

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) HOLMES, ANDREW, H.		2. SSN [REDACTED]	3. GRADE OR RANK PFC	4. PAY GRADE E-3
5. UNIT OR ORGANIZATION B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, WA 98433			6. CURRENT SERVICE	
			a. INITIAL DATE 23 SEP 2008	b. TERM 6 Years
7. PAY PER MONTH		8. NATURE OF RESTRAINT OF ACCUSED		9. DATE(S) IMPOSED
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL	Pretrial Confinement	14 June 2010
\$1,705.80	None	\$1,705.80		

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 81

THE SPECIFICATION: In that Private First Class (E-3) Andrew H. Holmes, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 November 2009 and on or about 11 May 2010, conspire with members of Bravo Company, 2d Battalion, 1st Infantry Regiment, 5th Brigade (SBCT), 2d Infantry Division to commit an offense under the Uniform Code of Military Justice, to wit: premeditated murder of Afghan noncombatants, and in order to effect the object of the conspiracy Private First Class (E-3) Andrew H. Holmes and Corporal (E-4) Jeremy N. Morlock did throw a grenade at and shoot with firearms a male of apparent Afghan descent.

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 118

THE SPECIFICATION: In that Private First Class (E-3) Andrew H. Holmes, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 January 2010 and on or about 31 January 2010, with premeditation, murder a male of apparent Afghan descent by means of throwing a grenade at him and shooting him with firearms.

CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 134

THE SPECIFICATION: In that Private First Class (E-3) Andrew H. Holmes, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 November 2009 and on or about 11 May 2010, possess a finger bone taken from an Afghan corpse, which conduct was prejudicial to the good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

(See Continuation Sheet)

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) [REDACTED]	b. GRADE O-3	c. ORGANIZATION OF ACCUSER B Co, 2-1 IN BN, 2/2 ID (SBCT)
d. SIGNATURE OF ACCUSER [REDACTED]		e. DATE 27 Aug 10

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 27th day of August, 2010, and signed the foregoing charges and specifications under oath that he is a person subject to the Uniform Code of Military Justice and that he either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his knowledge and belief.

[REDACTED]

Typed Name of Officer

HHC, BSTB, 2/2 ID (SBCT)

Organization of Officer

O-3
[REDACTED]

Signature

Article 136, UCMJ

Official Capacity to Administer Oath
(See R.C.M. 307(b) - must be a commissioned officer)

12.

On 27 Aug 2010, 2010, the accused was informed of the charges against him and of the name of the accuser known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

[Redacted]

Typed Name of Immediate Commander

B Co, 2-1 IN BN, 2/2 ID SBCT

Organization of Immediate Commander

O-3

[Redacted]

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at 1600 hours, 27 August 2010, at

HQ, 2-1 IN BN, 2/2 ID (SBCT)

Designation of Command or

Joint Base Lewis-McChord, WA 98433

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

FOR THE ¹

[Redacted]

Typed Name of Officer

COMMANDING

Official Capacity of Officer Signing

[Redacted]

Signature

[Handwritten Signature]

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Referred for trial to the _____ Court-martial convened by _____

20. _____

, 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____, 1 (caused to be) served a copy hereof on (each of) the above named accused.

[Redacted]

Typed Name of Trial Counsel

O-3

Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken.
2 — See R.C.M. 601 (a) concerning instructions. If none, so state.

CONTINUATION SHEET, DD FORM 458, PERTAINING TO HOLMES, Andrew, H., PFC, [REDACTED]
[REDACTED] B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint
Base Lewis-McChord, Washington 98433

Item 10 (Cont'd)

CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 92

THE SPECIFICATION: In that Private First Class (E-3) Andrew H. Holmes, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 January 2010 and on or about 31 January 2010, violate a lawful general order, to wit: paragraph 2f, CENTCOM General Order No. 1B, dated 13 March 2006, by wrongfully photographing and possessing visual images of human casualties.

CHARGE V: VIOLATION OF THE UCMJ, ARTICLE 112a

THE SPECIFICATION: In that Private First Class (E-3) Andrew H. Holmes, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on divers occasions between on or about 1 September 2009 and on or about 11 May 2010, wrongfully use hashish a Schedule I controlled substance while receiving special pay under 37 U.S.C. Section 310.

