

MEMORIAL DAY 2021



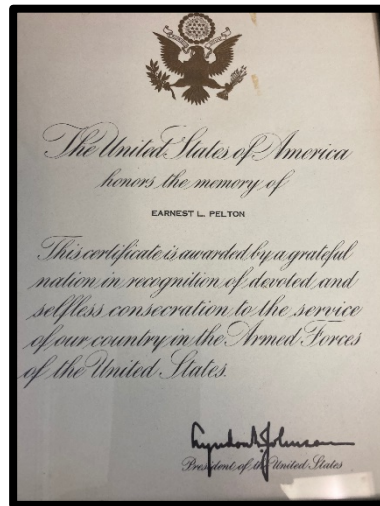
Virgil Poe and RC Pelton



This article is dedicated to the families and friends of all soldiers, sailors and Marines who did not survive war and those who did survive but suffered with battle fatigue Shell Shock, or PTSD . Virgil Poe served in the US ARMY DURING WORLD WAR II. HE WAS IN THE BATTLE OF THE BULGE AS WAS MY UNCLE LOWELL PELTON.

As a teenager, Virgil Poe, a 95 year old WWII veteran served in 3rd army and 4th army in field artillery units in Europe (France, Belgium Luxemburg, and Germany) He recently was awarded the French Legion of Honor for his WWII service. Authorized by the President of France, it is the highest Military Medal in France. After the war in

Germany concluded, he was sent to Fort Hood Texas to be reequipped for the invasion of Japan. But Japan surrendered before he was shipped to the Pacific. He still calls Houston home.



Ernest Lowell Pelton

My Uncle Ernest Lowell Pelton was there with Virgil during the battle serving as a Medic in Tank Battalion led by General Gorge Patton. During the battle he was wounded while tending to 2 fellow soldiers. When found they were both dead and Lowell was thought dead but still barely alive. He ended up in a hospital in France where he recovered over an 8-month period. He then asked to go back to war which he did. Lowell was offered a battlefield commission, but declined saying, I do not want to lead men into death. In Anson Texas he was called Major since all the small-town residents had heard of his heroism. He suffered greatly after the war mentally and physically and ended dying in Anson Texas at age 52, living with my Grand Mother Pelton. She received a letter from President Lyndon Johnson in recognition of Lowell's service to our country.

Robert Paul Robbins and Frank Dunlevy were 2 friends of mine who were both in 101st Airborne during Viet Nam. They both served in Tiger Force which was an elite group of soldiers. Robbie received 2 bronze stars and several purple hearts and was greatly affected by what he had seen and done Robbie recently died partly as a result of the war. Frank is still going strong and a Vice President at Cowen and Co. The war affected them differently.

When my family members joined the army in WWII, they signed up for the duration of the war, not for two years or three years. They went over the pond as my uncle used to say and did not come back for over four years. When Lawyer Richard "Racehorse" Haynes was dodging bullets on Iwo Jima he was just trying to stay alive. My Abilene friend William Ervin Sims, who recently died at age 92, carried a BAR, a browning automatic rifle, weighing 16 pounds up the hills of Iwo Jima. Those two men and many others fought 35 days without rest and managed to survive.

Memorial Day has traditionally been a day of observance for the men and women who died in the sacrifice of the cause they were fighting for. This day is different from Veterans Day in that Veteran's Day is set aside to honor all Veterans. Since many in the WWII and Korean War generation are growing older, I felt it incumbent on me to honor all Veterans by putting forth a short statement honoring those both living and dead who have served this great country. The soldiers mentioned here had war time wounds that indirectly led to their deaths

John Saur is another Houston lawyer who froze for months when in Korea serving his country. John Saur was in the middle of the fighting and came back, finished college and law school and was a lawyer over 50 years. John recently passed away holding his 1st Cavalry hat in his lap.

Memorial Day is a federal holiday originally enacted to honor fallen Union soldiers after the Civil War. It was originally known as Decoration Day. Decorating the graves of their fallen soldiers was commonplace by Confederates even before the Civil War had ended, by southern ladies of Richmond and southern schoolchildren. The catastrophic number of dead soldiers from North and South alike meant that burial and memorialization was very important after the war. Townspeople, mostly the women, buried the dead and decorated graves during the war. The oldest national cemetery was created in 1862. After Abraham Lincoln's death, many events to commemorate the war began. The first such event was in Charleston, South Carolina on May 1, 1865. Union soldiers who died there were buried in unmarked graves. Freed slaves knew of this and decided to honor these soldiers. They cleaned up and landscaped the burial ground. On that day, nearly 10,000 people gathered to honor the dead and 3,000 schoolchildren and others brought flowers to lie on the burial field. Historians said this was the first Memorial Day. African Americans invented Memorial Day in Charleston. Black Americans, freed from slavery brought flowers and sang songs about the war. Speeches on Memorial Day were a time for veterans, politicians, and ministers to commemorate the war. People of all religious beliefs joined together, and the point was made that immigrant soldiers had become true Americans because they had shed so much blood in battle. By 1870, much of the anger was gone and speeches praised the brave soldiers of blue and gray. By 1950, the theme of Memorial Day was to uphold freedom in the world. Today, Memorial Day extends to honor all Americans who have died in all wars.

