSION (Organization). EMBOSSED PLATE IMPRESSION (Name, Grade, Service No., MOS's) VMFA TWO ONE TWO ... RUC 01212 MARINE AIRCRAFT GROUP TWO FOUR C 1STLT BLACK, ROBERT V.JR FIRS. MARINE BRIGADE FMF 457-70-06-20 7587/000 FPO. SAN FRANCISCO 96602 MCC 130 010-82-40 SERVICE NO. GRADE (Middle initial) (First) *1. NAME (Last) USMC *2. ORGANIZATION ADDITIONAL MOS's *3. PRIMARY MOS 4. OCCASION FOR THIS REPORT (Check appropriate box) CHANGE OF REPORTING DETACHMENT OF OFFICER REPORTED ON OTHER (Explain below) (Enter unit or station to which detached, below) SEMIANNUAL MONTHS TO (Day, month, year) 5. PERIOD COVERED: FROM (Day, month, year) 25Jun71 6. PERIODS OF NONAVAILABILITY (30 DAYS OR MORE) (Explain) 7. DUTY ASSIGNMENTS DURING PERIOD COVERED: A. REGULAR (Dates, descriptive title, and duty MOS) MARKSMANSHIP QUALIFICATIONS SadnRIO: 7587 B. ADDITIONAL (Descriptive title and number of months) (Lieutenants and Captains) PAO(6), EdO(6), RptContO(6), AltCustS&CFiles(6), AwardsO(3) 8. WIFE'S ADDRESS KMCAS FPO SFRAN 1705 Lawrence Rd., 9. AGE, RELATIONSHIP OF DEPENDENTS REQUIRING TRANSPORTATION 10. OFFICER'S PREFERENCE FOR NEXT ASSIGNMENT (1st choice) MAD NATTC PNSCLA (G78) (3d choice) (2nd choice) (0.91)MCAS Kaneohe MAD NATIG GLYNCO (G73) DATE SECTION B (To be completed by reporting senior) 12. DUTY ASSIGNMENT 11. NAME AND GRADE OF REPORTING SENIOR Commanding Officer ... us MC MOORE, LTCOL 13. RECOMMENDATIONS FOR OFFICER'S NEXT DUTY ASSIGNMENT If YES in (a), (b), or (c), and a report has NOT been sub-mitted to the CMC, attach separate statement of nature and at-14. DURING THE PERIOD COVERED BY THIS REPORT-YES NO (a) Has the work of this officer been reported on in a tendant circumstances. If a report has been submitted to the 凶 CMG, reference such report below: commendatory way? X (b) Has the work of this officer been reported adversely? 1 6 JUL 1971 (c) Was this officer the subject of any disciplinary action that should be included on his record?

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INFREQUENT DESERVATIONS

OF THIS OFFICER'S WORK

15. B. TO BE COMPLETED ON ORGANIZED RESERVE OFFICERS

ATTENDED.

SCHEDULED DRILLS

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FREQUENT OBSERVATIONS

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^{*} If embossed plate impression is used, do not complete Items 1, 2, and 3.

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DATE 26 June 7/		(Signature of	Moore Reporting Se	nior)
		Page 2	Z of	2 pages

TO SHAPP SHAPP SHAPP

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VEEKED	FITNESS—REPORT-	_II C MARINE	CORPS	(1011	•)
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NAVMC 10147 (REV. 6-63) SUPERSEDES 2-57 AND 4-61 EDITIONS WHICH WILL BE USE	o)	TION A		
		EMBOSSED PLATE IMPRESSI	ON (Organization)	
EMBOSSED PLATE IMPRESSION (Name, Grade, Serv	ice No., MUS's)	n		0
BLACK, ROBERT V.JR	C 1STLT	VMFA TWÖ		RUC 01012
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		Flkor MAH	INE BRIGADE	THE WAR 170
		RPO SAN	FRANCISCO 9	6502 NCC 130
*1. NAME (Last)	(First)	(Middle initial)	GRADE USMC	SERVICE NO.
*2. ORGANIZATION		•	•	
			ADDITIONAL MOS's	
*3. PRIMARY MOS				
4. OCCASION FOR THIS REPORT (Check approprie	ate box)		CONCUERTAL.	
Bettenniut AE	OFFICER REPORTED ON station to which detached, below)	CHANGE OF REPORTING	CONCURRENT	OTHER (Explain below)
		<u> </u>		
5. PERIOD COVERED: FROM (Day, month, year)	10 (Day, month, year)		MONTHS 5_	•
25Jul70	31Dec	270		· · · · · · · · · · · · · · · · · · ·
6. PERIODS OF NONAVAILABILITY (30 DAYS OR None				· · · · · · · · · · · · · · · · · · ·
7. DUTY ASSIGNMENTS DURING PERIOD COVERE	D: A. REGULAR (Dates, descriptive t	itle, and duty MOS)	• •	· · · · · · · · · · · · · · · · · · ·
SqdnRIO 7 <i>5</i> 87		-	MARKS	MANSHIP QUALIFICATIONS
B. ADDITIONAL (Descriptive title and number of		Reports Control	0 5 (Lieute	enants and Captains)
AwardsO 5; Alternate	S\$CO 5; EdO 5; P	ersonal Affairs	0 5;	y :- 3.t
8. WIFE'S ADDRESS 1723 Lawrence Rd KMC	AS F20 SFRAN 9661	5		<u> </u>
9. AGE, RELATIONSHIP OF DEPENDENTS REQUIR	ING TRANSPORTATION			
y. AGE, REMITORIES			,	
l, son			<u> </u>	
TELEPISE POSSESSENCE FOR NEXT ASSIGNME	NT (1st choice)			
MAD NATTO NAS Pensa	cola(G73)	(3d choice)		
(2nd choice)	73)	MCA3 Kaneohe	• (091)	
MAD NATIC Glynco (3	<i>(</i>),			DATE
SIGNATURE GOOD				1/120/0
Jan Marian	SECTION B (To b	e completed by reporting senior)		
11. NAME AND GRADE OF REPORTING SENIOR		12. DUTY ASSIGNMENT	• • • • • • • • • • • • • • • • • • • •	
11. NAME AND CHARLE	was a second	a 10 10 10 10 10 10 10 10 10 10 10 10 10	70	•
J W HOORE LtCol	US	C CO VIFA-2	12.	
13. RECOMMENDATIONS FOR OFFICER'S NEXT I	DUTY ASSIGNMENT			
FME Duly				
14. DURING THE PERIOD COVERED BY THIS REP	ORT—	YES NO If γES	S in (a), (b), or (c), a	nd a report has NOT been su
(a) Has the work of this officer	been reported on in a	illad	In the CME: OHOTH SENI	arate statement of nature and a report has been submitted to t
commendatory way?		CMC,	reference such report belo	<i>ŵ:</i>
(b) Has the work of this officer	been reported adversely?			
() Man the officer the subject of	of any disciplinary action			26 JAN 1971
that should be included on l	IIIS TECOTO:			
15. A. ENTRIES ON THIS REPORT ARE BASED C	N (Check appropriate box)	25	15. B. TO BE COMPLETED	ON ORGANIZED RESERVE OFFICERS
DAILY COMPLETED CLOSE OBSERVATION OF THIS PETITEDS WERE NOT NESS	FREQUENT OBSERVATIONS OFFICER'S WORK	INFREQUENT OBSERVATIONS OF THIS OFFICER'S WORK	ATTENDEDO	FSCHEDULED DRILLS
	complete Items 1, 2, and 3.			

