

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) [REDACTED]		2. SSN [REDACTED]	3. GRADE OR RANK [REDACTED]	4. PAY GRADE [REDACTED]
5. UNIT OR ORGANIZATION [REDACTED] 1 st Armored Division			6. CURRENT SERVICE	
7. PAY PER MONTH			9. DATE(S) IMPOSED	
a. BASIC [REDACTED]	b. SEA/FOREIGN DUTY NONE	c. TOTAL [REDACTED]	8. NATURE OF RESTRAINT OF ACCUSED None.	
			a. INITIAL DATE [REDACTED]	
			b. TERM 48 months	

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 92

SPECIFICATION 1: In that [REDACTED] U.S. Army, who knew of his duties at or near [REDACTED] Iraq, on or about 20 June 2003, was derelict in the performance of those duties in that he willfully detoured his security patrol to an unsecured site and dismounted, when it was his duty not to do so.

SPECIFICATION 2: In that [REDACTED] U.S. Army, who knew of his duties at or near [REDACTED] Iraq, on or about 20 June 2003, was derelict in the performance of those duties in that he willfully failed to deliver a captured looter to the 1-13 AR Battalion holding area, as it was his duty to do.

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 93

THE SPECIFICATION: In that [REDACTED] U.S. Army, at or near [REDACTED] Iraq, on or about 20 June 2003, was cruel toward a young male civilian detained for looting materials from a factory site, a person subject to his orders, by staging his mock execution.

CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 133

THE SPECIFICATION: In that [REDACTED] U.S. Army, did, at or near, [REDACTED] Iraq, on or about 20 June 2003, while the officer in charge of a security patrol, wrongfully and dishonorably abandon a detainee in his custody.

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) [REDACTED]	b. GRADE [REDACTED]	c. ORGANIZATION OF ACCUSER [REDACTED] ARMORED DIVISION
d. SIGNATURE OF ACCUSER [REDACTED]		e. DATE 28 August 2003

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 28th day of August, 2003, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

[REDACTED] _____ Typed Name of Officer	[REDACTED] _____ Organization of Officer
[REDACTED] _____ Grade	Trial Counsel _____ Official Capacity to Administer Oath (See R.C.M. 307(b) - must be a commissioned officer)
[REDACTED] _____ Signature	

12.

On _____, 20____, the accused was informed of the charges against him/her and of the name(s) of The accuser(s) known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

Typed Name of Immediate Commander

Organization of Immediate Commander

Grade

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at _____ hours, _____ 20____ at _____
Designation of Command or

Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

FOR THE ¹ _____

Typed Name of Officer

Commander
Official Capacity of Officer Signing

Grade

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY	b. PLACE	c. DATE
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Referred for trial to the _____ court-martial convened by _____

_____ 20 03 _____, subject to the following instructions:² _____

By _____ Of _____
Command or Order

Typed Name of Officer

Official Capacity of Officer Signing

Grade

Signature

15.

On _____, 20____, I (caused to be) served a copy hereof on (each of) the above named accused.

Typed Name of Trial Counsel

Grade or Rank of Trial Counsel

Signature

FOOTNOTES: S

1AD ATTORNEY WORK PRODUCT



TC: [REDACTED]

DC: [REDACTED] CIVILIAN

U.S. v. [REDACTED]

UNIT: [REDACTED] MOS / POSITION: [REDACTED]

AGE: [REDACTED] BASD: [REDACTED] ETS: [REDACTED] PCS: [REDACTED]

MARITAL STATUS: M / S / D CHILDREN: Y / N

NEXT OF KIN'S HOME OF RECORD / PHONE: [REDACTED]

SPEEDY TRIAL DATE:

PRETRIAL CONFINEMENT: Y / N PTC DATE:

CERTIFIED OMPF ON HAND: Y / N CERTIFIED ORB / ERB ON HAND: Y / N

CERTIFIED SMIF FILE ON HAND: Y / N CERTIFIED LES ON HAND: Y / N

R.C.M. 306(b) ANALYSIS:

1. ACCUSED'S CHARACTER AND MILITARY SERVICE:

DECORATIONS: [REDACTED]
[REDACTED]

