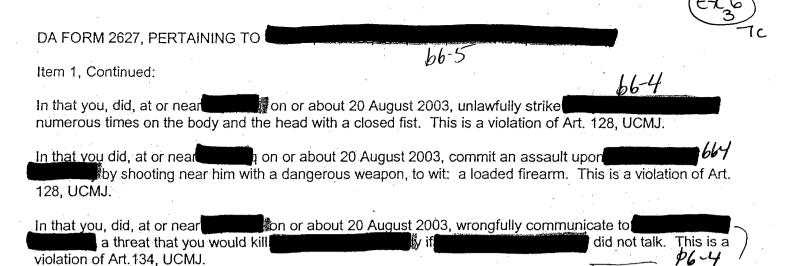
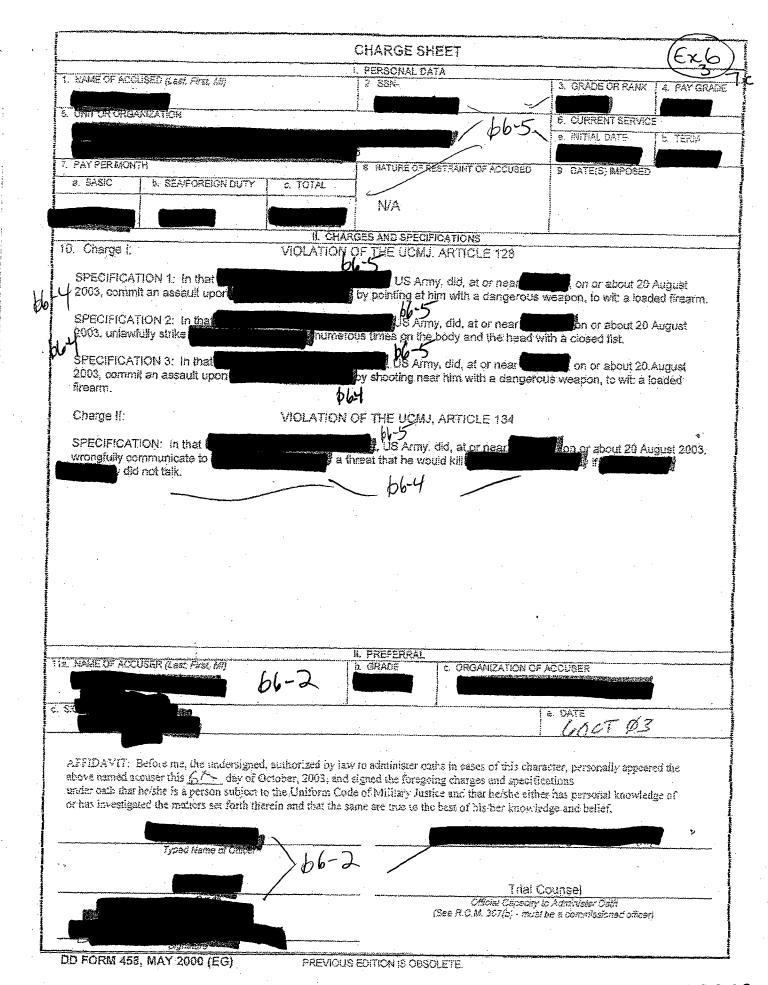
- Warner Warner				<u></u>	CODY D. SM CODY
,			SS UNDER ARTI		FOIA FIXENT DATE
	For use	of this form, see AR 27	'-10; the proponent agen	cy is TJAG.	23517 fx 6
	Se	e Notes on Reverse	Before Completing I	Form	1111
NAME	G	RADE SSN	UNIT		PAY (Basic & Sea/Foreign)
					h6-5
1. I am considering	whether you should be pun	shed under Article 15	, UCMJ, for the following	ng misconduct: ^{1/} In	that you, did, at or
near	on or about 20 August	2003, commit an	assault upon		by pointing at him
with a dangerou	is weapon, to wit: a lo		is is a violation of A	Art. 128, UCMJ.	- b6-4
martial. You have a control or not you will be offense(s). You make the control of the control o	several rights under this Art punished. I will not impo- ay ordinarily have an open evidence to show why you	icle 15 proceeding. For any punishment unharing before me. I shouldn't be punish ll, consider everything If you do not wainstead. In deciding	irst I want you to under less I am convinced be You may request a pe ed at all (matters of d	stand that I have not yond a reasonable or rson to speak on yo	eeding or at a trial by court- yet made a decision whether loubt that you committed the ur behalf. You may present shment should be very light Il impose punishment or the ct under Article 15, you have a right to consult with legal
located at USAT		b62		eve 48 hours to dec	cide what you want to do. 4/
DATE 12 Dec 2001 TIME 1030 krs	NAME, GRADE, AND ORG	SANIZATION OF COM	MANDER 61.	n f	determination :
	rded the opportunity to cons	ult with counsel my	ecision are as follows:	Initial appropriate b	locks, dåte, and sign)
	nand trial by court-martial.		,		
do r	not demand trial by courtame	ertial and in the Article	15 proceedings:		\b6-5
	ing be Open Open on the open open open open open open open ope	closed, (2) A personation: Are n	on to speak in my behalf not presented	Is Will be presented in	is not requested.
attached.	NAME AND GRADE OF S	ERVICE MEMBER	·	OF TAXABLE	
12Dec 03			·		
I. In a(n)	Open Closed hearing	ng ^{3/} all matters presen	ed in defense, mitigatio	n, and/or extenuation	, having been
considered, the follo	wing punishment is imposed	ı: ^{ડ/ હ/} To forfeit	per mon	th for two mon	ths.
•					
•					94
	10.0 0001 011	и Гео пъс		estricted fiche of the	ON ODE 7 NA
	al DA Form 2627 be filed in of your right to appeal to the	Cdr, CJ		•	n appeal made after that
· · · · · · · · · · · · · · · · · · ·	as untimely. Punishment is			•	and the second s
DATE	NAME, GRADE, AND ORG	ANIZATION OF COMM			
12Dec 03			ANDER 64	ア 人	
	te block, date, and sign)				
do not ar	opeal b. I appe	eal and do not submit	additional matters 8/9/	c I a	appeal and submit additional
		·			atters 8/9/
MED 13	NAME AND GRADE OF SE	RVICE MEMBER	66-5	S	
/2Dec 00	the annual and it is my onin	on that	06-5		
. I nave considered	the appeal and it is my opin	ion that:	·		
		* .			· · · · · · · · · · · · · · · · · · ·
ATE	NAME AND GRADE OF JU	DGE ADVOCATE		SIGNATUR	E
A ffor consideration	n of all matters presented in	anneal the anneal is:			
Denied	Granted as follow	appear, the appear is.	•	•	
Demed	Clanted as tollow	· a.	·		
		,	•	•	
ATE	NAME, GRADE, AND ORG	ANIZATION OF COMM	ANDER	SIGNATUR	
	, 5,0,5,1,1,1,0,0,10				
O I have seen the a	ction taken on my appeal.	DATE	SIGNATURE OF	SERVICE MEMBER	
				· · · · · · · · · · · · · · · · · · ·	
1. ALLIED DOCUME	NTS AND/OR COMMENTS $^{ m L}$	<u> 11/1 13/</u>			Blk/M
- Report of Invest			•		
- ORB	• •				•
					