onal abilities are known to you personally, indicate your estimate of this officer by marking "X" in the opropriate spaces below. PERFORMANCE OF DUTY (Based on fact)	NOT OBSERVED	UNSATISFACTORY	BELOW AV	AVERAGE	ABOVE AVERAGE	EXCELLENT
, REGULAR DUTIES			\sqcup			X
5) ADDITIONAL DUTIES						X
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d) Handling Officers		_		L	X	_
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() TRAINING PERSONNEL					Ш	×
g) TACTICAL HANDLING OF TROOPS (Unit appropriate to officer's grade) Section Leveler	<u> </u>	L_		Ш	Ш	ХÌ
7. TO WHAT DEGREE HAS HE EXHIBITED THE FOLLOWING?			,		· · · · · ·	
a) ENDURANCE (Physical and mental ability for carrying on under fatiguing conditions)	12	<u> </u>	—	┦		
b) PERSONAL APPEARANCE (The trait of habitually appearing neat, smart, and well-groomed in uniform or civilian attire)	<u> </u>	<u> </u>	—	L.	X	
c) MILITARY PRESENCE (The quality of maintaining appropriate dignity and soldierly bearing).		_	<u> </u>	<u> </u>	Ш	X
d) ATTENTION TO DUTY (Industry; the trait of working thoroughly and conscientiously)				Ŀ	X	
e) COOPERATION (The faculty of working in harmony with others, military and civilian)			<u> </u>			X
(f) INITIATIVE (The trait of taking necessary or appropriate action on own responsibility)					x	
g) JUDGMENT (The ability to think clearly and arrive at logical conclusions)	Γ	Π	Γ			Х
h) PRESENCE OF MIND (The ability to think and act promptly and effectively in an unexpected energency or under great strain)	X		T			
(i) FORCE (The faculty of carrying out with energy and resolution that which is believed to be reasonable, right or duty)	1	T	\top			χ
	十一	1	†	\vdash	X	
(j) LEADERSHIP (The capacity to direct, control, and influence others and still maintain high morale)	+-	+	+	一		
(k) LOYALTY (The quality of rendering faithful and willing service, and unswerving allegiance under any and all circumstances)	╁	+	+-	\vdash	X	
(1) PERSONAL RELATIONS (Faculty for establishing and maintaining cordial relations with military and civilian associates)	╌	╁	+	╀		
m) ECONOMY IN MANAGEMENT (Effective utilization of men, money and materials)		1	COR			L
my economic production (2) that a simple of many significant and the first significant and the f			COL	IIII	itu.	
B. Considering the possible requirements of service in war, indicate your attitude toward having this officer und Would you— NOT OBSERVED N	te b	Image: section of the content of the	PARTI	RE TO	TSTANI	
8. Considering the possible requirements of service in war, indicate your attitude toward having this officer und Would you NOT OBSERVED PREFER NOT TO HAVE? (a) Indicate your estimate of this officer's "General Value to the Service" by marking "X" in the appropria NOT OBSERVED UNSATISFACTORY BELOW AVERAGE AVERAGE ABOVE AVERAGE EXCELLE (b) Show distribution of all Item 19. (a) markings awarded officers of his grade for this reporting occasion: (b) Show distribution of all Item 19. (a) markings awarded officers of his grade for this reporting occasion: (This space must not be left blank.) Record in this space a concise appraisal of the professional character of the officer.	te be	ox:		RE TO	HAYE	
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8. Considering the possible requirements of service in war, indicate your attitude toward having this officer und Would you	o rep	ox:	3 on.	OUT	HAVE TSTANI	or to
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ial Collections and Archives, University Libraries, University at Albany, SUNY. S. ON "D" CONTINUED (FITNES: REPORT NAME BLACK, RV. RANK 1/47 SERV NO 0 10 82 2 200 1 PERIOD OF REPORT 25 Jul 70 TO 31 Dec 70 It Block is a quiet, well-minnered officer, who willingly accepts responsibility and completes assigned tasks in on acceptable manner. He is a constant worker and prefers to research each unfomibin jab rother thon ask for advise from superiors or rely on the experience of others. He is a dependable and persistent individual; who applies Kennelf to each assignment and is eager to develop into a well rounded individual. He is therking of a military career and has the ability to be an asset to the marine Coyps. It Black is confident of his ability as a Mural Flight officer and has demostrated a motive attitude toward his flying duties. He is constantly noturteering for optro flights and has a keen appreciation of air discipline. He has shown a desire to increase his technial knowledge and broaden his knowledge of moine loyar matters. He has the obility to grow with each assignment of inwested responsibility and has shown above overage growth potential. SIGNATURE OF REPORTING SENIOR DATE / Yon 71 PAGE OF PAGES

OFFICER FITNESS-REPORT-U.S. MARINE CORPS (1611)

