Third United States Army
United States Army Forces Central Command
Coalition Forces Land Component Command
Camp Doha, Kuwait
APO AE 09304

GENERAL COURT MAR NUMBER	10(6)5-5)7(6)	30 September 2004		
	EKenzie, US Ar E 09375, was arraigned at Ca martial convened by Comma	my, HHG, 320th Military Police Battalion, amp Doha, Kuwait, on the following ander, Third U.S. Army, Coalition Forces		
Charge I. Article 92.	Plea: None Entered.	Finding: None Entered.		
Specification: On 12 May 2003, was derelict in the performance of those duties in that he willfully failed to safeguard from assault or abuse captured Iraqi prisoners of war that he was escorting from Talil Air Base, Iraq, to Camp Bucca, Iraq, as it was his duty to do. Plea: None Entered. Finding: None Entered.				
Charge II. Article 93.	Plea: None Entered.	Finding: None Entered. (b)(-4, b)(7)(64		
-	son subject to his orders, by the lked to the in-processing tent.	arowing him to the ground striking him on Plea: None Entered. Finding: None (6)(6) -4; 6)(7)(4)		
Specification 2: On 12 Ma , a person st Plea: None Entered. Find	ny 2003, did maltreat ubject to his orders, by draggi	ing him by his armpits across the ground. (b) (b) -4 (b) -4		
Specification 3: On 12 May 2003, did aid and abet in the maltreatment of the property of the p				
Specification 4: On 12 Ma subject to his orders, by the injured arm. Plea: None E	av 2003 did maltreat	, a person		
Specification 5: On 12 May 2003, did maltreat person subject to his orders, by twisting his previously injured arm, causing him to scream in pain. Plea: None Entered. Finding: None Entered.				

DOD 13791

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	Charge III.	Article 107.	Plea: None Entered.	Finding: None Entered. (6)6)-5, (6)(1)-5/(6)(6)-1	6179
	United State Form 2823 S groin, that he hold an EPV searching are anything unit	s Army Crimina Sworn Statement e did not see SG V's ankles while ea, that he did no necessary to any thich was then kr	I Investigation Division Con, to wit: that he did not see In the least throw EPWs to the ground of the EPWs, or see any of	mmand, an official statement on a Da	A in the not the do ary to
	•	Article 128.	Plea: None Entered.	Finding: None Entered. (b/6)-4, (b) 7 /cH	
	Specification Finding: No	, an Iraqi pris	2003, unlawfully drag oner of war, across the grou	nd by his armpits. Plea: None Enter	red.
(6)-5, 670(4)5	prisoner of v	in war, in the groin,	2003, aid and abet Master Sunlawfully kicking face, abdomen, by holding a: None Entered. Finding:	, an Iral leg and encouraging	geant (b)(b) 64 - qi (6)(7)(c)4 g SGT
	Iraqi prisone		2003, unlawfully throw ground on his face, and step	ped on his previously injured arm. P	an lea:
(6)-4; b)(7)(e)+	end	an Iraqi	2003, unlawfully throw prisoner of war, to the groups: None Entered. Finding:	and and strike him on the legs as he we None Entered.	valked
I	None Entere		2003, unlawfully twist the posterior, causing him to scream in	previously injured arm of an arm of pain. Plea: None Entered. Finding	
		JU16	15, 600	ed. Finding: None Entered.	
	MSG deciding who what occurred	o would take respect on or near Car SSG Scott Mckerie's unit at or ne	ponsibility for the actions on Bucca, Iraq on or about Kenzie, and SPC	and others for the purport f SSG McKenzie's unit and to misrep 12 May 2003 and by deciding that Muld take responsibility for the actions about 12 May 2003. Plea: None En	se of resent (SG of tered.
					012135

Additional Charge II. Article 81. Plea: None Entered. Finding: None Entered.

Specification: On 16 May 2003, conspire with MSG to commit an offense under the Uniform Code of Military Justice, to wit: Obstruction of Justice, by meeting to decide who would take responsibility for the actions of SSG McKenzie's unit, and in order to effect the object of the conspiracy the said MSG and SPC decided who would take responsibility SSG McKenzie, SGT for the actions of SSG McKenzie's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003, and that misrepresentations were made. Plea: None Entered. Finding: None Entered.

