

Peoria

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Peoria attorney still 'goes to bat' for fellow veterans

Tim Swain serves as regional director of U.S. Army Rangers Association

By Tom Batters
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In the fall of 1965, Tim Swain, a young lieutenant in the U.S. Army 101st Airborne Division, traveled along Route 19 (the road that divides the Central Highlands of Vietnam) to Ahn Ke and thought about the imminent defeat ahead of him.

Swain was the Army staff officer in charge of defending a non-commissioned officer who had "buted heads" with



Peoria attorney Tim Swain stands in front of a large framed display of the names of his friends who were killed in the Vietnam war. Each name is etched from the Vietnam Wall in Washington, D.C. Swain served in Vietnam in 1965 as a member of the U.S. Army 101st Airborne Division.

a captain.

The captain, a "West Pointer," had high connections and was sure to have the case

won before it even started.

The Army wanted to kick the officer out, and send him

See SWAIN Page 2

Swain

Continued from Page 1

home with a dishonorable discharge.

Swain, a Peoria native who has practiced law for more than 30 years, smiles now when he looks back on that day.

"He (the officer) asked me to defend him, and it didn't look good. He was a little desperate," he said. "I got the case together the best I could and traveled up to Ahn Ke to go at it in court. Well, I ended up winning the case. Even back then, I was a lawyer. It's what I always wanted to be. You know, all that guy wanted to do was to stay in the Army. Maybe it was all he had. I was proud to go to bat for him."

Swain, a graduate of the University of Illinois college of law, served in Vietnam from 1965. He earned a Bronze Star for meritorious service, Combat Infantryman's Badge and a Vietnam Service Medal.

He is still going to bat for his fellow war veterans.

Swain serves as regional director of the U.S. Army

Rangers Association. He oversees the central region, which covers 13 states from Minnesota to Texas.

He does not get one penny in compensation, but he said the rewards are far more precious than gold.

The biggest reward, Swain said, comes when he is able to honor a Ranger who has not received proper recognition for his service.

Tony Zeppetella was a Ranger who served with Swain in Vietnam. He died prematurely of leukemia shortly after the war. Without Swain's efforts, Zeppetella may have been forgotten.

Swain drove to Collinsville, Zeppetella's hometown, and talked to residents about his fellow Ranger.

"I took one of these posters (he holds up a poster that shows eight Rangers from Class 08-64, of which Swain served). I hung one of them in a small pizza shop in Collinsville," he said. "It's important for people to remember their heroes. A lot of these guys have never gotten their due."

Swain tracked down Zeppetella's two children, who live in Colorado. He gave them mementos of their father's

Army days and told them stories that they otherwise would have never heard.

Then there was 1st Lt. John Gardner, Swain's friend who was killed in battle in Vietnam Feb. 17, 1966.

Swain traveled to Gardner's hometown of Dyserburg, Tenn. last year to speak at a ceremony commemorating Gardner's Medal of Honor and induction into the U.S. Army Ranger Hall of Fame.

After the ceremony, he received an emotional surprise. Gardner's sister, Linda, presented Swain with a frame containing some of Gardner's uniform patches. She also donated his Medal of Honor back to the 101st Airborne.

"This was emotional. It meant a lot to me," said Swain, holding up the frame.

Swain does not like to talk too much about Gardner and his other friends who did not come back from Vietnam alive.

Subtly, looking up at his office wall reflectively he said, "We lost some really good people over there, good guys, every one of them."

Then the sparkle returns to his eyes and he smiles as his memory takes him back to

1965 again.

"There was one guy I didn't get along with, though," he said, laughing.

The story works best if it is presented in Swain's own words:

One of our jobs was to take these three big trucks up Route 19 to Qui Nohn to get some beer and soft drinks. It was Shasta, if I remember right. It wasn't the good stuff, but at least it was cold. Anyway, they gave me a squad of guards to take up there with me. The leader was a three-striper, a sergeant. We were bringing the drinks back to the troops, and I happened to look back at one of the trucks, and I saw this sergeant taking some of the drinks. I was naive, but I knew that wasn't part of the rules. So, I said, 'Sergeant, you can't do that.' We both stared daggers at each other. I just stood my ground. 'We're supposed to bring this back to the troops,' I said. You see, it was just a matter of doing the right thing. That was an interesting study in human relations and the dynamics between your own people. I made a lot of lifelong friends over there, but he wasn't one of them. He didn't like me after that.

For Swain, it was always about doing the right thing.

If he wanted to, he could have avoided going to Vietnam at all, since his two-year commitment was about to expire.

"I wanted to go," he said. "That was our duty at that time. I didn't see any reason to get out of it."

Swain said he was "gung-ho" during those Army days. Even though he only wanted to serve his two years and get out so he could practice law, he said he wanted to make the best of his time in the Army.

After graduating from law school in 1963, he was commissioned into the Army and assigned to Ft. McPherson, Ga., as an infantry officer in civil affairs.

That was not good enough for Swain, so he took his orders and went to the Pentagon. He walked right up to the front door with his orders in his hand.

"I told them I wanted to be in an airborne division, and the captain there just smiled and laughed at me," he said.

Swain had made about eight jumps in Massachusetts "just to see if I could do it."

He got his wish when he was re-assigned to the 101st

Airborne Division. He underwent Airborne and Ranger training at Ft. Benning, Ga., and qualified as a Jumpmaster at Ft. Campbell, Ky.

Swain is in the midst of a two-year term as regional director of the U.S. Army Rangers Association. He said he will seek another term, even though there is always a chance that somebody of a higher rank could take the job away from him.

"I'm not a career military man," he said. "I did my two years and then I got out. So, if a West Pointer or somebody with rank wanted to have the job, they could probably run against me. I always joke and say, 'Don't pull rank on me, because I'll always lose. I really enjoy it, though. It's a lot of work, but it's worth it.'"

Swain, an attorney who has litigated more than 40 jury trials covering a wide range of legal issues over the past 30 years, is also active in the Salvation Army, Rotary Club, Peoria High School Alumni Association and several other local organizations.

He and his wife, Sara, whom he met while serving at Ft. Campbell, have four grown children.