CHARGE SHEET

I. PERSONAL DATA			
1. NAME OF ACCUSED (Last, First, MI) GIBBS, CALVIN, R.		2. SSN [REDACTED]	3. GRADE OR RANK SSG
5. UNIT OR ORGANIZATION B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, WA 98433		4. PAY GRADE E-6	
7. PAY PER MONTH		6. CURRENT SERVICE	
a. BASIC \$3,051.00	b. SEA/FOREIGN DUTY None	c. TOTAL \$3,051.00	a. INITIAL DATE 04 DEC 06
8. NATURE OF RESTRAINT OF ACCUSED Pretrial Confinement			b. TERM 6 Years
9. DATE(S) IMPOSED 12 May 2010			

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 81

SPECIFICATION 1: In that Staff Sergeant (E-6) Calvin R. Gibbs, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 November 2009 and on or about 11 May 2010, conspire with members of Bravo Company, 2d Battalion, 1st Infantry Regiment, 5th Brigade (SBCT), 2d Infantry Division to commit an offense under the Uniform Code of Military Justice, to wit: premeditated murder of Afghan noncombatants, and in order to effect the object of the conspiracy Staff Sergeant (E-6) Calvin R. Gibbs, Corporal (E-4) Jeremy N. Morlock, Private First Class (E-3) Andrew H. Holmes, Specialist (E-4) Michael S. Wagnon II, and Specialist (E-4) Adam C. Winfield did throw grenades at and shoot with firearms 3 males of apparent Afghan descent.

SPECIFICATION 2: In that Staff Sergeant (E-6) Calvin R. Gibbs, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, conspire with Corporal (E-4) Jeremy N. Morlock, Staff Sergeant (E-6) David D. Bram, Specialist (E-4) Adam W. Kelly, Specialist (E-4) Corey A. Moore, Sergeant (E-5) Darren N. Jones, and Corporal (E-4) Emmitt R. Quintal to commit an offense under the Uniform Code of Military Justice, to wit: assault consummated by a battery of [REDACTED] and in order to effect the object of the conspiracy the said Staff Sergeant (E-6) Calvin R. Gibbs, Corporal (E-4) Jeremy N. Morlock, Staff Sergeant (E-6) David D. Bram, Specialist (E-4) Adam W. Kelly, Specialist (E-4) Corey A. Moore, Sergeant (E-5) Darren N. Jones, and Corporal (E-4) Emmitt R. Quintal did strike [REDACTED] on the body with their fists and feet.

(See Continuation Sheet)

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) [REDACTED]	b. GRADE O-3	c. ORGANIZATION OF ACCUSER 2-1 IN BN, 2/2 ID (SBCT)
d. SIGNATURE OF ACCUSER [REDACTED]	e. DATE 13 Aug 2010	

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 13th day of AUGUST, 2010, and signed the foregoing charges and specifications under oath that he is a person subject to the Uniform Code of Military Justice and that he either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his knowledge and belief.

<p align="center">[REDACTED]</p> <p align="center"><i>Typed Name of Officer</i></p>	<p align="center">OSJA, I Corps</p> <p align="center"><i>Organization of Officer</i></p>
<p align="center">O-3</p> <p align="center">[REDACTED]</p> <p align="center"><i>Signature</i></p>	<p align="center">Article 136, UCMJ</p> <p align="center"><i>Official Capacity to Administer Oath</i> (See R.C.M. 307(b) - must be a commissioned officer)</p>

12.

On 13 Aug 2010, 2010, the accused was informed of the charges against him and of the name of the accuser known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

[Redacted]
Typed Name of Immediate Commander

2-1 IN BN, 2/2 ID SBCT
Organization of Immediate Commander

O-3

[Redacted]
Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at _____ hours, _____ 2010, at

HQ, 2-1 IN BN, 2/2 ID (SBCT)
Designation of Command or

Joint Base Lewis-McChord, WA 98433

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

FOR THE ¹ _____

[Redacted]
Typed Name of Officer

COMMANDING

Official Capacity of Officer Signing

O-4

Grade

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Referred for trial to the _____ Court-martial convened by _____

_____ 20 _____, 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.

[Redacted]
Typed Name of Trial Counsel

O-3

Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken.
2 — See R.C.M. 601(e) concerning instructions. If none, so state.

CONTINUATION SHEET, DD FORM 458, PERTAINING TO GIBBS, Calvin, R., SSG, [REDACTED], B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, Washington 98433

Item 10 (Cont'd)

SPECIFICATION 3: In that Staff Sergeant (E-6) Calvin R. Gibbs, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 March 2010 and on or about 31 March 2010, conspire with Staff Sergeant (E-6) Robert G. Stevens, Sergeant (E-6) Darren N. Jones, [REDACTED], Specialist (E-4) Adam C. Winfield, Specialist (E-4) Michael S. Wagnon II, and Private First Class (E-3) Ashton A. Moore to commit an offense under the Uniform Code of Military Justice, to wit: aggravated assault with a dangerous weapon upon three males of apparent Afghan descent, and in order to effect the object of the conspiracy the said Staff Sergeant (E-6) Calvin R. Gibbs, Staff Sergeant (E-6) Robert G. Stevens, Sergeant (E-5) Darren N. Jones, Specialist (E-4) Michael S. Wagnon II, and Private First Class (E-3) Ashton A. Moore did shoot at three males of apparent Afghan descent with dangerous weapons, to wit: loaded firearms.