	HG 84 (FG)		V 82 IS OBSOLETE	, ,	16946 ORIGINAL





2. On OCT , 2003, the accused was informed the socuser(s) knoun to me (See R.C.M. 308 (at), (See R.C.M. 308		
Typád Nams óf Commander	Cityanization of Commander	-
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	66-2 all	
Digital in		
IV. RECEIPT BY SUMMARY	COURT-MARTIAL CONVENING AUTHORITY	
ne swom charges were received athours,	2609 at	
	Designation of Command or	
tibu Exercising Summary Count-Martial Jurisbiliotion (Sea R.C. 14' 403)		
	FORTHE	
		-
Typed Name of Officer	Official Cabacity of Officer Signing	÷
The second second	Comment of the second seconds suggested the	
Grade		
Signaline V prespo	al; service of charges	
DESIGNATION OF COMMAND OF CONVENING AUTHORITY		
eferred for the Court-martial curivened by	y	
	20 supject to the following instructions: ²	
Sy	20 subject to the following instructions: ²	
	20 subject to the following instructions: ²	
By	20 subject to the following instructions: ²	
By	20 subject to the following instructions: ²	
By Canana	cupled to the following instructions: ² st	
By Constraint Tyted Name of Officer 1	cupled to the following instructions: ² st	
Sy Command Tyted Name of Sticer	cupled to the following instructions: ² st	PERCENTIAL MAN WITH A COLUMN TO THE COLUMN T
By Constraint Tyted Name of Officer 1	cupled to the following instructions: ² st	WAT AND AND STATE OF THE STATE
By Constraint Tyted Name of Officer 1	cupled to the following instructions: ² st	These bases with the party of t
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Typed Name of Other	cupled to the following instructions: ² st	A CHARLES OF A CONTRACT AND A CHARLES OF CHARLES OF THE ABOVE THE
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	CHARGES			(Ex
1. NAME OF ACCUSED (Last, First, MI)	I. PERSONAL D. 2. SSN	ATA	3. GRADE OR RANK	4. PAY
1. NAIVE OF ACCOUSE (Last, Allst, lint)	2. 00,1		O. GRADE OR RAIN	GRADE
. UNIT OR ORGANIZATION			6. CURRENT SERVICE	
	- CONTRACTOR OF THE CONTRACTOR	7	a. INITIAL DATE	b. TERM
PAY PER MONTH	i	RESTRAINT OF ACCUSED	9. DATE(S) IMPOSED	
a. BASIC b. SEA/FOREIGN DUTY	c. TOTAL	06-5		
	II. CHARGES AND SPE	CIFICATIONS		
0. CHARGE I: VIC	DLATION OF THE UCMJ, A	RTICLE 128	· · · · · · · · · · · · · · · · · · ·	
SPECIFICATION: In that	U.S. Army, did, at		or about 20 August 2003	
	ng near his head with a danger	ous weapon likely to pr	oduce death or gnevous	podily
harm, to wit: a loaded firearm. > 664		a tone		
,	•			
CHARGE II: VI	OLATION OF THE UCMI, A	RTICLE 134 (THREA	I, COMMUNICATING	}
66-5				•
SPECIFICATION: In that	, U.S. Army, did, at	on	or about 20 August 2003	7
wrongfully communicate to	a threat to kill him.			
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P •	f .			
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		-	4	
			•	
	III. PREFERRA			
1a. NAME OF ACCUSER (Last, First, MI)	b. GRADE	c. ORGANIZATION C	F ACCUSER	
	66-2			
SIGNATURE OF ACCUSER			e. DATE	
A TIPIN AY DIT. IN C			11	7 . f
AFFIDAVIT: Before me, the undersigned, above named accuser this day of		oaths in cases of this cha d signed the foregoing ch		d the
under oath that he/she is a person subject to t	the Uniform Code of Military In	a signed me to regoing cristice and that he/she eith	er has nersonal knowledo:	e of
or has investigated the matters set forth there				0 01
			J	
	1-66-2			
Typed Name of Officer		Organiza	tion of Officer	
	/ -		· ·	
Grade		Official Canacin	to Administer Oath	
Grade			st be a commissioned officer)	•
Signature				
DD FORM 458, MAY 2000	PRÉVIOUS ÉDIT	ON IS OBSOLETE.		

