

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

Green
ENTERED

on 10-23 1984
THE DOCKET
ALLYN Z. LITE, CLERK
By KAM
(Deputy Clerk)

UNITED STATES OF AMERICA,

Plaintiff,

v.

BASIL ARTISHENKO,

RECEIVED Defendant.

OCT 25 1984

CIVIL NO. 82-3822 JWB

CONSENT JUDGMENT
OF DENATURALIZATION

ORIGINAL FILED
OCT 22 1984
ALLYN Z. LITE, CLERK

OFFICE OF
SPECIAL INVESTIGATIONS

Pursuant to the terms of the "Agreement Between Basil Artishenko and the United States Department of Justice," a copy of which is attached hereto and incorporated herein as part of this Consent Judgment, Basil Artishenko having consented to entry of judgment for plaintiff pursuant to Title 8 U.S.C. §1451(a), and the Court having found good cause therefore;

IT IS HEREBY:

ORDERED that the defendant Basil Artishenko, was not and is not a duly naturalized citizen of the United States, and that he is not entitled to any of the rights, privileges, or immunities of such citizenship; and it is further

ORDERED that the November 1954 order of the County Court of Middlesex County, New Brunswick, New Jersey, admitting the defendant to United States citizenship is null and void, and the Clerk of this Court is directed to transmit a certified copy of this Judgment to the Clerk of the County Court of Middlesex

County, New Brunswick, New Jersey, so that the records of the said Court shall reflect this Judgment; and it is further

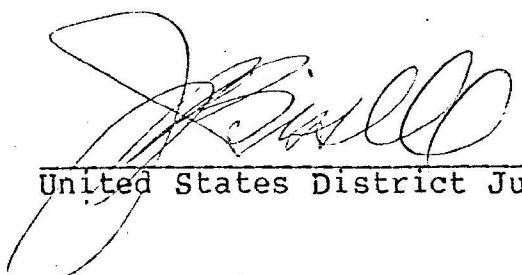
ORDERED that Certificate of Naturalization number 7130153 in the name Basil Artishenko is cancelled; and it is further

ORDERED that within five days of the entry of this judgment, the defendant Basil Artishenko or his duly authorized representative surrender the aforesaid Certificate of Naturalization and any United States passport of the defendant to the Director of the Office of Special Investigations, United States Department of Justice, for proper disposition according to the laws and regulations pertaining to the Immigration and Naturalization Service; and it is further

ORDERED that all provisions of the "Agreement Between Basil Artishenko and the United States Department of Justice," be enforced as an order of this Court.

SO ORDERED.

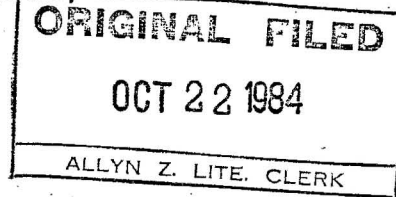
Dated: October 18, 1984


United States District Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,
Plaintiff,
v.
BASIL ARTISHENKO,
Defendant.

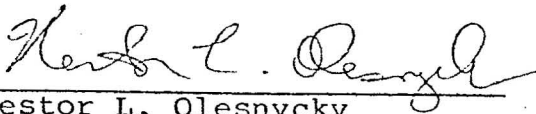
Civil Action No. 82-3822
(JWB)




JOINT MOTION FOR ENTRY OF CONSENT
JUDGMENT OF DENATURALIZATION

Plaintiff the United States, and Defendant Basil Artishenko, hereby move this Honorable Court to enter a Consent Judgment of Denaturalization pursuant to Title 8 U.S.C. §1451(a) and pursuant to the terms of the "Agreement Between Basil Artishenko and the United States Department of Justice." A proposed Consent Judgment of Denaturalization is attached hereto.

Respectfully submitted,


Nestor L. Olesnycky
Attorney for Defendant

Pitio, Olesnycky & Pitio
1339 Springfield Avenue
Irvington, New Jersey 07111


Neal M. Sher
Attorney for Plaintiff

Office of Special Investigations
Criminal Division
U.S. Department of Justice
1377 K St., N.W., Suite 195
Washington, D.C. 20005

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

Plaintiff,

v.

BASIL ARTISHENKO,

Defendant.

Civil Action No. 82-3822
(JWB)

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ALLYN Z. LITE. CLERK

AGREEMENT BETWEEN BASIL ARTISHENKO AND
THE UNITED STATES DEPARTMENT OF JUSTICE

Defendant, Basil Artishenko, on the advice of his undersigned counsel, and in consideration of and in exchange for the agreement and statement of the Plaintiff, United States, contained herein, executes the following agreement and statement:

1. I was born on April 3, 1923 in the village of Klivy, Choiniki Rayon (County), Byelorussia.

2. In 1942 and 1943, during the Nazi occupation of the Choiniki Rayon, I served as a Schutzmann in the ^{J.M. NLD. B.A.} Choiniki Rayon Schutzmannschaft (police force).