The accused having been arraigned, the proceedings were terminated on 7 January 2004. All charges and specifications referred are withdrawn and dismissed with prejudice. All rights, privileges and property of which the accused may have been deprived of by virtue of these proceedings will be restored.

BY COMMAND OF LIEUTENANT GENERAL MCKIERNAN:

DISTRIBUTION:

- 1- SSG Scott A. McKenzie
- 1- Military Judge
- 1- Defense Counsel
- 1- Cdr. 320th Military Police Bn
- 1-Cdr, 800th Military Police Bde
- 1-PSB, ATTN: Records Section
- 1-DFAS
- 10- Clerk of Court (JALS-CCZ) 901 N. Stuart St., Arlington, VA 22203-1837
- 1- Cdr, USAEREC (PCRE-FS), Fort Benjamin Harrison, IN 46249
- 1- Commander, United States Army Reserve Personnel Center, ATTN: DARP-PRD-MP, 9700 Page Boulevard, St. Louis, MO 63132-5200
- 1-FORSCOM, ATTN: FCJA-ML, Fort McPherson, GA 30330-6000

(3)6)2; (6)(7(6)2

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SGM, USA Chief Paralegal NCO

Third United States Army
United States Army Forces Central Command
Coalition Forces Land Component Command
Camp Doha, Kuwait
APO AE 09304

	GENERAL COURT MARTIAL NUMBER	ORDER 10 (5/6)5-(6)	30 September 2004
	Staff Sergeant Scott A. McKenzi Camp Bucca, Iraq APO AE 093 offenses at a general court-martia Land Component Command.	75, was arraigned at C	rmy, HHG, 320th Military Police Battalion, amp Doha, Kuwait, on the following ander, Third U.S. Army, Coalition Forces
	Charge I. Article 92. Ple	ea: None Entered.	Finding: None Entered.
	failed to safeguard from assault of	or abuse captured Iraqi	formance of those duties in that he willfully prisoners of war that he was escorting from duty to do. Plea: None Entered. Finding:
	Charge II. Article 93. Ple	ea: None Entered.	Finding: None Entered.
b)(b)-4 b)(b)(e) 4~		bject to his orders, by	hrowing him to the ground striking him on the Plea: None Entered. Finding: None
	Specification 2: On 12 May 200 a person subject Plea: None Entered. Finding: N	to his orders, by dragg	ging him by his armpits across the ground.
3		et to his orders, by hold U.S. soldiers kicked h	he maltreatment of the mal
	Specification 4: On 12 May 200 subject to his orders, by throwing injured arm. Plea: None Entered	g him to the ground on	his face and stepping on his previously ered. (b)(b)-4)(b)(7)(4)
	Specification 5: On 12 May 200 person subject to his orders, by the		a

DOD 13794

	Charge III.	Article 107.	Plea: None Entered.	Finding: None Entered.	(b)(b) 1 ; (b)(7)(d)
	United State Form 2823 S groin, that he hold an EPV searching are anything unit	s Army Crimina Sworn Statemen edid not see SC V's ankles while ea, that he did necessary to any hich was then k	t, to wit: that he did not see In the ST In th	nmand, an official statement on	PW in the (3/1/4)5 did not W to the h, or do cessary to
	Charge IV.	Article 128.	Plea: None Entered.	Finding: None Entered.	
	Specification Finding: No	, an Iraqi pris	2003, unlawfully drag	nd by his armpits. Plea: None I	
5/6)-5, 5/02\$	prisoner of v	in var, in the groin	2003, aid and abet Master S unlawfully kicking , face, abdomen, by holding ea: None Entered. Finding:	eg and encour	~ ~
	Iraqi prisone	-	-	ped on his previously injured arr	, an n. Plea:
5)(61-4;	and	an Iraq	2003, unlawfully throw i prisoner of war, to the grow ea: None Entered. Finding:	nd and strike him on the legs as None Entered.	he walked (6) -4 , (6)(7004
	Specification None Entere		2003, unlawfully twist the p causing him to scream in	reviously injured arm of pain. Plea: None Entered. Fin	<u> </u>
	Additional	Charge I. Artic	cle 134. Plea: None Entere	ed. Finding: None Entered.	
161-5, (1514) 6 -5)	MSG, deciding who what occurre	o would take reset on or near Ca SSG Scott Mozie's unit at or n	sponsibility for the actions of mp Bucca, Iraq on or about 1 Kenzie, and SPC	impeded an investigation by mo, and others for the pines. SSG McKenzie's unit and to mine 2 May 2003 and by deciding the ld take responsibility for the act about 12 May 2003. Plea: None	urpose of isrepresent at MSG ions of
			2		