Typed Name of Immediate Commander Organization of Immediate Commander Organization of Immediate Commander Organization of Immediate Commander Signature IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY e sworm charges were received at hours, 2003 at Designation of Command or Command or Command or Command or Commanding Summary Court-Martial Jurisdiction (See R.C.M. 403) FOR THE Commanding Typed Name of Officer Official Capacity of Officer Signing V. REFERRAL; SERVICE OF CHARGES DESIGNATION OF COMMAND OF CONVENING AUTHORITY b. PLACE c. DATE		•	1.5		the contract of the contract o	
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Typed Name of Immediate Commander Figure Name of Immediate Commander Signature IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY e eworn charges were received at						
Typed Name of Immediate Commander Discrete Discret	ñ <u> </u>	, 2003, the accuse	ed was informed of the	ie charges against ni	m/her and of the hame(s) or	
Signature IV. RECEPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY IV. RECEPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY II. RECEPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY III. RECEPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY III. Continued or Command or Continued or Continued or Continued or Continued or Continued Command Or Con	a accuser(a) known to me (500 M.U.M. 308 (a)). (50	ee R.U.M. 308 II notti	ication cannot be ma	nde.)	
Signature IV. RECEPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY a sworn charges were received at						
Signature IV. RECEPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY a sworn charges were received at						
Signature IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY e sworm charges were received at	Typed Name	e of Immediate Commande	er 11.	~	Organization of immediate Commai	naer
Signature IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY e sworm charges were received at			D6-	L .		
Signature IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY e sworm charges were received at		Grade		all		
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a sworr charges were received at hours 2003 at Designation of Command or Designation of Command or Designation of Command or Designation of Command or Com		Signature				•
e event charges were received at	The second secon	IV. RECEIPT B	Y SUMMARY COUR	T-MARTIAL CONVE	NING AUTHORITY	
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FOR THE Commanding Typed Name of Officer Signature V. REFERRAL; SERVICE OF CHARGES DESIGNATION OF COMMAND OF CONVENING AUTHORITY b. PLACE c. DATE ferred for trial to the court-martial convened by FOR THE Commanding Grade J. REFERRAL; SERVICE OF CHARGES C. DATE C. DATE For trial to the court-martial convened by of Command or Order Typed Name of Officer Official Capacity of Officer Signing Grade Signature On 20 03 J. (caused to be) served a copy hereof on (each-of) the above named accused. Typed Name of Trial Coursel On 7 Typed Name of Trial Coursel Grade Or Rank of Trial Coursel Grade Or Rank of Trial Coursel	ie saorii diisides aere rece	iveu atiiodis	⁷ 1	2000	·	and a
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W. REFERRAL; SERVICE OF CHARGES DESIGNATION OF COMMAND OF CONVENING AUTHORITY b. PLACE c. DATE ferred 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 Officer Official Capacity of Officer Signing Grade Signature On 20 03 , I (caused to be) served a copy hereof on (each off) the above named accused Typed Name of Trial Counsel Grade Grade or Rank of Trial Counsel			•			
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On, 20 <u>03</u> , 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	ferred for trial to the	court-mart By ed Name of Officer	aUTHORITY b	O3 subject to	c. DATE ine following instructions: ²	
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	ferred for trial to the	court-mart By ed Name of Officer Grade Signature	AUTHORITY b	O3 subject to	c. DATE the following instructions: ² Official Capacity of Officer Signing	<u></u>
	eferred for trial to the	court-mart By ed Name of Officer Grade Signature	AUTHORITY b	O3 subject to	c. DATE the following instructions: ² Official Capacity of Officer Signing	<u></u>
Signature	Type	court-mart By By Grade Signature , 20 03	AUTHORITY b	O3 subject to	of on (each of) the above named accu	<u></u>
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	Type	court-mart By By Grade Signature , 20 03	AUTHORITY b	O3 subject to	of on (each of) the above named accu	<u></u>