NAVAC 10147 (REV. 4-63) (SUPERSEDES 2-57 AND 4-61 EDITIONS WHICH WILL BE USED) EMBOSSED PLATE IMPRESSION (Organization) EMBOSSED PLATE IMPRESSION (Name, Grade, Service No., MOS's) RUC. 01212 VMPA TWO ONE TWO MARINE AIRTRART GROUP TWO FOUR C 1STLT BLACK, ROBERT V.JR 457-70-06-20 7581/0002 FIRST MARINE BRIGADE FMF 010-82-40 FPO, SAN FRANCISCO 96602 MCC 130 SERVICE NO. (Middle initial) GRADE (First) *1. NAME (Last) USMC *2. ORGANIZATION ADDITIONAL MOS's *3. PRIMARY MOS 4. OCCASION FOR THIS REPORT (Check appropriate box) CHANGE OF REPORTING DETACHMENT OF OFFICER REPORTED ON OTHER (Explain below) (Enter unit or station to which detached, below) X SEMIANNUAL MONTHS TO (Day, month, year) 5. PERIOD COVERED: FROM (Day, month, year) -9-24Ju170 170ct69 6. PERIODS OF NONAVAILABILITY (30 DAYS OR MORE) (Explain) 170ct69-17Mar70 Proceed, Delay, Travel, enroute Hawaii and TAD 7. DUTY ASSIGNMENTS DURING PERIOD COVERED: A. REGULAR (Dates, descriptive title, and duty MOS) 18Mar-24Jul70 Sqdn RIO 7587 MARKSMANSHIP QUALIFICATIONS B. ADDITIONAL (Descriptive title and number of months) (Lieutenants and Captains) Ed&TestControlO -3- AwardsO -3-PersAffairs0 -3-ReportsControlO -3- AltCustS&CFiles -3-ClaimsO -3-8. WIFE'S ADDRESS 41-981 Kalaianaole Hwy, Waimonalo, Hi. 96795 9. AGE, RELATIONSHIP OF DEPENDENTS REQUIRING TRANSPORTATION 8 months, son 10. OFFICER'S PREFERENCE FOR NEXT ASSIGNMENT (1st choice) NAATC Pensacola (G-78) (3d choice) (2nd choice) NATTC Glynco (G-73) MCAS Kaneohe (091) SIGNATURE OF OFFICER REPORTED ON SECTION B (To be completed by reporting senior) 12. DUTY ASSIGNMENT 11. NAME AND GRADE OF REPORTING SENIOR CO VMFA-212 us MCR H. H. ZIEGLER JR. LtCol 13. RECOMMENDATIONS FOR OFFICER'S NEXT DUTY ASSIGNMENT If YES in (a), (b), or (c), and a report has NOT been sub-mitted to the CMC, attach separate statement of nature and at-tendant circumstances. If a report has been submitted to the CMC, reference such report below: 14. DURING THE PERIOD COVERED BY THIS REPORT.... YFS (a) Has the work of this officer been reported on in a 囚 commendatory way? X (b) Has the work of this officer been reported adversely? 17 AUG 1970 Was this officer the subject of any disciplinary action that should be included on his record? 15. B. TO 15 COMPLETED ON ORGANIZED RESERVE OFFICERS 15. A. ENTRIES ON THIS REPORT ARE BASED ON (Check appropriate box) INFREQUENT DESERVATIONS DAILY CONTACT AND CLOSE OBSERVATION OF THIS OFFICER'S WORK LCS FREQUENT OBSERVATIONS OF THIS OFFICER'S WORK SCHEDULED DRILLS OF THIS OFFICER'S WORK ATTENDED

This document is housed in the Capital Punishment Cleme		ctior	in in	the	M.E	E. G	rena
ECTION C (To be completed in pon and link by reporting senior)	Libraries, University at Albany	يار _۾ 'ا	ERAGE CR		9		0
onsidering the officer reported on in comparison with all other officer onal abilities are known to you personally, indicate your estimate of t ppropriate spaces below.	s of the same grade whose profeshis officer by marking "X" in the	OT OBSERVED	BELOW AVERAGE	AGE	ABOVE AVERAGE	EXCELLENT	OUTSTANDING
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u, REGULAR DUTIES			_		<u> </u>	X	<u> </u>
b) ADDITIONAL DUTIES					<u> </u>	X	<u> </u>
) ADMINISTRATIVE DUTIES				1_	<u> </u>	X	
/) HANDLING OFFICERS		\times	\perp		<u> </u>		
) HANDLING ENLISTED PERSONNEL					X		
() TRAINING PERSONNEL		X			<u> </u>		<u></u>
g) TACTICAL HANDLING OF TROOPS (Unit appropriate to officer's grade) NFO much	I entention		T	Τ.		X	
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7. TO WHAT DEGREE HAS HE EXHIBITED THE FOLLOWING?	• •						
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(c) MILITARY PRESENCE (The quality of maintaining appropriate dignity and soldierly bearing).		-+		+-	1-	令	\vdash
(d) ATTENTION TO DUTY (Industry; the trait of working thoroughly and conscientiously)		$\vdash \vdash$	- -	+	+	₩	
(e) COOPERATION (The faculty of working in harmony with others, military and civilian)		\vdash		+-	+-	1	
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(1) PERSONAL RELATIONS (Faculty for establishing and maintaining cordial relations with mil						X	1
m) ECONOMY IN MANAGEMENT (Effective utilization of men, money and materials)		П				X	
8. Considering the possible requirements of service in war, indicate your	attitude toward having this officer und	er yo	ır co	mma	ınd.		
(b) Show distribution of all Item 19. (a) markings awarded officers of	his grade for this reporting occasion:		中紀		ITSTAN] 2 v	
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	· John Market	6	_				
a Succession and the	cellent hour	con	les	La	رے	1	
	SECTION F (To be completed when required)						
SECTION E (To be completed by the reporting senior)				(Che	eck O	ne)	
I CERTIFY that to the best of my knowledge and belief all entries made hereon are true and without prejudice or partiality.	I have seen this completed report.	LJ i	HAVE I	O STA	TEME	NT TO	MAKE
Il Montage 24 feel 10	**************************************		HAVE A	TTACH	(Da		EMENT
(Signature of reporting settler) (Dary)	(Sig::ature of efficer reported	νπ)			, Da	••/	
SECTION G (To be completed by reviewing officer)							
NAME OF REVIEWING OFFICER KENNY C. PALMER	GRADE	Col	one	1	_ us l	MC_	
	چې د د په دې دې دې						
M' ASSIGNMENT CO, MAG-24, 1stMarBde, FMF	INITIALS						
	S. C. & O. S. GOVERNMENT P	RINTING	OFFICE		, A.	-6-08	,
	<u>Elia</u>			૽ૺ૽ૣૺ૽	ŢŹ.		

tment of Special Collections and Archives, University Libraries, University at Albany, SUNY. SECTION "D" CONTINUED (FITNESS GEOGRA) NEW DRACK, KOBERT V RINK 18767 SERV NO 010-92-40 FERIOD OF REIGHT 1) OCTOBER GOODTO. 24. Quely 1970 quesal administrative priocelures. Because of the time required for his miteative works many off- duty on his additional delier He is a combine offices whose personal appearance is efective the har a positive has displayed a disere to effect in The air To date he has progressed wormally through his checkout in The F-40 Semostrated The ability to graspo usternation Shall grow en notes whith each new assignment and in causedined to posses efcellent gravel potential. DATE J Guly 10