Additional Charge II. Article 81. Plea: None Entered. Finding: None Entered.

Specification: On 16 May 2003, conspire with MSG SGT SGT and and some specification of Justice, by meeting to decide who would take responsibility for the actions of SSG McKenzie's unit, and in order to effect the object of the conspiracy the said MSG SSG McKenzie, SGT and SPC Scided who would take responsibility for the actions of SSG McKenzie's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003, and that misrepresentations were made. Plea: None Entered. Finding: None Entered.

The accused having been arraigned, the proceedings were terminated on 7 January 2004. All charges and specifications referred are withdrawn and dismissed with prejudice. All rights, privileges and property of which the accused may have been deprived of by virtue of these proceedings will be restored.

BY COMMAND OF LIEUTENANT GENERAL MCKIERNAN:

DISTRIBUTION:

- 1-SSG Scott A. McKenzie
- 1- Military Judge
- 1- Defense Counsel
- 1- Cdr, 320th Military Police Bn
- 1- Cdr, 800th Military Police Bde
- 1- PSB, ATTN: Records Section
- 1-DFAS
- 10- Clerk of Court (JALS-CCZ) 901 N. Stuart St, Arlington, VA 22203-1837
- 1- Cdr, USAEREC (PCRE-FS), Fort Benjamin Harrison, IN 46249
- 1- Commander, United States Army Reserve Personnel Center, ATTN: DARP-PRD-MP, 9700 Page Boulevard, St. Louis, MO 63132-5200

SGM, USA

Chief Paralegal NCO

1- FORSCOM, ATTN: FCJA-ML, Fort McPherson, GA 30330-6000

3

Third United States Army
United States Army Forces Central Command
Coalition Forces Land Component Command
Camp Doha, Kuwait
APO AE 09304

GENERAL COURT	MARTIA	L ORDER	•	
NUMBER	٠	10	(6)(6)(-2(6)(6)	HE-5

Staff Sergeant Scott A. McKenzie, US Army, HHG, 320th Military Police Battalion, Camp Bucca, Iraq APO AE 09375, was arraigned at Camp Doha, Kuwait, on the following offenses at a general court-martial convened by Commander, Third U.S. Army, Coalition Forces Land Component Command.

Charge I. Article 92. Plea: None Entered. Finding: None Entered.

Specification: On 12 May 2003, was derelict in the performance of those duties in that he willfully failed to safeguard from assault or abuse captured Iraqi prisoners of war that he was escorting from Talil Air Base, Iraq, to Camp Bucca, Iraq, as it was his duty to do. Plea: None Entered. Finding: None Entered.

Specification 1: On 12 May 2003, did maltreat

Specification 1: On 12 May 2003, did maltreat

and a person subject to his orders, by throwing him to the ground striking him on the head and legs as he walked to the in-processing tent. Plea: None Entered.

(b)(a)-4,(b)(a)(b)

Specification 2: On 12 May 2003, did maltreat

a person subject to his orders, by dragging him by his armpits across the ground.

Plea: None Entered. Finding: None Entered.

Specification 3: On 12 May 2003, did aid and abet in the maltreatment of a person subject to his orders, by holding his legs apart, and by encouraging other soldiers to kick him, while other U.S. soldiers kicked him in the groin, face and abdomen. Plea:

None Entered. Finding: None Entered.

Specification 4: On 12 May 2003, did maltreat and subject to his orders, by throwing him to the ground on his face and stepping on his previously injured arm. Plea: None Entered. Finding: None Entered. (6)6)4.6(74)4

Specification 5: On 12 May 2003, did maltreat person subject to his orders, by twisting his previously injured arm, causing him to scream in pain. Plea: None Entered. Finding: None Entered.