DD FORM 458, MAY 2000

PREVIOUS EDITION IS OBSOLETE.





b2-2

12 October 2003

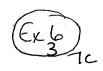
MEMORANDUM FOR RECORD

Subject: Local Suspension of Security Clearance and Access

- 1. The access to TS/SCI for the following individual is locally suspended pending Court Martial:
- 2. Due to mission requirements, the above individual will retain his SECRET/NOFORN access. The individual is deployed with Task Force Ironhorse and will require the clearance for Operation Iraqi Freedom.
- 3. Upon completion of the investigation and the outcome of the pending legal action, the suspension will either be lifted or formally forwarded to the Central Clearance Facility.
- 3. POC this memorandum is

 Chief of Staff

		see AR 600-8-2; the proponent agency	
NAME (la	st, First, MI)	ION I - ADMINISTRATIVE DATA 2. SSN	3. RANK
		2. 3514	S. HARK
\boxtimes	On active duty Not on active	duty On ADT	5. ETS/ESA/MRD
UNIT ASSI	GNED AND ARMY MAJOR COMMAND		7. STATION (Geographical location)
		1665	
PSC CONT	ROLLING FLAGGING ACTION AND TELEPHON	NE NUMBER	
THIS ACTION	ON IS TO:		
\boxtimes	Initiate a flag	Transfer a flag	Remove flag
	(Sections II and V only)	(Sections III and V only)	(Sections IV and V only)
	SE	CTION II - INITIATE A FLAG	
	A FLAG IS INITIATED, EFFECTIVE	September 2003 FOR THE FOL	LOWING REASON:
	NON-TRANSFERABLE		TRANSFERABLE
	Adverse action (A)	•	APFT failure (J)
	Elimination - field initiated (B)		Weight control program (K)
	Removal from selection list - field init	iated (C)	
	Referred OER (D)		
	Security violation (E)		
	HQDA use only - elimination or remov	val from selection list (F)	
	SEC	TION III - TRANSFER A FLAG	
	A FLAG IS TRANSFERED FOR THE FOLLOW	ING REASON:	
	Adverse action - HQDA directed reass	signment (G)	APFT failure (J)
	Adverse action - punishment phase (H	4)	Weight control program (K)
	Supporting documents attached?	Yes No	
	SEC	TION IV - REMOVE A FLAG	
	A FLAG IS REMOVED, EFFECTIVE	FOR THE FOLL	LOWING REASON:
	Case closed favorably (C)		er transferred to a different Army component or arged while case in process (destroy case file)
	Disciplinary action taken (D)	—	final action (E)
	SEC	TION V - AUTHENTICATION	
	Commander 1 - F&AO		
1 000	1 - Commander, gaining of		
1 - PSC	TITLE, AND ORGANIZATION	SIGNAT	DATE
		66-2	



DEPARTMENT OF THE ARMY U.S. Army Trial Defense Service

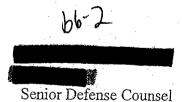
AFZF-JA-TDS

24 October 2003

MEMORANDUM FOR

SUBJECT: Article 32(b) Investigation Dela	y Request
	66-5

- 1. The defense requests a delay in the Article 32 investigation from 1 Nov 03 to 10 Nov 03.
- 2. The reason for the delay is to allow the recently retained civilian defense counsel adequate time to appear and prepare for the hearing. On or about 19 Oct 2003, retained pretained, as his lead counsel for his defense. It is defense requires that the Article 32 hearing. I have spoken to and he can be in our AO on or about 10 Nov 2003. I will send the Trial Counsel the necessary information to arrange travel.
- 3. The defense will be credited with the delay.
- 4. POC is the undersigned at \$\\ \begin{align*}
 \delta \\ \delta \
- 5. I certify that a copy of this was served, via email, on the trial counsel and the Article 32 officer on 23 October 2003.





