

September 23, 2016

Robert A. Zauzmer, U.S. Pardon Attorney
Office of the Pardon Attorney
4th Floor, 500 First Street, N.W.
U.S. Department of Justice
Washington, D.C. 20530-0001

Robert,

Enclosed, you will find a formal application for the posthumous pardon of William Sydney Porter (O. Henry). The perfect time for this grant would be Thanksgiving, 2016.

It is my understanding that, in the past, other persons have made informal inquiries *re* the possibility of such a pardons but did not file a formal application and were met with the Department of Justice's once traditional negative stance on posthumous pardoning.

Unlike other attempts at obtaining posthumous pardons, this application **1)** makes considerable effort to show - empirically - that the intended recipient would have probably been considered well-deserving of clemency had he but applied in his own day and **2)** that he is an excellent example of the kind of offender that President Obama has reached out to - in historically impressive ways - with commutations of sentence and the Department of Justice's *Clemency Project 2014* initiative.

Consequently - given the fame, notoriety, and positive image of O. Henry - this posthumous pardon would very likely have the kind of wide-spread, symbolic significance and impact that something as novel as a posthumous pardon *should* have. Previous posthumous pardons (Henry Flipper and Charley Winters) have not really met that standard. Frankly, for a variety of reasons, I don't think pardons for either Jack Johnson or Marcus Garvey would either.

O. Henry is different.

President Obama quoted O. Henry at one Thanksgiving turkey pardoning exercise. The *U.S. Postal Service* later issued a stamp commemorating what would have been his 150th birthday. He should very easily top any list of potential posthumous pardon recipients.

Please consider making this application an exception to the Department's "general policy" for posthumous pardons for federal convictions and forwarding a favorable recommendation to the President. If you cannot yield to the arguments therein, please consider forwarding a neutral positioned memo on the matter to the President.

Sincerely,

P.S. Ruckman, Jr.
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* *This effort is assisted by Dr. Brian Johnson*