3. The Choiniki Rayon Schutzmannschaft was subordinate to and under the command of the Nazi German police.

4. When I procured a visa to enter the United States, I made material misrepresentations concerning my employment and place of residence during the period 1942-1943, and ^{misrepresented J.M. NLD} my date and place of ^{B.A.} birth. I claimed that I was born on April 4, 1926 in Lisniewyczi,

J.M. NLD
B.A.

Poland and that I resided in Lisniewyczi from 1939-1943 and worked on my parents' farm in Lisniewyczi during that time. I continued to misrepresent my date and place of birth and to conceal my service in the Choiniki Rayon Schutzmannschaft during my application for United States citizenship.

5. I admit that because of the above misrepresentations and concealments, I procured United States citizenship illegally and by willful material misrepresentations and that I am therefore subject to denaturalization pursuant to 8 U.S.C. §1451(a).

6. A document in the Russian language which purports to be my birth certificate was provided to the United States Department of Justice by authorities of the Union of Soviet Socialist Republics. I admit that all of the information contained in the birth certificate provided by authorities of the U.S.S.R. is accurate and that I have no basis upon which to question its authenticity.

7. A document entitled "Schiesskladde 1. Uebung" (Firing Logbook 1st Exercise) was provided to the United States Department of Justice by authorities of the U.S.S.R. According to this document, I held the position of "Schutzmann" (policeman-private) in Choiniki; that information is correct. The names of ^{some} other ^{J.M. B.A.} _{N.L.D.} persons identified in the Firing logbook are familiar to me as having been members of the Choiniki Schutzmannschaft. I have no basis upon which to question the authenticity of this document.

8. I agree to cooperate fully with the Office of Special Investigations of the Department of Justice in its investigation of persons who assisted the Nazis in persecution or entered the

J.M.
N.L.D.
B.A.

United States through misrepresentation or concealment. I understand that as part of this agreement I must undergo truthful and complete debriefings of my knowledge and that I must fully and truthfully testify in any deposition, at any trial, or at any other proceeding at which the Government requests my testimony.

9. I consent to the entry of the attached "Consent Judgment of Denaturalization" against me.

10. I, along with the Government, will forthwith submit this agreement to the Court, accompanied by the proposed consent judgment revoking my United States citizenship and Certificate of Naturalization, pursuant to 8 U.S.C. §1451(a).

11. If the Court enters the consent judgment ordering my denaturalization, within five days thereof, I or my attorney will surrender my Certificate of Naturalization and United States passport to the Director of the Office of Special Investigations, Criminal Division, Department of Justice, 1377 K St., N.W., Suite 195, Washington, D.C., 20005.

12. I agree not to reapply for United States citizenship under any circumstances.

13. I have entered into this Agreement freely and voluntarily upon consultation with my counsel. This Agreement completely disposes of all of the issues in this case. I have personally reviewed this Agreement and have discussed it fully with my attorney. I am not now, nor have I been, under duress or compulsion of any kind.

J.M. | B.A. | M.L.S.

Plaintiff, the United States of America, by its undersigned counsel, an officer of the United States Department of Justice, executes the following binding agreement and statement in exchange for the agreement and statement of Basil Artishenko contained herein:

1. The United States, ^{or any agency thereof J.M. B.A. N.LD} will not commence deportation proceedings against Basil Artishenko for any of the activities alleged in the Complaint, ^{or which could have been alleged in the Complaint} in the denaturalization case, United States v. Artishenko, Civil Action No. 82-3822 (D.N.J.) (JWB), ^{based on information so current} long as he complies with the terms of paragraphs 8 through 12 of this agreement.

2. Should Basil Artishenko refuse to cooperate with the Department of Justice as specified in paragraph 8 of this Agreement or fail to comply with paragraphs 9-12 of this agreement, the Government may commence and prosecute a deportation proceeding against him for the activities alleged in the Complaint in the denaturalization case, United States v. Artishenko, Civil Action No. 82-3822 (D.N.J.) (JWB).

known +
OSE
J.M.
B.A.
N.LD

J.M.

B.A.

N.LD

On behalf of the United States Department of Justice:

Neal M. Sher
Neal M. Sher
Director

Dated: October 11, 1984 at Washington, D.C.

Jeffrey N. Mausner
Jeffrey N. Mausner
Trial Attorney

Dated: 10/11/84 at Irvington, N.J.

Office of Special Investigations
Criminal Division
U.S. Department of Justice

On behalf of Basil Artishenko:

Basil Artishenko
Basil Artishenko

Dated: 10.11.84 at Irvington, N.J.

Nestor L. Olesnycky
Nestor L. Olesnycky
Attorney for Basil Artishenko

Dated: 10.11.84 at Irvington, N.J.