DEPARTMENT OF THE ARMY



62-2

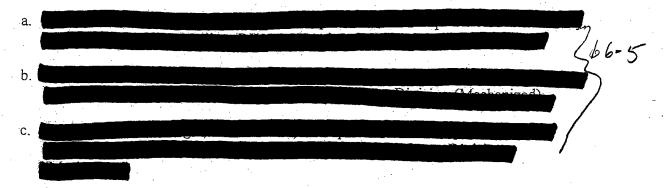
REPLY TO ATTENTION OF

MEMORANDUM FOR

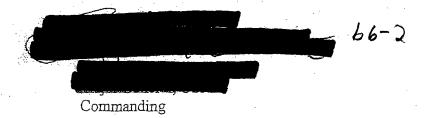
66-2

SUBJECT: Delegation of Authority to Exercise Article 15, UCMJ, Powers

1. Pursuant to AR 27-10, paragraph 3-7 c., I hereby delegate to you the authority to exercise Article 15, UCMJ, powers to assist you in disposing of suspected offenses committed by the following soldiers:



- 2. You may exercise any power that I possess under Article 15, UCMJ, however, you are not required to take any specific action.
- 3. This delegation will remain effective until you take action, if any, but not later than 18 October 2003.



			FK 6'2
RECORD OF PROCEEDINGS U			7
For use of this form, see AR 27-10; See Notes on Reverse Bef		JAG.	
NAME GRADE SSN	UNIT	PAY (Bas	sic & Sea/Foreign)
			6
1. I am considering whether you should be punished under Article 15, UC	MJ, for the following n	nisconduct: 1/	
n that you did, at or near one on or about 20 August 2003, un	lawfully strike		ody and head
with a closed fist. This is in violation of Art. 128, UCMJ.		66-4	
2. You are not required to make any statements, but if you do, they may be you have several rights under this Article 15 proceeding. First I want you will be punished. I will not impose any punishment unless I am convinced you may ordinarily have an open hearing before me. You may request a people extenuation and mitigation). I will consider everything you present before for punishment I-will impose. 2/ If you do not want me to dispose of this reproduced at a linear and a linear an	to understand I have not beyond a reasonable do erson to speak on your lefense) or why punishm deciding whether I will ort of misconduct under ght to consult with legal You now have 48 has are as follow: (Initial coceedings: to speak in my behalf the seented Will be a will b	pryet made a decision whether ubt that you committed the off behalf. You may present with tent should be very light (man impose punishment or the type Article 15, you have the right counsel nours to decide what you want signature. Is Is Is not require presented in person signature.	or not you fense(s). esses or ters of oe and amount it to demand trial to do. 4/ nd sign) uested.
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FDITION OF NOV 82 IS ORSOLFTE

				FOLK EXECUTION
				7
BECORD OF I	PROCEEDINGS II	NDER ARTICLE 15	HCM1	(Ex6,3)
		the proponent agency is T.		~7c
		re Completing Form		
NAME	SSN	UNIT		PAY (Busic & Seai Foreign)
1. I am considering whether you should be punished upon that you did, at or near the point of about 20 a closed fist. This is in violation of Art. 128, UCM	0 August 2003, unl	AI, for the following mawfully strike		on the body and head wit
2. You are not required to make any statements, but if You have several rights under this Article 15 proceedin will be punished. I will not impose any punishment unityou may ordinarily have an open hearing before me. You have revidence to show why you shouldn't be punished extenuation and mitigation). I will consider everything of punishment I will impose. 2/ If you do not want me to by court-martial instead. 2/ In deciding what you want to located at	g. First I want you t less I am convinced by You may request a per at all (matters of def y you present before to dispose of this repo	o understand I have no beyond a reasonable do to speak on your to speak on your to sense) or why punishmodeciding whether I will not of misconduct under	t yet made a decisionabi that you comminue half. You may protent should be very limpose punishment Article 15, you have counsel	n whether or not you ted the offense(s). esent wimesses or eight (matters of or the type and amount te the right to demand trial
DATE 2 CET 240 3 NAME, GRADE, AND ORGANIZATION C	F COMMANDER		SIGN	4.2
3. Having been afforded the opportunity to consult with	counsel my decision	us are as follow: (Initio	al appropriate block	ole d
a. demand trial by court-martial. b. do not demand trial by purt-martial and (1) I request the hearing be pen Cic (3) Matters in defense, mitigation, and/or extenuation: attached.	sed. (2) A person to	o speak in my behalf 🖔	e presented in perso	Is not requested.
NAME AND GRADE OF SERVICE MEMB	ER		SIGNATURE	
4. In a(n) Pen Closed hearing considered, the flowing punishment is imposed: 5/ 6/	F	ited in defense, mitigati		- *
Reduction to E3, suspended to be automatically remimonths.	tted it not vacated t	by 8 April 2004; Forte	iture of \$250.00 pa	ay per month for two
5. I direct the original DA Form 2627 be filed in the 6. You are advised of your right to appeal to the time may be rejected as untimely. Punishment is effective		within 5 ca	endar days. An apt	APF-12 Deal made after that 66-2
DATE NAME, GRADE, AND ORGANIZATION O	E COMMANDER		SIGNATOR	
10.051 AZ		 		
7. (Initial appropriate block, date, and sign) a. John J. do not appeal b. I appeal and do	not submit additions	of matters $\frac{3}{2}$ c .	I appeal an matters 8/	d submit additional
DATE NAME AND GRADE OF SERVICE MEMB	ER		SIGNATURE	66-5
8. I have considered the appeal and it is my opinion that:		<u></u>		
DATE NAME AND GRADE OF JUDGE ADVOCA	TE .		SIGNATURE	
After consideration of all matters presented in appeal, Denied Granted as follows: 10	the appeal is:		·	
DATE NAME, GRADE, AND ORGANIZATION OF	F COMMANDER		SIGNATURE	'
10. I have seen the action taken on my appeal.	ATE	SIGNATURE OF SERVICE	MEMBER	