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30 September 2004

Charge III. Article 107. Plea: None Entered. Finding: None Entered. (5/6)1; (5/7/6)1 /6)(6)-5;6)XXC5 Specification: On 16 May 2003, with the intent to deceive make to Special Agent United States Army Criminal Investigation Division Command, an official statement on a DA Form 2823 Sworn Statement, to wit: that he did not see MSC kick an EPW in the groin, that he did not see SGT kick an EPW in the groin, that he did not hold an EPW's ankles while female soldiers kicked the EPW, that he did not drag an EPW to the searching area, that he did not throw EPWs to the ground, and that he did not kick, punch, or do anything unnecessary to any of the EPWs, or see any of the other MPs do anything unnecessary to the EPWs which was then known by the said SSG McKenzie to be so false. Plea: None Entered. Finding: None Entered. Finding: None Entered. Plea: None Entered. Charge IV. Article 128. Specification 1: On 12 May 2003, unlawfully drag an Iraqi prisoner of war, across the ground by his armpits. Plea: None Entered. Finding: None Entered. (6)(6)-5;(6)765 Specification 2: On 12 May 2003, aid and abet Master Sergeant and Serg and Sergeant prisoner of war, in the groin, face, abdomen, by holding leg and encouraging SGT o kick him. Plea: None Entered. Finding: None Entered. (4) (6) -4; (6) (7)(04) Specification 3: On 12 May 2003, unlawfully throw for the ground on his face, and stepped on his previously injured arm. Plea:

None Entered. Finding: None Entered. Specification 4: On 12 May 2003, unlawfully throw and Iraqi prisoner of war, to the ground and strike him on the legs as he walked to the in-processing tent. Plea: None Entered. Finding: None Entered. causing him to scream in pain. Plea: None Entered. Finding: Specification 5: On 12 May 2003, unlawfully twist the previously injured arm of None Entered.

Additional Charge I. Article 134. Plea: None Entered. Finding: None Entered.

(P/2)2 (

Specification: On 16 May 2003, wrongfully endeavor to impeded an investigation by meeting with MSG Specific May 2003, wrongfully endeavor to impeded an investigation by meeting with MSG specific May 2003, and others for the purpose of deciding who would take responsibility for the actions of SSG McKenzie's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003 and by deciding that MSG SSG McKenzie's unit at or near Camp Bucca, Iraq on or about 12 May 2003. Plea: None Entered. Finding: None Entered.

2

Additional Charge II. Article 81. Plea: None Entered. Finding: None Entered.

Specification: On 16 May 2003, conspire with MSG SGT to commit an offense under the Uniform Code of Military Justice, to wit: SPC Obstruction of Justice, by meeting to decide who would take responsibility for the actions of SSG McKenzie's unit, and in order to effect the object of the conspiracy the said MSG and SPC lecided who would take responsibility SSG McKenzie, SGT for the actions of SSG McKenzie's unit and to misrepresent what occurred on or near Camp Bucca. Iraq on or about 12 May 2003, and that misrepresentations were made. Plea: None Entered. Finding: None Entered.

The accused having been arraigned, the proceedings were terminated on 7 January 2004. All charges and specifications referred are withdrawn and dismissed with prejudice. All rights, privileges and property of which the accused may have been deprived of by virtue of these proceedings will be restored.

BY COMMAND OF LIEUTENANT GENERAL MCKIERNAN:

DISTRIBUTION:

1-SSG Scott A. McKenzie

1- Military Judge

1- Defense Counsel

1- Cdr, 320th Military Police Bn

1- Cdr, 800th Military Police Bde

1-PSB, ATTN: Records Section

1-DFAS

10- Clerk of Court (JALS-CCZ) 901 N. Stuart St, Arlington, VA 22203-1837

1-Cdr, USAEREC (PCRE-FS), Fort Benjamin Harrison, IN 46249

1- Commander, United States Army Reserve Personnel Center, ATTN: DARP-PRD-MP, 9700 Page Boulevard, St. Louis, MO 63132-5200