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 118

SPECIFICATION 1: In that Staff Sergeant (E-6) Calvin R. Gibbs, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 January 2010 and on or about 31 January 2010, with premeditation, murder a male of apparent Afghan descent by means of throwing a fragmentary grenade at him and shooting him with firearms.

SPECIFICATION 2: In that Staff Sergeant (E-6) Calvin R. Gibbs, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 22 February 2010, with premeditation, murder a male of apparent Afghan descent by means of shooting him with firearms.

SPECIFICATION 3: In that Staff Sergeant (E-6) Calvin R. Gibbs, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 2 May 2010, with premeditation, murder a male of apparent Afghan descent by means of throwing a grenade at him and shooting him with firearms.

CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 134

SPECIFICATION 1: In that Staff Sergeant (E-6) Calvin R. Gibbs, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 November 2009 and on or about 11 May 2010, possess finger bones, leg bones, and a tooth taken from Afghan corpses, which conduct was prejudicial to the good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

SPECIFICATION 2: In that Staff Sergeant (E-6) Calvin R. Gibbs, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 November 2010 and on or about 31 December 2010, wrongfully solicit [REDACTED] to cut the finger off a male corpse of apparent Afghan descent by telling [REDACTED] to cut off the finger before someone saw them which conduct was prejudicial to the good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

CONTINUATION SHEET, DD FORM 458, PERTAINING TO GIBBS, Calvin, R., SSG, [REDACTED], B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, Washington 98433

Item 10 (Cont'd)

SPECIFICATION 3: In that Staff Sergeant (E-6) Calvin R. Gibbs, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, wrongfully endeavor to impede an investigation in the cases of U.S. v. Specialist (E-4) Adam W. Kelly, U.S. v. Corporal (E-4) Emmitt R. Quintal, U.S. v. Corporal (E-4) Jeremy N. Morlock, U.S. v. Sergeant (E-5) Darren N. Jones, U.S. v. Specialist (E-4) Corey A. Moore, and other suspected hashish users by striking [REDACTED] on the body with his hands and feet, threatening to kill him if he spoke about hashish use within the platoon to members of the chain of command and law enforcement authorities, and showing him fingers removed from a corpse which conduct was prejudicial to the good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

SPECIFICATION 4: In that Staff Sergeant (E-6) Calvin R. Gibbs, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 5 May 2010 and on or about 12 May 2010, wrongfully endeavor to impede an investigation in the case of U.S. v. Staff Sergeant (E-6) Calvin R. Gibbs by telling Specialist (E-4) Adam C. Winfield to lie to CID investigators when questioned about Specialist (E-4) Adam C. Winfield's platoon's involvement in drug use and the unlawful killings of Afghan noncombatants which conduct was prejudicial to the good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

SPECIFICATION 5: In that Staff Sergeant (E-6) Calvin R. Gibbs, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 November 2010 and on or about 11 May 2010 wrongfully communicate to Specialist (E-4) Adam C. Winfield a threat to injure him by stating, "I'm going to send you home by dropping a tow bar on you," or words to that effect which conduct was prejudicial to the good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 128

SPECIFICATION 1: In that Staff Sergeant (E-6) Calvin R. Gibbs, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, unlawfully strike [REDACTED] on the body with his hands and feet.

SPECIFICATION 2: In that Staff Sergeant (E-6) Calvin R. Gibbs, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 March 2010 and on or about 31 March 2010, commit an assault upon three males of apparent Afghan descent by shooting at them with a dangerous weapon, to wit: a loaded firearm.

CHARGE V: VIOLATION OF THE UCMJ, ARTICLE 92

SPECIFICATION 1: In that Staff Sergeant (E-6) Calvin R. Gibbs, U.S. Army, who knew or should have known of his duties at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 November 2009 and on or about 11 May 2010, was derelict in the performance of those duties in that he willfully failed to properly account for and dispose of an AK-47 rifle, AK-47 magazines, and body armor taken from Afghanistan National Police personnel as it was his duty to do.

SPECIFICATION 2: In that Staff Sergeant (E-6) Calvin R. Gibbs, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 November 2009 and on or about 11 May 2010, violate a lawful general order, to wit: paragraph 2f, General Order No. 1B, dated 13 March 2006, by wrongfully retaining Rocket Propelled Grenades and mortar rounds for personal use.