DA FORM 2627, AUG 84

DA FORM 2823

11. ALLIED DOCUMENTS AND/OR COMMENTS 11/ 12/ 13/

DATE

FDITION OF NOV 82 IS OBSOLETE

ORIGINAL

- Andrews Constitution of the Constitution of	REPORT TO SUSPEI	VD FAVORA rm, see AR 600-8-				(Ex 6,3
		CTION I - ADM				
1. NAME /	ast, First, Mil		2. SSN	7	3. RAI	VK T
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^{4,} ×	On active duty Not on ac	tive duty	On ADT	5. £1	S/ESA/MRD	
S UNITASS	SIGNED AND ASMY AND DR. COMMAND			7. 51	ATION (Geographic	al location)
8. PSC CON	TROLLING FLAGGING ACTION AND TELEPH	HONE NUMBER				
9. THIS ACT	TON IS TO:					
\boxtimes	Initiate a flag (Sections II and V only)	Transfer (Sections	a flag : ili and V only)	ľ	Remove flag (Sections IV	and V only)
		SECTION II - II	VITIATE A FL	AG		
10.	A FLAG IS INITIATED, EFFECTIVE	23 SEP 2003	FOR T	HE FOLLOWING RI	EASON:	
	NON-TRANSFERABLE				TRANSFERABLE	
	Adverse action (A)				APFT failure (J)	
	Elimination - field initiated (B)				Weight control pre	ogram (K)
,	Removal from selection list - field	l initiated (C)				
	Referred OER (D)					
	Security violation (E)					
	HQDA use only - elimination or re	amoval from selecti	on list.(F)	÷		
	S	ECTION III - TF	ANSFER A F	LAG		
11.	A FLAG IS TRANSFERED FOR THE FOLL	OWING REASON:				
	Adverse action - HQDA directed r	rezesignment (G)			APFT failure (J)	
	Adverse action - punishment phar	Se (H)			Weight control pro	ogram (K)
	Supporting documents attached?	Yes [No			
		SECTION IV - R	EMOVE A FL	AG :		
2.	A PLAG IS REMOVED, EFFECTIVE		FOR TH	iE FOLLOWING RE	FASON:	
	Case closed favorably (C)				ed to a different Arm case in process <i>(de</i>	
	Disciplinary action taken (D)			Other final action	n (E)	
		ECTION V - AL	JTHENTICATI	ON		
	N Commandar 1 - F&AQ					
1 - PSC	1 - Commander, gain					11-7
AME, RANK	, TITLE, AND ORGANIZATION	S	IGNATURE		DATE	60 A
A FORM	268, JUN 87	EDITION OF 1 JAN	1 80 IS 08501 ÉT			USAPPC V2.

EDITION OF 1 JAN 80 IS OBSOLÉTE.

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USAPPC V2.CO



ARTICLE 15 SCRIPT

ADC(S): my purpose today is to determine whether you are guilty of the offense listed on your Article 15: assault of on or about 20 August 2003. This violates Article 128 of the Uniform Code of Military Justice.

Maximum Punishment and Filing

ADC(S): If I find you guilty, then I will also decide upon an appropriate punishment. The maximum punishment that I can impose is:

- 1. Reduction to Private (E-1).
- 2. Forfeiture of 1/2 month's pay per month for two months.
- 3. Extra duty for 45 consecutive days.
- 4. Restriction for 60 days but if extra duty and restriction are combined restriction my not exceed 45 days.
- 5. A written or oral reprimand or admonition.

Right to Attorney

ADC(S): Have you consulted with a defense lawyer about your case?