Tennessee was a divided state during the Civil War. Some of the families that served in the Union Army had family members joining the Confederates. My maternal great-grandfather Abraham George Washington Cox and great-great-grandfather Abraham Cox enlisted with the Confederate Army on the same day. Abraham George Washington Cox was 15 and his father Abraham was 51. They served in the Tennessee Calvary. After the war, Abraham George Washington Cox rode a mule from Tennessee to Cooke County, Texas, got married, and had 12 children and named them after Confederate heroes. My grandfather was named Robert E. Lee Cox. Abraham George Washington established the Mt. Zion School, Church, and Cemetery. Each year in May, our family meets there to attend "Graveyard Working" like the old customs that started

Memorial Day. My paternal great-great-grandfather Joseph Washington Mathis fought with the 1st Alabama Infantry. He was captured at Island Tennessee on 4/8/1862, escaped capture at Port Hudson, Louisiana on 7/9/1863 and was captured again in Nashville, Tennessee on 12/16/1864. He was held prisoner until the end of war. His children came to Jones County, Texas in 1899.

My son, who coincidentally was born on July 4, called me from the recruiting station when he turned 17. He said the recruiter would not let him join without my permission and would not let him be a military police officer. I got the recruiter on the phone and he laughed and said you will have to get permission from the Pentagon. I was in Ted Poe's court that morning and told him. He, himself a Veteran, made some phone calls and at 4pm that day a major at the recruiting station said, "Please don't make any more phone calls, meet me here at 5pm and your son will be sworn in." My son went to the US Army and was trained at Fort Anniston, Alabama as a military police officer. He served there and got out but was recalled after 9/11. He served again and left the Army as an E-5 with an Honorable Discharge.



Robert Pelton, Jerry Waymire and
Ralph Roby

2nd Photo – Joe Pelton

My Brother Joe Pelton was a graduate of U S ARMY officer candidate school and was commissioned a second Lieutenant at age 20..My grandson Sam Pelton turned 18 in April and joined Army in June. He is now in training at Ft. Huachuca,Arizona and has been selected to go to Air Assault school and train and be a member of the 160th Infantry NIGHT STALKERS.. Ron McCoys grandson, Blue McCoy just finished jump school and now serving with 101st Airborne unit.



Frank Dunlevy

And

Robert Robbins

Remembering, Robbie Robbins and Frank Dunlevy and their service during the Viet Nam War 1966-68. Both Volunteered for Military Service and the Airborne, both served in the 1st Brigade , 1st/327th Battalion , 101st Airborne, made Famous as “The Band Of Brothers” and Commanded by Col David Hackworth (America’s most decorated Soldier of the Viet Nam War).

Robbie was awarded 2 Purple Hearts, and the Bronze Star and Frank was also wounded 3 times. Robby served in the Battalion Recon Platoon (The Tiger Force) this single Platoon had two members awarded the Congressional Medal of Honor, an Army Unit record that stands to this day. Frank served in C Company, and the Cobra Recon Team, first as the RTO and then as the Team Leader. Their two units worked in close proximity to each other on multiple operations and were both involved in the Raid on the “Tuy Hoa Prison Compound” in late 1966, that freed 15 South Vietnamese Govt and Military Officials from an NVA Prison Camp, with both Units being Awarded the Vietnamese Cross of Gallantry for this action. Frank later served with the 82nd Airborne.

In June of this year, Frank will be Honored as “A Distinguished Member of the Regiment” in a ceremony being held at Ft Campbell Ky (Home of the 101st Air Assault Division) for his service in Viet Nam and his more recent Service in the Last Administration at the Department of State as Chief Banking Officer and Senior Advisor. He intends to specifically recall his High School Classmate “Robbie Robbins” in his acceptance speech.

From my friend Frank Dunlevy after talking with Kathleen Robbins, Robbie’s wife: “Your comments on Robbie and his Bravery are so true. In addition, as the 101st Airborne, and the Tiger Force especially, were full of Brave Men, his courage and steadfastness stood out even within that small Fraternity.”

I am glad you still have his many medals as they reflect an extraordinary Military Career of heroism and service. One that you will probably find is the "Combat Infantry Badge" (That is the Silver Rifle, on the Blue rectangle Background, surrounded by the Silver Wreath) , this is the most highly coveted Award of all , as it is reserved only for Men who Served in a real Combat Unit and engaged directly with the Enemy.