SGM, USA

Chief Paralegal NCO

1- FORSCOM, ATTN: FCJA-ML, Fort McPherson, GA 30330-6000

3

Third United States Army United States Army Forces Central Command Coalition Forces Land Component Command Camp Doha, Kuwait **APO AE 09304**

GENERAL COURT MARTIAL ORDER

30 September 2004

NUMBER

10, 6/6/5,6/7/6/5

US Army, HHG, 320th Military Police Battalion, Staff Sergeant Scott A. McKenzie, Camp Bucca, Iraq APO AE 09375, was arraigned at Camp Doha, Kuwait, on the following offenses at a general court-martial convened by Commander, Third U.S. Army, Coalition Forces Land Component Command.

Charge I. Article 92.

Plea: None Entered.

Finding: None Entered.

Specification: On 12 May 2003, was derelict in the performance of those duties in that he willfully failed to safeguard from assault or abuse captured Iraqi prisoners of war that he was escorting from Talil Air Base, Iraq, to Camp Bucca, Iraq, as it was his duty to do. Plea: None Entered. Finding: None Entered.

Charge II. Article 93.

Plea: None Entered.

Finding: None Entered.

5X61-4,(6)(7)(e)4

Specification 1: On 12 May 2003, did maltreat a person subject to his orders, by throwing him to the ground striking him on the head and legs as he walked to the in-processing tent. Plea: None Entered. Finding: None Entered. (b)(6)-4;(b)(7)0H

Specification 2: On 12 May 2003, did maltreat a person subject to his orders, by dragging him by his armpits across the ground. Plea: None Entered. Finding: None Entered.

(b)(b)-4, b)(NO)4 Specification 3: On 12 May 2003, did aid and abet in the maltreatment of a person subject to his orders, by holding his legs apart, and by encouraging other soldiers to kick him, while other U.S. soldiers kicked him in the groin, face and abdomen. Plea: None Entered. Finding: None Entered.

Specification 4: On 12 May 2003, did maltreat subject to his orders, by throwing him to the ground on his face and stepping on his previously injured arm. Plea: None Entered. Finding: None Entered. (6)6)-4;6/(7)04

Specification 5: On 12 May 2003, did maltreat person subject to his orders, by twisting his previously injured arm, causing him to scream in pain. Plea: None Entered. Finding: None Entered.

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Plea: None Entered. Finding: None Entered. Charge III. Article 107. Specification: On 16 May 2003, with the intent to deceive, make to Special Agent United States Army Criminal Investigation Division Command, an official statement on a DA Form 2823 Sworn Statement, to wit: that he did not see MSG kick an EPW in the groin, that he did not see SGT kick an EPW in the groin, that he did not hold an EPW's ankles while female soldiers kicked the EPW, that he did not drag an EPW to the searching area, that he did not throw EPWs to the ground, and that he did not kick, punch, or do anything unnecessary to any of the EPWs, or see any of the other MPs do anything unnecessary to the EPWs which was then known by the said SSG McKenzie to be so false. Plea: None Entered. Finding: None Entered. Finding: None Entered. Charge IV. Article 128. Plea: None Entered. Specification 1: On 12 May 2003, unlawfully drag an Iraqi prisoner of war, across the ground by his armpits. Plea: None Entered. Finding: None Entered. Specification 2: On 12 May 2003, aid and abet Master Sergeant and Sergeant in unlawfully kicking prisoner of war, in the groin, face, abdomen, by holding 's leg and encouraging SGT to kick him. Plea: None Entered. Finding: None Entered. (B)(b) 4 7(b)(7)(d)4 Specification 3: On 12 May 2003, unlawfully throw Iraqi prisoner of war, to the ground on his face, and stepped on his previously injured arm. Plea: None Entered. Finding: None Entered. Specification 4: On 12 May 2003, unlawfully throw an Iraqi prisoner of war, to the ground and strike him on the legs as he walked to the in-processing tent. Plea: None Entered. Finding: None Entered. Specification 5: On 12 May 2003, unlawfully twist the previously injured arm of causing him to scream in pain. Plea: None Entered. Finding: None Entered.