Accused: [Response]

ADC(S): Did you complete this form as indicated?

Accused: [Response]

Right to Present Evidence

ADC(S): I have already reviewed the same evidence that you were provided. Do you have any additional evidence or anything you would like to say at this time?

Accused: [Response]

Findings and Punishment

[The standard of proof is the same at an article 15 as it is at a court-martial. If you are convinced beyond a reasonable doubt that the accused is guilty of the offenses make a finding of guilty. If you are not convinced beyond a reasonable doubt, you should make a finding of not guilty.]

If Finding of Not Guilty

ADC(S): I have considered all of the evidence presented. I am not convinced beyond a reasonable doubt that you are guilty of these offenses. Therefore, these proceedings are terminated and no punishment will be imposed. [Counsel the soldier as desired] You are dismissed.

If Finding of Guilty

ADC(S): I have considered all the evidence presented. I am convinced beyond a reasonable doubt that you are guilty of the offense of assault. I have considered all matters presented in defense, mitigation, and extenuation, and I impose the following punishment:

1. To be reduced to Private (E-3) (E-2) (E-1) SUS placed (88 days	45
2. To forfeit \$ pay per month for (one month) (two months).	
[Maximum forfeiture is as follows:	
E4: \$882.65 pay per month for two months. E3: 6814.49 pay per month for two months.*	بهاي

E2: \$695.00 pay per month for two months.*
E1: \$625.40 pay per month for two months.*

*Even if the soldier's reduction is suspended.]

3. To perform Extra duty for ____ consecutive days. [Maximum length of extra duty is 45 days.]

4. To be restricted to the limits of company area, place of duty, place of worship, medical facility, dental facility, and dining facility, for ________days.

[Maximum length of restriction is 60 days, but if extra duty and restriction are combined restriction my not exceed 45 days.]

5. (Give oral reprimand/admonition) or written reprimand/admonition.

NOTE: Suspension. You may suspend any punishment for a period not to exceed 180 days. [e.g., If administered on 23 Jan, maximum end date would be 21 Jul 03] If you suspend any punishment, give an exact date for the suspension to terminate.

Format:	(All)-(The	Following) p	unishment(s)	· · · · · · · · · · · · · · · · · · ·		 · · · · · · · · · · · · · · · · · · ·
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-					, 🗪	
(is) (are) suspen	ded until _	· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·	·	•	

Please do not write the punishment on the Article 15 form. The JA will type in the punishment as recorded on this worksheet.

Appeal Rights

ADC(S): You are advised of your right to appeal this Article 15 to the 4th Infantry Division (Mechanized) Commanding General within 5 calendar days.

Conclusion and Signature

ADC(S): Do you have anything you wish to add?

Accused: [Response]

ADC(S): You are dismissed to wait outside my office for further instructions.

[Date and sign in Block 6 of the DA Form 2627, check that blocks 4 and 5 have been completed.]



sm writing a statement 100 the issues involving my esse which I swear to be the truth and nothing, but the first I feel there six mitigating circumstagrees that need to be heard by the reviewing official Altouch I'm were of what you that What he did was wreng of the time I had to idea it was whenty. The reser I'm soring this is because, there was an interrelator present who is trained in the est of interrogeting and as the translatir leger striking the detainer and some that the interregation sould rothing I towit that us primal procedure While interposing on EFH, so we sterted striking the promobilethe interropor and translater too his when to strille the individual & I cossumed that was the form since we've never been present actions a internetion, price to this space of and I'm pot private to the one often since the THE CHARLES THAT IN MANUEL HELD IS SOME getting Kallieu and its oversthere in the patheries care I tought what I was claims at the time could state and U.S. soldier from Methics Positives or passed, Miled man god et their time the services who see 66-5 006962



who could have been tracking with us, and after the found this out my emedians were to strong for me to control seems that my life as well as those of my fellows soldiers sowere beins throughout some

A people who worked the Gune Jail were 66-5 atso present (Lours Jail were 66-5 the individual as new to I assumed this was restrict proceedings at any Jail.