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OFFICER FITN	IESS—REPORT—U.S.	MARINE CORPS (1611)			9 7		
NAVMC 10147 (REV. &	6-63) ND 4-61 EDITIONS WHICH WILL			<u>, , , , , , , , , , , , , , , , , , , </u>	,	ນຄຸດຄວ <u>້</u>		
			SEC	TION A				
EMBOSSED PLATE	IMPRESSION (Name, Grade	, Service No., MOS's)	, · · ••	EMBOSSED PL	ATE IMPRESSI	ON (Organization)		·
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		(F) (A)		(Middle initial	, , , , , , , , , , , , , , , , , , ,	GRADE		SERVICE NO.
*1. NAME BLACK,	(Last)	(First) Robert	•	V.	,	1stLt USMC	_R	0108570
*2. ORGANIZATIO	ON							
	ATTC, Glynco,	Georgia (MCC G73)			ADDITIONAL MOS's		
*3. PRIMARY MOS	š					None		
7581 4. OCCASION FO	OR THIS REPORT (Check app		<u></u>			HOME		
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SECTION C (To be completed in pon and link by reporting senior). Department of Special Collections and Archives University Libraries University at Albany	£3	GORY ERAGE		8	1	ပ္ခ	
Considering the officer reported on in comparison with all other officers of the same grade whose professional abilities are known to you personally indicate your estimate of this officer by marking "X" in the	OBSERVED	Y E		AVERAGE	,	숩	
	8	S			<u> </u>	₹	
appropriate spaces below.	5	INSATISFACTORY	18	ABOVE	EXCELLENT	UTSTANDING	
PERFORMANCE OF DUTY (Based on fact)	Ö	<u> </u>	14	٠٠.	ă	<u>ŏ</u>	•
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(c) HANDLING ENLISTED PERSONNEL		_ _	ֈ	<u> </u>			
(f) TRAINING PERSONNEL		\bot	<u>.L.</u>	·			j* .
(g) TACTICAL HANDLING OF TROOPS (Unit appropriate to officer's grade)				1			
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17. TO WHAT DEGREE HAS HE EXHIBITED THE FOLLOWING?		- T.		τ_			
(a) ENDURANCE (Physical and mental ability for carrying on under fatiguing conditions)		-1	-	Ļ.,			Ì
(b) PERSONAL APPEARANCE (The trait of habitually appearing neat, smart, and well-groomed in uniform or civilian attire)			Ŀ	\times			
(c) MILITARY PRESENCE (The quality of maintaining appropriate dignity and soldierly bearing)			1	X	1		
			1	V			
(d) ATTENTION TO DUTY (Industry; the trait of working thoroughly and conscientiously)	1-1			10	\vdash		1
(e) COOPERATION (The faculty of working in harmony with others, military and civilian)	┰	_ _	-	X			
(f) INITIATIVE (The trait of taking necessary or appropriate action on own responsibility)				$oldsymbol{arphi}$	$oxed{oxed}$		₹ :: 14 ::
(g) JUDGMENT (The ability to think clearly, and arrive at logical conclusions)			_	X	<u> </u>		نبر يا
(h) PRESENCE OF MIND (The ability to think and act promptly and effectively in an unexpected emergency or under great strain)	X		7	T			
[n] PRESENCE OF MIND [1 he ability to inink and act promptly and ejectively in an anexpected times.	4	\dashv					
(i) FORCE (The faculty of carrying out with energy and resolution that which is believed to be reasonable, right or duty)	\vdash		+	1	1		
(j) LEADERSHIP (The capacity to direct, control, and influence others and still maintain high morale)	↓		-				
(k) LOYALY (The quality of rendering faithful and willing service, and unswerving allegiance under any and all circumstances)					\times		170
(1) PERSONAL RELATIONS (Faculty for establishing and maintaining cordial relations with military and civilian associates)	1 1	j		\times	1		
	V	$\neg \neg$		T			
(m) ECONOMY IN MANAGEMENT (Effective utilization of men, money and materials) 18. Considering the possible requirements of service in war, indicate your attitude toward having this officer unc	er vo	ur co	mma	nd.			
	,	- PAR	TICULA	RLY			
Would you - 2 Not observed Prefer not to have? To have?	L		IRE TO	HAVE	?		
	1						19.2
19. (a) Indicate your estimate of this officer's "General Value to the Service" by marking "X" in the appropria	10 DO	x.:	O	TSTAN	ninc	1	E &
) 1 TOT OBSERVED UNSATISFACTORY BELOW AVERAGE AVERAGE ABOVE AVERAGE EXCELL	1	占	•			- 1	
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m Cli - 1 Co ship reporting occasion:							Ţ.
(b) Show distribution of all Item 19. (a) markings awarded officers of his grade for this reporting occasion:		_T			·		
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his document is housed in the Capital Punishment Clemency Petitions (APAP-214) collection in the M.E. Grenander epartment of Special Collections and Archives, University Libraries, University at Albany, SUNY. OFFICER FITNESS—REPORT—U.S. MARINE CORPS (1611) (SUPERSEDES 2-57 AND 4-41 EDITIONS WHICH WILL BE USED) SECTION A EMBOSSED PLATE IMPRESSION (Organization) EMBOSSED PLATE IMPRESSION (Name, Grade, Service No., MOS's) (Middle initial) SERVICE NO. GRADE (First) *1. NAME (Last) USMC. 2ndLt 0108240 BLACK Robert *2. ORGANIZATION (MCC G78) Florida Pensacola, ADDITIONAL MOS's *3. PRIMARY MOS None 7580 4. OCCASION FOR THIS REPORT (Check appropriate box) CHANGE OF REPORTING SENIOR DETACHMENT OF OFFICER REPORTED ON CONCURRENT X OTHER (Explain below) (Enter unit or station to which detached, below) ${f ACADEMTC}$ MAD, NATTC, Glynco, MONTHS TO (Day, month, year) 5. PERIOD COVERED: FROM (Day, month, year) <u> 170ct69</u> <u>6Mar69</u> 6. PERIODS OF NONAVAILABILITY (30 DAYS OR MORE) (Explain) 7. DUTY ASSIGNMENTS DURING PERIOD COVERED: A. REGULAR (Dates, descriptive title, and duty MOS) DUINS NFO 7580 MARKSMANSHIP, QUALIFICATIONS 8. ADDITIONAL (Descriptive title and number of months) (Lieutenants and Capteins) None 8. WIFE'S ADDRESS 6320 Boca Del Circle, Pensacola 9. AGE, RELATIONSHIP OF DEPENDENTS REQUIRING TRANSPORTATION 9das, Sont.