Additional Charge I. Article 134. Plea: None Entered. Finding: None Entered.

Specification: On 16 May 2003, wrongfully endeavor to impeded an investigation by meeting with SPC and others for the purpose of deciding who would take responsibility for the actions of SSG McKenzie's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003 and by deciding that MSG SG Scott McKenzie, and SPC would take responsibility for the actions of SSG McKenzie's unit at or near Camp Bucca, Iraq on or about 12 May 2003. Plea: None Entered. Finding: None Entered.

2

Additional Charge II. Article 81. Plea: None Entered. Finding: None Entered.

Specification: On 16 May 2003, conspire with MSG and SPC committee of Military Justice, to wit: Obstruction of Justice, by meeting to decide who would take responsibility for the actions of SSG McKenzie's unit, and in order to effect the object of the conspiracy the said MSC SSG McKenzie, SGT committee of the conspiracy the said MSC SSG McKenzie, SGT committee of the actions of SSG McKenzie's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003, and that misrepresentations were made. Plea: None Entered. Finding: None Entered.

The accused having been arraigned, the proceedings were terminated on 7 January 2004. All charges and specifications referred are withdrawn and dismissed with prejudice. All rights, privileges and property of which the accused may have been deprived of by virtue of these proceedings will be restored.

BY COMMAND OF LIEUTENANT GENERAL MCKIERNAN:

DISTRIBUTION:

- 1- SSG Scott A. McKenzie
- 1- Military Judge
- 1- Defense Counsel
- 1- Cdr, 320th Military Police Bn
- 1- Cdr, 800th Military Police Bde
- 1- PSB, ATTN: Records Section
- 1-DFAS
- 10- Clerk of Court (JALS-CCZ) 901 N. Stuart St, Arlington, VA 22203-1837
- 1- Cdr, USAEREC (PCRE-FS), Fort Benjamin Harrison, IN 46249
- 1- Commander, United States Army Reserve Personnel Center, ATTN: DARP-PRD-MP, 9700 Page Boulevard, St. Louis, MO 63132-5200

SGM. USA

Chief Paralegal NCO

1- FORSCOM, ATTN: FCJA-ML, Fort McPherson, GA 30330-6000

012145

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Third United States Army
United States Army Forces Central Command
Coalition Forces Land Component Command
Camp Doha, Kuwait
APO AE 09304

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GENERAL COURT MARTIAL ORDER NUMBER 10 (6)6)-5 , (6	20 Contamb on 2004			
Staff Sergeant Scott A. McKenzie, US A Camp Bucca, Iraq APO AE 09375, was arraigned at Coffenses at a general court-martial convened by Communication Component Command.	Army, HHG, 320th Military Police Battalion, Camp Doha, Kuwait, on the following			
Cl. I de la Companya	Findings None Entered			
Charge I. Article 92. Plea: None Entered.	Finding: None Entered.			
Specification: On 12 May 2003, was derelict in the performance of those duties in that he willfully failed to safeguard from assault or abuse captured Iraqi prisoners of war that he was escorting from Talil Air Base, Iraq, to Camp Bucca, Iraq, as it was his duty to do. Plea: None Entered. Finding: None Entered.				
Charge II. Article 93. Plea: None Entered.	Finding: None Entered. (36) -4, (5)(2)			
Specification 1: On 12 May 2003, did maltreat and the model of the head and legs as he walked to the in-processing tent. Plea: None Entered. Finding: None				
Entered.	- (6x6)-4:6)(1/d4			
Specification 2: On 12 May 2003, did maltreat				
a person subject to his orders, by dragging him by his armpits across the ground.				
Plea: None Entered. Finding: None Entered. (5)(6)-4;(5)-4(c)4				
Specification 3: On 12 May 2003, did aid and abet in the maltreatment of				
soldiers to kick him, while other U.S. soldiers kicked him in the groin, face and abdomen. Plea: None Entered. Finding: None Entered.				
Specification 4: On 12 May 2003, did maltreat subject to his orders, by throwing him to the ground on injured arm. Plea: None Entered. Finding: None Entered.				
Specification 5: On 12 May 2003, did maltreat person subject to his orders, by twisting his previously: Plea: None Entered. Finding: None Entered.	, a			