RECORD OF PROCEEDINGS UNDER ARTI	
For use of this form, see AR 27-10; the proponent at See Notes on Reverse Before Completing	<u> </u>
NAME GRADE SSN UNIT	PAY (Basic & Sea/Foreign)
	66-5
1. I am considering whether you should be punished under Article 15, UCMJ, for the follows	
In that you did, at or near some on about 20 August 2003, unlawfully strike	on the body and the head
with a closed fist. This is in violation of Article 128, UCMJ.	66-4
.	
2. You are not required to make any statements, but if you do, they may be used against yo	ou in this proceeding or at a trial by court-martial.
You have several rights under this Article 15 proceeding. First I want you to understand I'll will be punished. I will not impose any punishment unless I am convinced beyond a reason	have not yet made a decision whether or not you
You may ordinarily have an open hearing before me. You may request a person to speak or	n your behalf. You may present witnesses or
other evidence to show why you shouldn't be punished at all (matters of defense) or why p	punishment should be very light (matters of
extenuation and mitigation). I will consider everything you present before deciding whether	er I will impose punishment or the type and amount
of punishment I will impose. ² /If you do not want me to dispose of this report of misconduct by court-martial instead. ² /In deciding what you want to do you have the right to consult wi	ct under Article 15, you have the right to demand trial
	have 48 hours to decide what you want to do. 4/
DATE S COT 3 023 NAME GRADE, AND ORGANIZATION OF COMMANDER	SIGNATURE
TIME /5 23	66-2
3. Having been afforded the opportunity to consult with counsel, my decisions are as follow:	
I demand trial by court-martial.	. Annua appropriate owers, ame, and sign)
I do not demand trial by court-martial and in the Article 15 proceedings:	
(1) I request the hearing be Open Closed. (2) A person to speak in my	behalf Is Is not requested.
3) Matters in defense, mitigation, and/or extenuation: Are not presented	Will be presented in person
DATE , NAME AND GRADE OF SERVICE MEMBER	COMATURE
10 pct 63	SIGNATURE
In a(n) Open Solved hearing 5/ all matters presented in defense	e, mitigation, and/or extentuation, having been
TOUGHER THE TOUGHING DUNCHMENT IS IMPOSED. 2/ 0/	
considered, the following punishment is imposed: 2/ 2/	
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		MY MAJOR CO					7. S Ira	STATION (Geo	graphical location	n).
rac con	THOLLING FLAC	GGING ACTION A	ND TELEPHON	E NUMBER	·					
THIS ACT	ION IS TO:									· · · · · · ·
\boxtimes	Initiate a fla (Sections II				er a flag ons III and V o	nly)			ove flag ions IV and V on	ly)
			SE	CTION II -	INITIATE A	A FLAG	·		· · · · · · · · · · · · · · · · · · ·	
	A FLAG IS I	NITIATED, EFFEC	TIVE	02 Oct 03	<u> </u>	OR THE F	OLLOWING	REASON:		
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		oo dodon (A)					<u> </u>	APFT failu	re (J)	
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	Referr	ed OER (D)				•				
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			SECT	ION III - T	RANSFER .	A FLAG		· · · · · · · · · · · · · · · · · · ·		
	A FLAG IS TR	ANSFERED FOR	THE FOLLOWIN	NG REASON:	· ,					
	Advers	e action - HQDA	directed reassi	gnment (G)				APFT failure	. (J)	-
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	Supporting do	cuments attache	d?	Yes	No					
<u></u>				TON IV - I	REMOVE A	FLAG				
	A FLAG IS RE	MOVED, EFFECTI	VE		FO	R THE FOI	LLOWING RI	EASON:		
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	TE ADDR	C DECOFFDINGS	LINDED ADTIOLE	dC ::	
		UF PROCEEDINGS of this form, see AR 27-10		•	(Ex6,3)
		See Notes on Reverse B	efore Complesing For	m	
NAME	GRAL	DE., SSN	UNIT		PAY (Basic & Sea/Foreign)
1. I am consid	dering whether you should be punished	under Article 15, UC	MJ, for the following	misconduct: 1/	
n that you, di losed fist. T	id, at or near the solution of Article 128, I	ut 20 August 2003, u JCMJ.	nlawfully strike	b6-4	on the body and head with a
You have seve will be punished You may ordinother evidence externation and of punishment by court-martinocated at Having been Having been I request the	t required to make any statements, but ral rights under this Article 15 proceed. Twill not impose any punishment harily have an open hearing before me to show why you shouldn't be punished mitigation). I will consider everyth I will impose. 2/If you do not want mal instead. 1/In deciding what you want in the punished mand the opportunity to consult we demand trial by court-martial. do not demand trial by court-martial e hearing be Open	ding. First I want you unless I am convinced. You may request a peed at all (matters of deing you present before to dispose of this report to do you have the right counsel, my decision and in the Article 15 pr. Closed. (2) A person	to understand I have to beyond a reasonable of erson to speak on you fense) or why punish deciding whether I wort of misconduct with legal to consult with legal You now have The are as follow: (Initiation of the speak in my behalf	not yet made a decision loubt that you committed to behalf. You may prement should be very light impose punishment of the property of the prop	whether or not you d the offense(s). Sent witnesses or the type and amount of the type and type a
In a(n)	Open Closed heari	ng 5/ all matters pres	ented in defense, miti	gation, and/or extentua	ion, having been
ලෙකුමෙය	following punishment is imposed: 2/ of 1350 pay per month is cated before 30 Apr 04; fnot vacated before 3	0-20-04-	suspended to	month for two be automatica pended, to be a	months; ly remitted stomatically
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