PRIOR UCMJ: Y / N PRIOR ADVERSE ADMIN: Y / N

FLAGGED: Y / N LEADERSHIP POSITION: Y / N

2. EFFECT ON MORALE, HEALTH, WELFARE, AND DISCIPLINE:

MORALE: [REDACTED]

HEALTH: [REDACTED]

WELFARE: [REDACTED]

DISCIPLINE: [REDACTED]

3. APPROPRIATENESS OF AUTHORIZED PUNISHMENT:

CHARGE: Dereliction (92) MAX: DD / 2 yrs. / Total \$

CHARGE: Assault (128) MAX: DD / 8 yrs. / Total \$

CHARGE: Conduct Unbecoming (133) MAX: Dismissal / 1 yr. / Total \$

CHARGE: Solicitation (134) MAX: DD / 5 yrs. / Total \$

FACTS / MERITS:

DATE: 20 JUNE 03

LOCATION: [REDACTED]

ACT / OMISSION: 1AD forces detained (trespassing) Iraqi boy (13 to 16 years old) for approximately 90 minutes. Drove him to a deserted field at the end of the patrol. Boy was placed into truck headlights and [REDACTED] fired a 9mm shot to the side of the boy's head. The boy was not bound by flexi-cuffs or blinded by a sandbag. [REDACTED] took a picture of the boy (covering his head / face) and the patrol left. [REDACTED] said he was going to let the boy walk back (approximately 1.5 click from sector per [REDACTED])

PERPETRATOR: [REDACTED]

WITNESS: [REDACTED]

WITNESS: [REDACTED] Took the detainee to [REDACTED]

WITNESS: [REDACTED] Heard a "pop" like a shot, saw thru NVGs [REDACTED] holster his weapon, and saw detainee face down on the ground, hands over his head, sounded like he was crying, at a distance of about 10 feet. Did not hear or see anything like a dog.

WITNESS: [REDACTED] Boy was flexi-cuffed and sandbagged into the truck. Patrol went into an unfamiliar back road. Boy was taken out of truck. SM pulled security and ducked when he heard a shot. Saw muzzle flash, boy crying and saw flexi-cuffs cut. [REDACTED] took picture. Saw and heard no dogs. Patrol mounted and left.

WITNESS: [REDACTED] unloaded the detainee boy. Saw them in front of the truck and [REDACTED] said something inaudible to detainee, then shot weapon close to detainee's person. [REDACTED] released the prisoner.

DATE: 22 JUNE 03

LOCATION: [REDACTED]

ACT / OMISSION: [REDACTED] asked [REDACTED] if old man and two kids were crying and told him to detain them. Old man asked that [REDACTED] not shoot his son. [REDACTED] told

old man no one would be shot. [REDACTED] heard a shot and [REDACTED] said the kid tried to run, so he fired a warning shot. [REDACTED] said to let them go.

PERPETRATOR: [REDACTED] Says [REDACTED] told him to scare the detainees, and let all three go after they cried. Admits discharging the round to scare the detainee. Says he reported completion and [REDACTED] smiled. Says [REDACTED] condoned the use of scare tactics to deter looters.

WITNESS: [REDACTED]

WITNESS: [REDACTED] metallic trigger click, then saw SM charge M-16 handle and fire a single shot while pointing the weapon away from a boy's (13 to 17 years old) head. He then released the boy to his father and brother.

WITNESS: [REDACTED] aid to make detainees cry. Saw [REDACTED] take one of the (13 years old) boys behind the building.

WITNESS: [REDACTED] told him he pointed his weapon at the family.