On each Memorial Day, I read to my family the names of the 51 men in my Unit who did not return, and I always include Robbie's name along with several others that I served with. In addition I read this short Poem by a Helicopter Pilot named MAJ Michael O'Donnell:

" If you are able
save them a place inside you,
and save one backward glance when you are leaving
for the places they can no longer go.

Be not ashamed to say you loved them,
though you may not have always.
Take what they have left, and what they have taught you
with their dying, and keep it as your own.

And in that time when men decide, and feel safe, to call the war
Insane, take one moment to embrace these gentle heroes
You left behind.

Three months after penning this Poem, MAJ O'Donnell was killed attempting to rescue a LRRP Team that was under attack along the Cambodian Border.

Gentle Heroes All. My thoughts and prayers are with you and Robbie's family this Memorial Day weekend.

*In Flanders fields the poppies blow
Between the crosses, row on row,
That mark our place; and in the sky
The larks, still bravely singing, fly
Scarce heard amid the guns below.
We are the Dead. Short days ago
We lived, felt dawn, saw sunset glow,
Loved and were loved, and now we lie,
In Flanders fields.
Take up our quarrel with the foe:
To you from failing hands we throw
The torch; be yours to hold it high.
If ye break faith with us who die
We shall not sleep, though poppies grow
In Flanders fields.*

- John McCrae

*...We cherish too, the poppy red That grows on fields where valor led, It seems to signal
to the skies That blood of heroes never dies...* – Moina Michael

We all complain about high taxes, traffic, bad government, bad judges, bad prosecutors, bad presidents, and bad everything. The list is long on things we complain about. In America we have the right to complain. Try that in some foreign country and your life will be ended. We live in a free country where opportunity exists for all people. People from all over the world want to come to the United States of America. Members of TCDLA and HCCLA and their family members who have served, or are serving, will be listed at the end of this article. They all need to be recognized for their sacrifices, be it large or small. Some of us were in the military reserve and some were in the middle of battle and saw their comrades dying around them.

Some were brave men who did extraordinary things in battle to fight for our country. One member at a recent seminar in Plano said, "I was only in the Naval Reserve." I reminded him of the phrase by John Milton, "Those also serve who stand and wait." Even those who were, or are standing in wait, are serving. As we have seen from recent history, many of those who were standing and waiting were called to active duty and sent to foreign lands to serve and fight if needed. Many of those who were standing and waiting went overseas and never came back.

The problems facing Veterans have gained some attention and in many counties there is now a Veteran's Court. They recognize that Veterans have special needs. Too many times, when representing a Veteran, I try to point out to the prosecutor that this person served our country and may have suffered some disability or some change that affected the Veteran's behavior. Too often I have heard the prosecutor say, "Well, everybody has some kind of excuse." No, I point out everybody did not go through what the Veteran did. This attitude prevails in every court room across the state. Most of these people never served in anything, not even Cub Scouts. Few judges in the Harris County

courts were in the military. The exceptions are Judge Mike McSpadden and Judge Ted Poe.

As lawyers representing Veterans, we need to get the military records and prepare a mitigation motion or motion to dismiss the case. We need to be vigilant in our fight for the Veteran client. If there is a Veteran's Court, try to get the case transferred there. If there is no Veteran's Court then try to get other Veterans to help you do your best for the client. Get all the people from the VFW or American Legion to come to court and see what happens. Even bring the members of the Veteran's motorcycle clubs, the Patriot Guard, and Rolling Thunder. Go to military.com to get a list of Veteran groups. If the Veteran has alcohol or drug problem, bring the AA or NA group too. It has proven to be very effective.

Famous wartime quotes:

A good battle plan that you can act on today can be better than a perfect one tomorrow.

-General George Patton

Freedom is the right to be wrong, not the right to do wrong.

-John Riefenbaker

Never trust a private with a loaded weapon, or an officer with a map and compass.

-A Murphy's Law of Combat

You don't win a war by dying for your country. You win a war by making the other son-of-a-bitch die for his.

-General George Patton

Richard Grenier said, as George Orwell pointed out, "PEOPLE SLEEP PEACEABLY IN THEIR BEDS AT NIGHT ONLY BECAUSE ROUGH MEN STAND READY TO DO VIOLENCE ON THEIR BEHALF."

The following members of TCDLA or HCCLA (or their family members or investigators) served in the military and we honor them all:

*Reiffert Riley Evans

*Alan Schein

Richard "Racehorse" Haynes

Robert Scardino, Sr.