012146

(6)(6)1-(6)(7)(0) Plea: None Entered. Finding: None Entered. Charge III. Article 107. Specification: On 16 May 2003, with the intent to deceive, make to Special Agent United States Army Criminal Investigation Division Command, an official statement on a DA Form 2823 Sworn Statement, to wit: that he did not see MSG. Kick an EPW in the kick an EPW in the groin, that he did not groin, that he did not see SGT hold an EPW's ankles while female soldiers kicked the EPW, that he did not drag an EPW to the searching area, that he did not throw EPWs to the ground, and that he did not kick, punch, or do anything unnecessary to any of the EPWs, or see any of the other MPs do anything unnecessary to the EPWs which was then known by the said SSG McKenzie to be so false. Plea: None Entered. Finding: None Entered. Plea: None Entered. Finding: None Entered. Charge IV. Article 128. (5/6)-4, (6)(7)04 Specification 1: On 12 May 2003, unlawfully drag an Iraqi prisoner of war, across the ground by his armpits. Plea: None Entered. Finding: None Entered. Specification 2: On 12 May 2003, aid and abet Master Sergean in unlawfully kicking an Iragi prisoner of war, in the groin, face, abdomen, by holding s leg and encouraging SGT to kick him. Plea: None Entered. Finding: None Entered. (6)6)4-(6)(7)(0)4. Specification 3: On 12 May 2003, unlawfully throw. Iraqi prisoner of war, to the ground on his face, and stepped on his previously injured arm. Plea: None Entered. Finding: None Entered. (6X6)4-(3X7)X4 Specification 4: On 12 May 2003, unlawfully throw. and and Iraqi prisoner of war, to the ground and strike him on the legs as he walked to the in-processing tent. Plea: None Entered. Finding: None Entered. (616)-4,61(7/24 Specification 5: On 12 May 2003, unlawfully twist the previously injured arm of , causing him to scream in pain. Plea: None Entered. Finding: None Entered.

Additional Charge I. Article 134. Plea: None Entered. Finding: None Entered.

Specification: On 16 May 2003, wrongfully endeavor to impeded an investigation by meeting with MSG and others for the purpose of deciding who would take responsibility for the actions of SSG McKenzie's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003 and by deciding that MSG SSG McKenzie's unit at or near Camp Bucca, Iraq on or about 12 May 2003. Plea: None Entered. Finding: None Entered.

2

Additional Charge II. Article 81. Plea: None Entered. Finding: None Entered.

Specification: On 16 May 2003, conspire with MSG SGT and SGT and SPC stock to commit an offense under the Uniform Code of Military Justice, to wit: Obstruction of Justice, by meeting to decide who would take responsibility for the actions of SSG McKenzie's unit, and in order to effect the object of the conspiracy the said MSG SSG McKenzie, SGT and SPG McKenzie and SPG McKenzie's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003, and that misrepresentations were made. Plea: None Entered.

Finding: None Entered.

The accused having been arraigned, the proceedings were terminated on 7 January 2004. All charges and specifications referred are withdrawn and dismissed with prejudice. All rights, privileges and property of which the accused may have been deprived of by virtue of these proceedings will be restored.

BY COMMAND OF LIEUTENANT GENERAL MCKIERNAN:

DISTRIBUTION:

- 1-SSG Scott A. McKenzie
- 1- Military Judge
 - 1- Defense Counsel
 - 1- Cdr, 320th Military Police Bn
 - 1- Cdr, 800th Military Police Bde
 - 1-PSB, ATTN: Records Section
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 - 10- Clerk of Court (JALS-CCZ) 901 N. Stuart St, Arlington, VA 22203-1837
 - 1- Cdr, USAEREC (PCRE-FS), Fort Benjamin Harrison, IN 46249
 - 1- Commander, United States Army Reserve Personnel Center, ATTN: DARP-PRD-MP, 9700 Page Boulevard, St. Louis, MO 63132-5200

SGM, USA

Chief Paralegal NCO

1-FORSCOM, ATTN: FCJA-ML, Fort McPherson, GA 30330-6000

/(*b)(t),(*t)-s y a,