FACTS / MERITS - REBUTTAL:

- 1) [REDACTED]
- 2) [REDACTED]
- 3) [REDACTED]
- 4) [REDACTED]

FACTS / SENTENCING:

AGGRAVATION:

- 1) [REDACTED]
- 2) [REDACTED]
- 3) [REDACTED]

MITIGATION:

- 1) [REDACTED]
- 2) [REDACTED]
- 3) [REDACTED]

4. ACCUSER'S POSSIBLE IMPROPER MOTIVES:

RATER: Y / N

NEGATIVE COUNSELINGS: Y / N

EO COMPLAINT: Y / N

IG COMPLAINT: Y / N

CONGRESSIONAL: Y / N

138 COMPLAINT: Y / N

5. WITNESS RELUCTANCE TO TESTIFY:

CO-ACCUSED: Y / N

RATING CHAIN ISSUE: Y / N

CONFINED: Y / N

CID SOURCE: Y / N

6. ACCUSED COOPERATES TO APPREHEND / CONVICT OTHERS:

CID SOURCE AGREEMENT: Y / N

NUMBER OF ARRESTS: 0

IMMUNITY AGREEMENT: Y / N

NUMBER OF CONVICTIONS: 0

7. OTHER JURISDICTION(S) WILLING TO PROSECUTE OFFENSE(S):

STATE: Y / N

FEDERAL: Y / N:

MILITARY: Y / N

HOST NATION: Y / N

8. AVAILABLE AND ADMISSIBLE EVIDENCE:

STATEMENTS: Y / N (2) RIGHTS ADVISEMENT & WAIVER: Y / N

MENTAL HEALTH HISTORY: Y / N SANITY BOARD: Y / N

CORROBORATING PHYSICAL EVIDENCE: Y / N

PHYSICAL EVIDENCE FOUND DURING INSPECTION: Y / N

PHYSICAL EVIDENCE FOUND DURING SEARCH: Y / N

CORROBORATING DOCUMENTARY EVIDENCE: Y / N

CORROBORATING WITNESS STATEMENTS: Y / N

EYEWITNESSES: Y / N TOTAL: 10

9. TC'S EVALUATION / RECOMMENDATION:

LEVEL: [REDACTED]

GP / JA - [REDACTED]

DISCHARGE: [REDACTED]

DOCKET TRACKER

PREFERRAL DATE:

CONFIRMED DETAIL DC WITH SDC ON:

SERVED DETAILED DC WITH PREFERRAL PACKET ON:

ARTICLE 32 DATE:

DETAILED PARALEGAL:

IO NAME / PHONE / EMAIL:

DETAILED LEGAL ADVISOR:

PACKET SERVED TO IO AND LEGAL ADVISOR ON:

HEARING SCHEDULED FOR:

DELAYS: Y / N

DELAY APPROVED ON:

SANITY BOARD: Y / N

SANITY BOARD APPROVED ON:

DEFENSE DELAY DAYS:

GOVERNMENT DELAY DAYS:

R.C.M. 405(G) REQUEST RECEIVED ON:

WITNESS UNAVAILABLE: Y / N

DEPOSITION REQUESTED: Y / N

TRANSLATOR REQUESTED: Y / N

TRANSLATOR NAME / PHONE:

GOVERNMENT'S R.C.M. 405(G) RESPONSE SERVED ON:

TRANSCRIBER:

DOES TC NEED VERBATIM PORTION FOR A WITNESS: Y / N

TRANSCRIPT SERVED TO IO ON:

IO REPORT SERVED TO BDE CDR ON:

IO REPORT SERVED W/IN 5 DAYS TO DC: Y / N

CHARGES ADDED OR DELETED: Y / N

REFERRAL DATE:

CONVENING ORDER IN THE PACKET: Y / N

SUMMARY / BCD / GCM

DATE CHARGE SHEET AND ALLIED PAPERS SERVED ON ACCUSED:
MJ DOCKET EMAIL (CERTIFIED ERB / ORB / SERVED CHARGES) DATE:
ARRAIGNMENT DATE:

GOVERNMENT SECTION III DISCLOSURES SERVED ON:

GOVERNMENT'S DISCOVERY REQUEST SERVED ON:

DEFENSE'S RESPONSE SERVED ON:

DEFENSE DISCOVERY REQUEST SERVED ON:

GOVERNMENT'S RESPONSE SERVED ON:

DEFENSE FORUM SELECTION DUE ON:

DEFENSE PLEA DUE ON:

DEFENSE WITNESS LIST DUE ON:

DEFENSE MOTIONS DUE ON:

GOVERNMENT'S RESPONSE DUE ON:

DEFENSE NOTICE OF SPECIAL DEFENSE RECEIVED ON:

ALIBI: Y / N

INNOCENT INGESTION: Y / N

LACK OF MENTAL RESPONSIBILITY: Y / N

EXPERT ON ACCUSED'S MENTAL CONDITION: Y / N

GOVERNMENT WITNESS LIST DUE ON:

GOVERNMENT MOTIONS DUE ON:

DEFENSE RESPONSE DUE ON:

GOVERNMENT'S M.R.E. 404(B) NOTICE SERVED ON:

TRIAL DATE:

PANEL: Y / N

OFFICER: Y / N

1/3 ENLISTED: Y / N

PANEL NOTIFICATIONS SERVED ON:

EXCUSAL REQUESTS: Y / N

EXCUSAL REQUESTS RECEIVED ON:

EXCUSAL GRANTED / DENIED ON:

MEMBER FROM ACCUSED'S UNIT: Y / N

MEMBER ON WITNESS LIST: Y / N

MEMBER IN TC JURISDICTION: Y / N

CONVENING ORDER CHANGES OK BY C/MJ: Y / N

FINDINGS WORK SHEET / FLYER OK BY C/MJ: Y / N

MEMBER QUESTION FORMS OK BY C/MJ: Y / N

TAILORED INSTRUCTIONS OK BY C/MJ: Y / N

MILITARY JUDGE:

MJ PRESIDE OVER COMPANION CASE: Y / N

TRIAL JUDGE SAME AS ARRAIGNMENT JUDGE: Y / N

TRIAL JUDGE'S PHONE / EMAIL:

EXHIBITS:

GOVERNMENT'S IDENTIFIED: Y / N

DEFENSE'S IDENTIFIED: Y / N

PHOTO SUBSTITUTIONS FOR THE RECORD: Y / N

TECHNICAL ASSISTANCE REQUIRED: Y / N

RECEIVED FROM CUSTODIAN: Y / N

CUSTODIAN NAME / PHONE / EMAIL:

PREMARKED WITH COURT REPORTER: Y / N

DETAILED COURT REPORTER:

NAME / PHONE / EMAIL:

COPY OF WITNESS LIST SERVED ON:

COPY OF EXHIBIT LIST SERVED ON:

GOVERNMENT'S EXHIBIT LIST ON:

DEFENSE'S EXHIBIT LIST ON:

ORIGINAL CASE FILE SERVED ON:

PANEL SEATING CHART COORDINATED ON:

DETAILED TRANSLATOR:

NAME / PHONE / EMAIL:

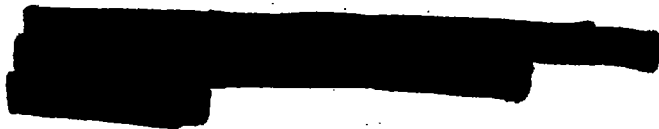
WRITTEN COPY OF QUESTIONS SERVED ON:

WITNESS: 

CIVILIAN / MILITARY / RESERVIST

ETS / PCS / DEROS TDY:

NAME / DOB / SSN / UNIT / LOCATION:



DOB:

SSN:

INTERVIEWED BY TC ON:

AIR TRAVEL: Y / N

LODGING: Y / N

RESERVATIONS MADE ON:

FUND.CITE APPROVED ON:

ORDERS CUT ON:

TICKETS / ORDERS CONFIRMED ON:

STIPULATION OF EXPECTED TESTIMONY: Y / N

PRIOR VERBATIM TESTIMONY AVAILABLE: Y / N

DEPOSITION TRANSCRIPT CERTIFIED: Y / N

TRIAL TRANSCRIPT CERTIFIED: Y / N

ORIGINAL SWORN STATEMENT: Y / N

PRIOR EXPERT PUBLICATIONS AVAILABLE: Y / N

WITNESS:

[REDACTED]
[REDACTED]
ETS / PCS / DEROS TDY:

NAME / DOB / SSN / UNIT / LOCATION:
[REDACTED]
[REDACTED]