10. OFFICER'S PREFERENCE FOR NEXT ASSIGNMENT (1st choice) MCRDep, San Diego, (MCC 017) (3d choice) No Preference (MCC YOO) OSO Duty SIGNATURE OF DEFICER REPORTED ON SECTION B (To be completed by reporting senior) 12. DUTY ASSIGNMENT 11. NAME AND GRADE OF REPORTING SENIOR us MC DONALD CONROY. Commanding Officer Colonel 13. RECOMMENDATIONS FOR OFFICER'S NEXT DUTY ASSIGNMENT

If YES in (a), (b), or (c), and a report has NOT been sub-mitted to the CMC, attach separate statement of nature and at-14. DURING THE PERIOD COVERED BY THIS REPORT-YES (a) Has the work of this officer been reported on in a tendant circumstances. If a report has been submitted to the Ø commendatory way? CMC, reference such report below: \square (b) Has the work of this officer been reported adversely? (c) Was this officer the subject of any disciplinary action M that should be included on his record? 15. P. TO BE COMPLETED ON ORGANIZED RESERVE OFFICERS 15. A. ENTRIES ON THIS REPORT ARE BASED ON (Check appropriate box) FREQUENT OBSERVATIONS INFREQUENT OBSERVATIONS DAILY CONTACT AND CLOSE OBSERVATION OF THIS OFFICER'S WORK OF THIS OFFICER'S WORK OF THIS OFFICER'S WORK _SCHEDULED DRILLS ATTENDED. _OF _ * If embossed plate impression is used, do not complete Items 1, 2, and and conduct recommendations to the reporting senior.

By his various instructors and Marine superiors who submit flight, academic

nsidering the officer reported on in comparison with all other officers of the same grade whose profesnal abilities are known to you personally, indicate your estimate of this officer by macking "X" in the propriate spaces below. PERFORMANCE OF DUTY (Based on fact)	NOT OBSERVED	UNSATISFACTORY	BELOW AVERAGE	AVERAGE	ABOVE AVERAGE	EXCÉLLENT	OUTSTANDIN
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) COOPERATION (The faculty of working in harmony with others, military and civilian)	<u> </u>	<u> </u>	Ŀ	Ш	\bowtie		L
f) INITIATIVE (The trait of taking necessary or appropriate action on own responsibility)		_			\mathbb{Z}		L
) JUDGMENT (The ability to think clearly and arrive at logical conclusions)		<u> </u>	<u>L</u>		X		L
PRESENCE OF MIND (The ability to think and act promptly and effectively in an unexpected emergency or under great strain)	\bot $\!$		<u> </u>				L
) FORCE (The faculty of carrying out with energy and resolution that which is believed to be reasonable, right or duty)		<u>!</u>		لـنــا	X		L
) LEADERSHIP (The capacity to direct, control, and influence others and still maintain high morale)		1	::		X		L
) LOYALTY (The quality of rendering faithful and willing service, and unswerving allegiance under any and all circumstances)		1	,		X	_	L
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2NDLT 9901/0000/0000	SJ 30303 C	Marino (Corps Base	
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			,	~·/n:
*1. NAME (Last) (First)	(Middle initial)	GRADE USMC	SERVICE NO.
*2. ORGANIZATION		•	· ·	
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4. OCCASION FOR THIS REPORT (Check appropriate box)				•, • 1
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s proton courses spout (Day month was)	TO (Day, month, year)		, MONTHS	•
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7. DUTY ASSIGNABITY DURING PERIOD COVERED: A. REGULES SOCIOSES SMERTS OFFICER S	JLAR (Dates, descriptive title, tudent 9901:	, and duly MOS)		
360868				ARKSMANSHIP QUALIFICATIONS
B. ADDITIONAL (Descriptive title and number of months) NOTE				Lieutenants and Captains)
8. WIFE'S ADDPESS: Rt#3 Box 391-W, Stafford,				
9. AGE, RELATIONSHIP OF DEPENDENTS REQUIRING TRANSI	PORTATION			
			*	
10. OFFICER'S PREFERENCE FOR NEXT ASSIGNMENT (1st choi	œ)			
(2nd choice) N/A		(3d choice) N/A		
SIGNATURE OF OFFICER REPORTED ON			:	DATE
Kolley Black	/			5 MARCA 1969
	SECTION B (To be con	pleted by reporting senior)		
11. NAME AND GRADE OF REPORTING SENIOR		Company C	ormander, Co	ompany D
W.I. FERRIER, Major	us MC	TES, MCB,	Quantico, 1	Jirginia 22134 🟒
13. RECOMMENDATIONS FOR OFFICER'S NEXT DUTY ASSIGN	IMENT	100		
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14. DURING THE PERIOD COVERED BY THIS REPORT—	YES	NO If YE.	S in (a), (b), or (c), and a report has NOT been sub
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(e) COOPERATION (The faculty of working in harmony with others, military and civilian)			_		-	$-\vdash$
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EXHIBIT 5

Affidavit of John Blackman (with flight log of John Blackman and Robert V. Black, Jr.)