John Saur

Andrew Lannie

Victor Blaine

G. Wesley Urquhart

John Urquhart

Lucio Martinez

Bobby Mims

Bernie Trichter

Herman "Hymie" Trichter

Lucille Trichter

Albert Fickman

Philip Fickman

Albert Schein
Max NewDelman
Jack Zimmermann
Terri Zimmermann
Kyle Sampson
Abraham Cox
Abraham George Washington Cox
Ernest L. Pelton
Wilmer M. Pelton
Joe L. Pelton
Robert C. Pelton
Robert O. Pelton
Joseph Washington Mathis
BF Harless
WD Harless
Cullen Harless
SL Hardcastle
Charles Hardcastle
Norman Harless
Robert W. Kelly
Jack Kelly
Marcel Kelly
Charles Dirnbauer
Mark Dirnbauer
Katie Dirnbauer
Rod Schuh
Rod Schuh, Jr.
Will Gray
John Morgan
Warren Burnett
Buck Files
Jim Brown
Rodney Williams
Pat Williams
Dr. Phillip Lewis
Maricia Brooks
Max Scott
Stan Weinberg
William Flynn
Mike McCollum
Charles Wetherbee
Terence Russell
Jesus Garza
Don Davidson
Charles Mabry
Richard Mabry

Zachary Curtis
Steven Green
Dorsie Ray Green
James Matthew Ratekin
Matthew Brent Ratekin
Donald Hoover
Don Bailey
John Hunter Smith
Eliseo Morin
Charles Easterling
Bill Torrey
Frederick Ullrich
Dale Ullrich
Louis Ullrich
Michael Finger
John David Leggington
Harry Belden
Louie Greco
Raymond Zimmerman
Charles W. Tessmer
George Miner Jr.
Bill Torrey
Louis Greco
Lorton E. Trent
Oscar Trent
Olen Poole
Max Basket
Bill Baskett
Arthur Leslie Kagan
Harry Belden
Gerald Rogen
Jesse Pruett
Max Scott
James Story Sr.
James Story II
Santiago Salinas
Tom Berg
Tom Moran
Pat McCann
Bennie Ray
Mark Vinson
Tony Chavez
John Patrick Callahan
David Patrick Callahan
Donald Hoover
Don Bailey

John Hunter Smith
Eliseo Morin
George E. Renneburg
Jeffrey Brashear
Steven Green
Lanhon Odom
John M. Economidy
Byron G, Economidy
John “Bud” Ritenour
Larry Sauer
Forrest Penney
Frederick Forlano
Daniel Moreno
Abel Palomo
Michael Moreno
Joseph Moreno
Randi Ray
Steve Green
Jesus JD Garza
Jerry Parr
Jefferson Moore
Leonard Martinez
Stephen Ferraro
John Convery
Julie Hasdorff
Benjamin Thomas Hudson Jr.
Ebb Mobley
Louis Akin
Sergio Tristan
John Youngblood
Charles Wetherbee
Dr. William Flynn
Alfred Dane
Alvie Dane
Charles Russell
Terence Russell
David Randall
Tanner Yeats
Herman “Hank” Lankford
Robert Harold Jackson
Arlan J Broussard
Richard Trevathan
Jim Skelton
George Parnham
James Barlow
David Black

J.C. Castillo
Logan Dietz
Ralph L. Gonzalez
Connie Williams
Hal Hudson
Guy Womack
Charles W. Lanehart
Matthew Daniel
Lonzo McDonald
Patrick McDonald
Warren McDonald
Ron McLaurin
Herbert Wolf
Theodore A. (Tip) Hargrove, III
Buddy Balagia
Travis E. Kitchens
Zachary A. Garcia
Jeff King
Patrick McLain
Cullen Elrod
DeSean Jones
Joe Varela
Bob Heath
Hank Johnson
David Zimmerman
Todd Lehn
Thomas Kelton Kennedy
David G. Ritchie, Jr.
Anne K. Ritchie
Bobby Mims
Bob Estrada

The following are friends who served in the U S Military:

Ronald Joe McCoy
Mike Latimer
Frank Dunlevy
Robert Paul Robbins
Danny Morris
Kirk Holder
Bubba Jordan
Neil Elliott
Mike Peters
Mike Murphy
Donnie Martin
J. T. Hatteway

Larry Moody
Billy Huddleston
Larry Moody
Arnold Slessinger
Mike Davis
Ed Mallett
Wayne Turnbow
Brandon Bess
Joe Haralson
Denis Jones
Larry Atkins
Butch Peterson (Killed in Action)
John Bottoms
Jerry Mace
Mike Rhea
John Miller
Charles Walker
Allan Simpson
Mike McCoy
Stephen Greenly
Mac Cobb
Richard Valdez
Milton Wright



My Grandson Private Sam
Pelton, serving in the U S Army.
Private Pelton is now at Drone
school at Ft Huachuca Arizona.
In August he will be going to Ft
Campbell Kentucky for more
training.

Sam has been selected to be in
the 160th infantry NIGHT
STALKERS.

By Robert Pelton and Sharon Bass