SSN:

DOB:

INTERVIEWED BY TC ON:

AIR TRAVEL: Y / N

LODGING: Y / N

RESERVATIONS MADE ON:

FUND CITE APPROVED ON:

ORDERS CUT ON:

TICKETS / ORDERS CONFIRMED ON:

STIPULATION OF EXPECTED TESTIMONY: Y / N

PRIOR VERBATIM TESTIMONY AVAILABLE: Y / N

DEPOSITION TRANSCRIPT CERTIFIED: Y / N

TRIAL TRANSCRIPT CERTIFIED: Y / N

ORIGINAL SWORN STATEMENT: Y / N

PRIOR EXPERT PUBLICATIONS AVAILABLE: Y / N

WITNESS: [REDACTED]

CIVILIAN / MILITARY

ETS / PCS / DEROS:

NAME / DOB / SSN / UNIT / LOCATION:

[REDACTED]
DOB: [REDACTED]
[REDACTED]
[REDACTED]

INTERVIEWED BY TC ON:

AIR TRAVEL: Y / N

LODGING: Y / N

RESERVATIONS MADE ON:

FUND CITE APPROVED ON:

ORDERS CUT ON:

TICKETS / ORDERS CONFIRMED ON:

STIPULATION OF EXPECTED TESTIMONY: Y / N

PRIOR VERBATIM TESTIMONY AVAILABLE: Y / N

DEPOSITION TRANSCRIPT CERTIFIED: Y / N

TRIAL TRANSCRIPT CERTIFIED: Y / N

ORIGINAL SWORN STATEMENT: Y / N

PRIOR EXPERT PUBLICATIONS AVAILABLE: Y / N

WITNESS: [REDACTED]

CIVILIAN / MILITARY

ETS / PCS / DEROS:

NAME / DOB / SSN / UNIT / LOCATION:

DOB: [REDACTED]

SSN: [REDACTED]

INTERVIEWED BY TC ON:

AIR TRAVEL: Y / N

LODGING: Y / N

RESERVATIONS MADE ON:

FUND CITE APPROVED ON:

ORDERS CUT ON:

TICKETS / ORDERS CONFIRMED ON:

STIPULATION OF EXPECTED TESTIMONY: Y / N

PRIOR VERBATIM TESTIMONY AVAILABLE: Y / N

DEPOSITION TRANSCRIPT CERTIFIED: Y / N

TRIAL TRANSCRIPT CERTIFIED: Y / N

ORIGINAL SWORN STATEMENT: Y / N

PRIOR EXPERT PUBLICATIONS AVAILABLE: Y / N

WITNESS: [REDACTED]

CIVILIAN / MILITARY

ETS / PCS / DEROS:

NAME / DOB / SSN / UNIT / LOCATION:

DOB: [REDACTED]

INTERVIEWED BY TC ON:

AIR TRAVEL: Y / N

LODGING: Y / N

RESERVATIONS MADE ON:

FUND CITE APPROVED ON:

ORDERS CUT ON:

TICKETS / ORDERS CONFIRMED ON:

STIPULATION OF EXPECTED TESTIMONY: Y / N

PRIOR VERBATIM TESTIMONY AVAILABLE: Y / N

DEPOSITION TRANSCRIPT CERTIFIED: Y / N

TRIAL TRANSCRIPT CERTIFIED: Y / N

ORIGINAL SWORN STATEMENT: Y / N

PRIOR EXPERT PUBLICATIONS AVAILABLE: Y / N

WITNESS: [REDACTED]

CIVILIAN / MILITARY

ETS / PCS / DEROS:

NAME / DOB / SSN / UNIT / LOCATION:

[REDACTED]
DOB:
[REDACTED]
[REDACTED]

INTERVIEWED BY TC ON:

AIR TRAVEL: Y / N

LODGING: Y / N

RESERVATIONS MADE ON:

FUND CITE APPROVED ON:

ORDERS CUT ON:

TICKETS / ORDERS CONFIRMED ON:

STIPULATION OF EXPECTED TESTIMONY: Y / N

PRIOR VERBATIM TESTIMONY AVAILABLE: Y / N

DEPOSITION TRANSCRIPT CERTIFIED: Y / N

TRIAL TRANSCRIPT CERTIFIED: Y / N

ORIGINAL SWORN STATEMENT: Y / N

PRIOR EXPERT PUBLICATIONS AVAILABLE: Y / N

WITNESS: [REDACTED]

CIVILIAN / MILITARY

NAME / DOB / SSN / UNIT / LOCATION:

[REDACTED]
DOB:
[REDACTED]
[REDACTED]

INTERVIEWED BY TC ON:

AIR TRAVEL: Y / N

LODGING: Y / N

RESERVATIONS MADE ON:

FUND CITE APPROVED ON:

ORDERS CUT ON:

TICKETS / ORDERS CONFIRMED ON:

STIPULATION OF EXPECTED TESTIMONY: Y / N

PRIOR VERBATIM TESTIMONY AVAILABLE: Y / N

DEPOSITION TRANSCRIPT CERTIFIED: Y / N

TRIAL TRANSCRIPT CERTIFIED: Y / N

ORIGINAL SWORN STATEMENT: Y / N

PRIOR EXPERT PUBLICATIONS AVAILABLE: Y / N

MOTIONS: (*CHANGE OF VENUE AND SUPPRESSION OF STATEMENTS*)

TYPE OF MOTION CITED: Y / N

MOTION IS DISPOSITIVE TO GOVERNMENT'S CASE: Y / N

RELIEF REQUESTED CITED: Y / N

BURDEN OF PROOF AND STANDARD OF REVIEW CITED: Y / N

OFFER OF PROOF WITH MOTION: Y / N

COPIES OF CASES CITED PROVIDED TO MJ / TC / DC: Y / N

WITNESS TESTIMONY COORDINATED: Y / N

PHYSICAL EVIDENCE COORDINATED: Y / N

MOTION GRANTED / DENIED ON:

MJ MOTION FINDINGS ON THE RECORD: Y / N

VOIR DIRE:

PANEL QUESTIONNAIRES FOR MJ / TC / DC: Y / N

VOIR DIRE QUESTIONS FOR MJ / TC / DC: Y / N

TC HAS BATSON CASE LAW AND PROFFER: Y / N

SEATING CHART TO MJ / REPORTER / TC / DC: Y / N

TRIAL MATERIALS:

MANUAL FOR COURTS-MARTIAL: Y / N

JUDGE'S BENCHBOOK: Y / N

CIRCUIT RULES OF COURT: Y / N

TRIAL NOTEBOOK: Y / N

ELEMENTS FOR EACH CHARGE / SPECIFICATION: Y / N

FOUNDATION LIST FOR EVIDENCE: Y / N

WITNESS LIST: Y / N

WITNESS QUESTIONS: Y / N

EXHIBIT LIST: Y / N

PANEL SEATING CHART: Y / N

FINDINGS WORKSHEET / FLYER: Y / N

OPENING STATEMENT OUTLINE: Y / N

CLOSING ARGUMENT OUTLINE: Y / N

007063

C-M PACKET

Last Name: [REDACTED]

First Name:

Rank: [REDACTED]

Unit: [REDACTED]

TC: [REDACTED]
DC: [REDACTED]

Summary: [REDACTED]

*no ch execution
directed [REDACTED] to slash tires
condoned the use of same tactics*

RECOMMENDATION:

[REDACTED]

[REDACTED]

**WORK ORDER REQUEST
1AD EN BDE**

POC: CPT STEIGERWALD DNVT: 551-0581	1AD EN BDE				
LOCATION: BIAP					
CATEGORY	A EMERGENCY	B MISSION SUPPORT SAFETY HEALTH	C FORCE PROTECTION	D QUALITY LIFE	E OTHER UN ITS
REQUESTING UNIT					
LOCATION (COM) (GRID)					
DESCRIPTION OF WORK REMARKS					
DATE WORK REQUESTED					
EST INITIATED DTG					
EST COMPLETION DTG					
POC AND CONTACT #					