MAR 1 8 1992

STATE OF ILLINOIS

COUNTY OF WHITESIDE

361ST DISTRICT COURT

AFFIDAVIT OF JOHN BLACKMAN

- 1. My name is John Blackman. I reside at 2703 East 40th Street in Davenport, Iowa. I am more than 18 years old and am in all other respects competent to give this affidavit.
- 2. Sometime in late February 1992, I was contacted by Racul Schonemann, attorney for Bob Black, to testify at an evidentiary hearing in Mr. Black's case scheduled for March 5, 1992, in Bryan, Texas. I agreed to come to Bryan to testify on that date, and Mr. Schonemann and I discussed and planned travel arrangements for my visit.
- 3. Mr. Schonemann subsequently contacted me on March 2, 1992, to advise me that the hearing in Mr. Black's case had been postponed until March 18, 1992. At that time, I was still willing and able to testify on behalf of Mr. Black on the new hearing date.
- 4. Since then, my father, who is 80 years old and lives by himself in nearby Bettendorf, Iowa, has fallen ill. On Sunday, March 8, 1992, he was hospitalized with a severe strep infection in his blood. The doctors advise me that his condition since then has further deteriorated and that at best he will be in the hospital for several more weeks.
- 5. Commercial flights from the nearest airport to my home in Iowa, to Bryan, Texas, take between six and six-and-a-half hours. In order to attend Mr. Black's hearing, I had planned to arrive in Bryan the night before the hearing and depart the morning following the hearing. In other words, to attend the hearing I would have to be away from Iowa for approximately one-and-a-half days. Due to my father's advanced age and the seriousness of his condition, I do not feel I am able to leave him alone in the hospital for the amount of time that I would be required to be in Texas to provide testimony at Mr. Black's evidentiary hearing.
- 6. Were I able to be at Mr. Black's evidentiary hearing on March 18, 1992, I would testify as follows:
- 7. I met Bob Black when we were both serving in the Marines. In November 1971, I received overseas orders and reported to the Iwakuni Marine Corps Air Station in Iwakuni, Japan. It was there that I met Bob. We were assigned to the same squadron -- Marine Fighter/Attack Squadron (VMFA) 232, Marine Air Group 15, 1st Marine Airwing, which was based at the Marine Corps Air Station in Iwakuni. Our squadron flew



McDonnell-Douglas F-4J phantom II fighter planes. Bob and I were teamed together; myself as the pilot of an F-4 and Bob as my radio intercept operator (RIO). During this period, while we were stationed at Iwakuni, we primarily flew practice bombing missions and practiced air-to-air combat.

- 8. In late 1971 and early 1972, our squadron was deployed in Subic Bay, Philippines for additional combat training. In April 1972, our squadron was issued its first combat orders in Vietnam.
- 9. In Vietnam, Bob and I flew almost 100 combat missions together; the exact number is recorded in our flight log book, a true copy of which I have attached to this affidavit. We also roomed together during our entire combat tour in Vietnam.
- 10. Bob was highly regarded in our squadron both for his qualities as a person and for his abilities as a radio intercept operator. Bob and I had a great deal of success as a flight crew and I credit much of that to Bob's abilities as an RIO.
- 11. But what I remember Bob most for was his compassion for people. He rarely had unkind things to say about anyone, even though we lived in a very close, tense environment. For example, when one particular pilot in our squadron refused to fly combat missions, Bob did not chastise or criticize him as most did, but said he understood his reasons.
- 12. In fact, Bob seemed to go out of his way to do things for others. This attitude was not limited to Americans, either, because Bob treated the nationals of each country we were in very graciously. Because many American military personnel were typical of the so-called "Ugly American," I found it refreshing to be associated with Bob.
- 13. I think it was for these very reasons that Bob had always been a sensitive person and that he cared a great deal about people that our experiences in Vietnam were particularly difficult for him. Unlike in other wars, we faced in Vietnam a very diffuse enemy. There was not a line drawn which put the good guys on one side and the bad guys on the other. Many innocent people suffered loss of property and loss of life, and I know from later conversations with Bob that this bothered him greatly.
- 14. When we returned from overseas, Bob and I spoke on the phone a number of times, and we wrote letters back and forth. I didn't see Bob again, though, until years later, in 1983, when Bob and his son Gary Wayne visited me and my family at our home in Iowa during a cross-country motorcycle trip they were taking. Although he stayed with us for only a few days, I noticed that Bob had changed in subtle ways. He didn't seem to be real happy with the way his life had turned out. He said that he'd had trouble holding jobs. He also told me about the fact that he'd

been hospitalized in the V.A. hospital when he came back. He explained that since he'd been back in the States nothing had worked out as he'd planned, and that he'd had a nervous breakdown.

- 15. We talked then about some of our experiences in Vietnam and I was amazed at Bob's vivid recollection of some of our missions. It was clear that many of our experiences had effected him deeply.
- Bob recalled one mission in particular in exact detail that especially repulsed him. It was a bombing mission where there was not a defined target, but where you flew into known enemy territory and bombed "targets of opportunity." This meant that we basically could bomb anything that looked at all like a military target. However, in an F-4 Phantom flying 500 to 600 miles per hour, and making erratic maneuvers to avoid hostile fire, this type of observation was very speculative at best. remember that we saw several small boats in a small inlet off a larger river. We dropped our bombs and destroyed the boats, but to this day I don't know if they were boats used by the NVA to transport military goods or simply fishing boats belonging to Vietnamese civilians. I do know there were no secondary explosions caused by munitions being hit that would have been stored on those boats. Whether these boats were friend or foe, however, it was clear that it deeply bothered Bob that we were rather indiscriminately dropping thousands of pounds of bombs on what were indefinite targets.
- 17. Bob recalled another very similar incident that summer that also had clearly left a very strong impression with him. On this particular occasion, something happened to one of the planes in our squadron a hydraulic leak or something and we had to drop bombs in the ocean before landing. As we turned to go back to the base Bob and I noticed that there were fishing boats in the area. I remember we talked then about how we hoped we hadn't hit one of the boats, but there was no way of knowing whether we did or not. From my conversations with Bob years later, however, it was again apparent that the possibility that we accidentally killed innocent civilians continued to haunt Bob.
- 18. Another incident that made a very strong impact on Bob was an occasion when we almost lost several planes from our squadron returning to our base in Nam Phong, Thailand. Bob and I were leading a division of fighters back that were returning from a mission in North Vietnam when we all found ourself with extra fuel to burn to get down to landing weight. To burn the extra fuel, we made a quick tour of the area, followed by some mock "dogfighting" in the air, which was standard procedure under these circumstances. When we reached about 4,000 pounds of jet fuel, which is just about the right amount to return for landing at the proper weight, I radioed for all the planes to "knock it off" and head back. The high-altitude, high-G maneuvering had everyone disoriented, however, and when we broke through the

cloud coverage we were not where we thought we were and could not find our base. The field at Nam Phong was barely operational; there were no navigational aids available and only a radio operator in the field tower to search for us. We vainly tried to identify a familiar landmark to get our bearings back. Precious fuel burned as we checked one another's fuel levels by radio. All of the planes, including mine and Bob's, were running low at that point, but our friend Sam Cordova, who was the pilot of one of the other planes in the squadron, was at a perilously low fuel stage. At 1,500 pounds of fuel, we declared an emergency and issued four "May-Days." Cordova barely had time to issue a statement with the emergency transmitter that he and his RIO were ejecting before allowing their plane to flame out five miles north of the field. Minutes later a second plane in the squadron flamed out on the runway. Although there were no casualties, and only Cordova had leg injuries from his parachute landing, losing the planes was humiliating. Bob, in particular, faulted himself for the accident, and the near loss of life, on the grounds that it had been primarily his responsibility to locate the airstrip for a safe landing.

