

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
WASHINGTON, D.C. 20579

IN THE MATTER OF THE CLAIM OF

FERNANDO PANIAGUA

Under the International Claims Settlement
Act of 1949, as amended

Claim No. CU -4734

Order No. CU-44

ORDER OF DISMISSAL

This claim against the Government of Cuba, under Title V of the International Claims Settlement Act of 1949, as amended, was opened by the Commission, on behalf of FERNANDO PANIAGUA, for an unstated amount, based upon certain losses which may have been sustained as a result of actions by the Government of Cuba since January 1, 1959.

Under Title V of the International Claims Settlement Act of 1949 [78 Stat. 1110 (1964) 22 U.S.C. §§1643-1643k (1964), as amended, 79 Stat. 988 (1965)], the Commission is given jurisdiction over claims of nationals of the United States against the Government of Cuba. Section 503(a) of the Act provides that the Commission shall receive and determine in accordance with applicable substantive law, including international law, the amount and validity of claims by nationals of the United States against the Government of Cuba arising since January 1, 1959 for

losses resulting from the nationalization, expropriation, intervention or other taking of, or special measures directed against, property including any rights or interests therein owned wholly or partially, directly or indirectly at the time by nationals of the United States.

Section 502(3) of the Act provides:

The term 'property' means any property, right, or interest including any leasehold interest, and debts owed by the Government of Cuba or by enterprises which have been nationalized, expropriated, intervened, or taken by the Government of Cuba and debts which are a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba.

This claim was filed on June 30, 1967, by the Commission on behalf of FERNANDO PANIAGUA on the basis of information received by the Commission that claimant had been unable to return to the United States. By letters of November 2, 1967, January 23, 1968 and March 5, 1968, the Commission directed inquiries to a relative of claimant, requesting information as to the nature of any property interests claimant might have had in Cuba. In a letter dated April 17, 1968, Miss Margarita Ferrari Martorell, a relative of claimant, informed the Commission, that claimant, FERNANDO PANIAGUA, had died in Cuba on October 21, 1967, and had owned no property interests in Cuba.

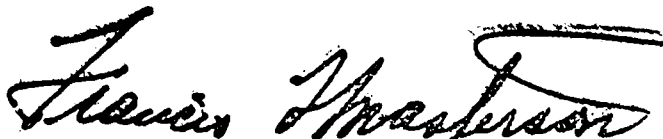
Accordingly, since claimant has neither asserted nor proven his ownership of rights and interests in property which was nationalized, expropriated or otherwise taken by the Government of Cuba, it is

ORDERED that this claim be, and it is hereby dismissed.

Dated at Washington, D. C.,
and entered as the Order
of the Commission

8 MAY 1968

By Order of the Commission



Francis T. Masterson
Clerk