- In retrospect, perhaps the most devastating thing that ever happened to Bob in Vietnam was when our friend and squadron mate, Sam Cordova, was shot down by enemy MIGs in August 1972. On this occasion, Bob and I were among a section of fighters flying into an area to relieve another division of fighters on a bombing mission in North Vietnam. We were trying our best to receive radio communications from our only radar outpost -- a ship at least 250 miles away. When we were about 20 minutes away from relieving the other division, we heard a panicked message from the ship's radio advising us that enemy aircraft had been picked up on the ship's radar that were so close to our own aircraft that the distance could not be calculated. Moments later we heard the radio call from the squadron's leader that Cordova's plane had been hit by an air-to-air missile fired by enemy MIGs. Emergency radio transmissions began as we communicated with Cordova and his partner on the ground. Transmissions were made to helicopters to launch a rescue. We sent orders for more refueling, so that we could stay and secure the area around the downed plane. When the helicopters arrived, it dropped a jungle penetrator to locate Sam. According to the search and rescue helicopter crew, the last words heard from Sam were, "I see the jungle penetrator, I'm going for the penetrator. Moments later the helicopter came under heavy fire from enemy troops. Cordova's partner, Lieutenant Borders, was picked up unhurt; Cordova, however, was not so fortunate. After a time, the search for Sam was abandoned and he was declared "MIA."
- 20. Both Bob and I lost a close friend that day. All three of us -- Bob, Sam, and myself -- had lived in the same hootch when we were over there, and Bob and I both considered Sam a very close friend. I know from my conversations with Bob that many years afterward he maintained an active involvement in Sam's

affairs. While we were still overseas, Bob started a regular correspondence with Sam's parents, Mr. and Mrs. Leo Cordova, of California. Mr. Cordova visited Vietnam several times in search of his son, and Bob provided the Cordova family with information about when, where, and how Sam was shot down, so the Cordovas could try to find out more information about their son. When Bob returned to the United States he went out to California to visit with Sam's parents, to tell them what Sam had meant to us and to try to console them for their loss.

I hereby affirm that the foregoing is true and correct and I so state under the pains and penalties of perjury.

Signed and sworn before me this

day of March 1992

My commission expires:

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EXHIBIT 6

Correspondence between Robert V. Black and Mr. and Mrs. Leo Cordova

VMFA-232, MAG-15, FMF FPO, San Francisco, Calif. 96602 12 September 1972

My dear Mr. and Mrs. Cordova,

Please forgive my delay in writing to you regarding Sam. His hootch-mates, John Blackman, Phil Lynd, Al Beye and I want to express our sympathy to the family and wishes for his safe and speedy return. Having lived closest to Sam over here we can assure you of a very personal compassion and concern of each of us.

I am taking care of the personal effects located here at Nam Phong. Since I will be going back to Iwakuni next month, there is a possibility that I will be asked to also inventory and send home his belongings from that location. Right now we are waiting for an official classification of Sam's status from Headquarters Marine Corps (but hopefully his return) before sending anything home: I also wanted to correspond with you to see if you agree with my plans. After the inventory, everything was locked in his footlocker and his bed and belongings are in a state ready for his return. Essentially Sam had the usual array of a small amount of used clothing and toilitries necessary for our daily life in a "temporary" base. Also there is a small collection of new clothing; a suit, trousers and sport coat, new shoes and a couple of party suits. All he has with him here of high value is a camera, two lenses and accessories, and a portable tape recorder. The only currency found came to around \$1.50 from various countries. Sam has quite a savings program in various forms: \$1200 in the 10% savings plan, \$2300 in the bank at Iwakuni, \$400 in the Navy Federal Credit Union, a \$60 check from his automobile insurance company, and over \$600 due this coming payday. Within the next few days his pay record will be sent to the finance center at Kansas City, and from there arrangements will be made for you to control his pay. Presently he is drawing about \$420 per month plus combat pay, and has allottments of \$16.70 to Fidelity Life Insurance Company and \$300 per month for the 10% savings program. You will receive guidance on the disposition of his finances, but I would like to suggest putting as much as possible into this plan and using allottments to cover any of his monthly expenses, while keeping enough of his pay aside yourself for incidentals on his behalf. You might keep in mind too that his promotion to Captain will be approved in the next few months. I had to go through his personal papers and letters and this was what I was able to find here although he could have had other savings plans I'm sure. I was unable to find anything pending other than a model aircraft he has in Japan that will be sent when finished next year, and a name tag at Rex's in Iwakuni. I will check in Udorn when I go again for any clothing he might have ordered: the clothes he had in the base laundry have been included in his gear already. I understand that at Iwakuni Sam has some stereo gear and possibly other high value items. It appears that Sam made no requests for anyone in particular to manage his affairs here in his absence so I hope to be able to do the job adequately as seen from both your and his standpoints.

Sam is a very talented photographer and I am sure you will be delighted with the photographs he has. He did not write any explanations on the backs, so if you would like me to tell you a little bit about each I will be happy to, and I could send a few as I finish every few days if you so desire. I guess he has around 100, plus possibly some more in the PX which I will check on. I took the liberty of removing two which I cannot promise the return of for use in our cruise book. It should be off the press around January and I will see to it that our editor repays you with a complimentary copy.

So, with this background I would like to ask your permission to dispose of his gear as follows:

Personal papers, letters, and photos by registered mail Camera and accessories by insured mail (you will have an import tax to pay)

All clothing and other items by personal effects baggage at government expense

This isn't exactly in accordance with Marine Corps Standard Operating Procedures and orders, but I have suggested this way instead of all by government expense because of the possibility of pilferage and the extremely long delays in shipping. Of course I will need your permission and acknowledgment of receipt for our records if this is satisfactory to you.

Other than this the only thing left at Nam Phong is his toilitries: shaving cream, soap, canned milk, soup, insect spray, etc. which cannot be sent due to its perishable nature. It will eventually be disposed of in an "as needed" basis by his friends. There is an item I hope will have special significance on Sam's return. He has a bottle of Cold Duck which his hootch-mates have signed and I would like to personally deliver some day. We want him to remember us as we're remembering him when he celebrates over it some day.

Also, could you please have the Marine who calls on you offering assistance please write me with any suggestions he might have as to my being of assistance.

- Our daily missions usually take us into the area where I talked to Sam last and everyone is watchful for any signs of his still being in the area.
- Last, we ask that you contact VIVA with permission for them to use Sam's name. Perhaps it is something too hard to do right now, but please write us if you should decide to do so. Not knowing their procedures, Al requested a bracelet and received this information. Many of us are waiting for your reply.
- Forgive me for being business-like on initial contact with you; I hope to become found you can rely on for answers and assistance.

God bless,

Year Bob Received With your One on the of and the one ne used today. I want to being so thoughtful of us about sams things: y you have our premission to send everything back home. We will take care wany Upense at this send. Whe you please let us know when you ship them, o we will know about when to expect the things and stick around the house in order to pay for the things

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Le es doing fine. We just have to keep that thought. know that Lellowahl all that sterew stuff so of well please the care of sending all his things from we will really approcate it. may God Bless your and keep you safe. Please keep in touch Bob, and I will answer your letters. If there is anisthing that you want or I want to the

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Light Robert V. Black Jr 457-70-0620 1 m.Fa. 232 m.a. 28 15 124 m.a. W. F. m. F.

Sept 21-72

Dear Bob: I have already usetten you å letter yesterdag. I closit really Senow if it made sense. It was not one of my good clays. Some days I just can't stop crying It all seems like a dream Im Laving, and I will wake up and everything will be fine. The only thing that I keeps me going is faith in God, and I keep saying over and over that he is fine. But truthfully from all reports and where he went down what do you think? If Im pulting you on a spot don't tell me. again I want to thank you for the two beautiful letters. San is lucky to have a friend like you and I pray that you will be friends for many many years.

We are very grateful for your help in getting all his things together. If there is any expense to you please let us know. We are leaving all his money except american Express in Inspure where it is - His pay Check we are putting in the bank at 10 % of possible. This way when he gets home God Willing he will have a few dollars Buf if you go to Iwaking would you see what we have to do to get his money transferred to whither If you can't then we will at let the masines take care of it - Taking about The marine They have really been a big help, and you all are the finestmen in the world. I got in touch with Viva

. . .

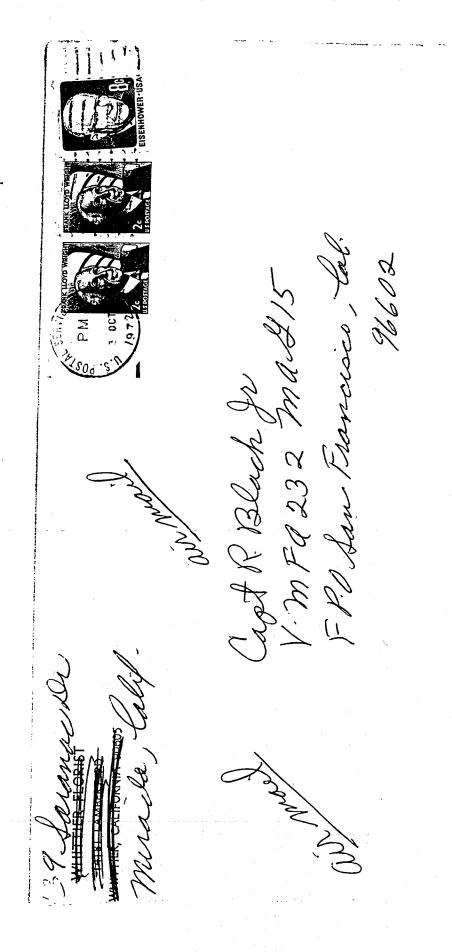
before I received your letter, but I guess it was after your wrote for one. I have written to them, and gave them your name and address and am having them send you one with Sam's manas on it-How much longer do you have in nam? I hope its not long. I hate this damn war. again thank you take care of yourself. Gra Bless -

Wear Bob. enough to be so kind and make life long, Grendo for many y

Then we can also go to Hogto and see if they have Ivaluated everything tha have found . Thank -1 Bab, or & thing to hear from them I think Les would have flown sight one if possible we are going it be at Statler Hilton from a 10-18th. Like I told mik anything comes up Please Call Collect. Will write yo if we learn anything: We think that the more

orvention, & guess & would call it. maybe they will lister and do somethe the mer that are there yes if yn will place 9 to amer Express to see if it can be transferred fet me cknow. as for the car. Ido know as he didn't say I don't think he was in Japan long enough, but 2 guess you find out when you get the Les said you lift out the lest part of the pictures. They really gave us a laugh. How are things at Rose Harden Please send his personel pages and bank broks so that I ca keep trans afall his then

bank account when he get Please stop over to see on know our home is open you anytime you are here. I would like to spenda fer days and relax and sight see we will be glad to take y any where you want to g





Sixteenth Street . At K and L Streets N. Washington, D. C. 20036

Dear Bob:

Received your letter. I wasn't tome, but my neighbor called me last night and told me you had written. I have been in touch with Captain Johnson in Washington. They are going to take all his pay, and put it in the Kansas city bank at 10 %. We got a letter stating that Sam has made captain as of October 1st and that's when his pay starts. Helphe groud when he gets back And Willing. my neighbor said that there were three boxes also that arrived. I don't know how

many you sent. Bob please keep an account of everything you are sutting out, and we will give it to you when you get here. We are so grateful for all you are doing, and please thank any of the lays that are helping. If fam has ordered ony Thing, or ower any body anything will you please take care afit, and well give it to you when we see you, of you havit got it write us the amount, and we well send you a check right away We came to Washington VC Hey are Lolding a convention for jamilees of m. I a. Et J. OW's

from Oct 14 to 17th, We werent going to come, but we figured if they chaint get a good turnout then they will think that no one cares about the boys both there, and we might learn about something that we can do. I hope this letter reaches you in time. Please ifyou have time to to the american Ey press see ifyon can get it transferred to Crocker Bank 15000 E. Whittier Blud- Whittier If they will only transfer it to has a american Express only. Then have it transferred to one

in Santa ance tall or Newport Beach, Calif - they are both in Orange county. If they will give you a check, Then I will put it Cruckers Bank myself His pay Check will all go to Kansas at 1040 Captain Johnson let Leo + I read the reports on Sam from everyone there , as far as we can make out he has a 50-50 chance of being a P.O.W. neighbors address telephone number just in case we are aut for a few hours. It is 943 2225. Her name is Ti and she lives in back of me. We are both on the corner. My Telephone# is 943 2225- my telephone # at Relm Springs is 327-9322-Take Care-