CONTINUATION SHEET, DD FORM 458, PERTAINING TO GIBBS, Calvin, R., SSG, [REDACTED]
B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base
Lewis-McChord, Washington 98433

Item 10 (Cont'd)

SPECIFICATION 3: In that Staff Sergeant (E-6) Calvin R. Gibbs, U.S. Army, who knew or should have known of his duties at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 November 2009 and on or about 11 May 2010, was derelict in the performance of those duties in that he willfully failed to properly account for and dispose of fragmentary grenades and a claymore mine as it was his duty to do.

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) MORLOCK, JEREMY, N.			2. SSN [REDACTED]		3. GRADE OR RANK SPC	4. PAY GRADE E-4
5. UNIT OR ORGANIZATION B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, WA 98433					6. CURRENT SERVICE	
					a. INITIAL DATE 22 JUN 2006	b. TERM 4 Years
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED Pretrial Confinement		9. DATE(S) IMPOSED 03 June 2010	
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL				
\$2,094.00	None	\$2,094.00				

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 81

SPECIFICATION 1: In that Corporal (E-4) Jeremy N. Morlock, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 November 2009 and on or about 11 May 2010, conspire with members of Bravo Company, 2d Battalion, 1st Infantry Regiment, 5th Brigade (SBCT), 2d Infantry Division to commit an offense under the Uniform Code of Military Justice, to wit: premeditated murder of Afghan noncombatants, and in order to effect the object of the conspiracy Corporal (E-4) Jeremy N. Morlock, Staff Sergeant (E-6) Calvin R. Gibbs, Private First Class (E-3) Andrew H. Holmes, Specialist (E-4) Michael S. Wagnon II, and Specialist (E-4) Adam C. Winfield did throw grenades at and shoot with firearms 3 males of apparent Afghan descent.

SPECIFICATION 2: In that Corporal (E-4) Jeremy N. Morlock, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, conspire with Staff Sergeant (E-6) Calvin R. Gibbs, Staff Sergeant (E-6) David D. Bram, Specialist (E-4) Adam W. Kelly, Specialist (E-4) Corey A. Moore, Sergeant (E-5) Darren N. Jones, and Corporal (E-4) Emmitt R. Quintal to commit an offense under the Uniform Code of Military Justice, to wit: assault consummated by a battery of [REDACTED] and in order to effect the object of the conspiracy the said Corporal (E-4) Jeremy N. Morlock, Staff Sergeant (E-6) Calvin R. Gibbs, Staff Sergeant (E-6) David D. Bram, Specialist (E-4) Adam W. Kelly, Specialist (E-4) Corey A. Moore, Sergeant (E-5) Darren N. Jones, and Corporal (E-4) Emmitt R. Quintal did strike [REDACTED] on the body with their fists and feet.

(See Continuation Sheet)

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) [REDACTED]	b. GRADE O-3	c. ORGANIZATION OF ACCUSER 2-1 IN BN, 2/2 ID (SBCT)
d. SIGNATURE OF ACCUSER [REDACTED]	e. DATE 13 Aug 2010	

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 13th day of August, 2010, and signed the foregoing charges and specifications under oath that he is a person subject to the Uniform Code of Military Justice and that he either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his knowledge and belief.

Typed Name of Officer

OSJA, I Corps
Organization of Officer

O-3
Grade

Signature

Article 136, UCMJ
Official Capacity to Administer Oath
(See R.C.M. 307(b) - must be a commissioned officer)

12.

On 13 Aug 2010 2010, the accused was informed of the charges against him and of the name of the accuser known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

[Redacted]

Typed Name of Immediate Commander

2-1 IN BN, 2/2 ID SBCT

Organization of Immediate Commander

O-3
[Redacted]

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at _____ hours, _____ 2010, at

HQ, 2-1 IN BN, 2/2 ID (SBCT)

Designation of Command or

Joint Base Lewis-McChord, WA 98433

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

FOR THE ¹

[Redacted]

COMMANDING

Official Capacity of Officer Signing

Grade

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Referred for trial to the _____ Court-martial convened by _____

_____ 20 _____, 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.

[Redacted]

Typed Name of Trial Counsel

O-3

Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken.
2 — See R.C.M. 601(e) concerning instructions. If none, so state.

12.

On _____, 2006, 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

2-1 IN, 2/2 ID (SBCT)
Organization of Immediate Commander

O-3

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at 1400 hours, 25 August 20 10 at HQ, 2-1 IN, 2/2 ID
Designation of Command or

(SBCT), JBLM, WA 98433

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

FOR THE ¹ _____

Typed Name of Officer

COMMANDING
Official Capacity of Officer Signing

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Referred for trial to the _____ court-martial convened by _____

_____, 20 _____, 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

O-3
Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken.
2 — See R.C.M. 601(e) concerning instructions. If none, so state.

CONTINUATION SHEET, DD FORM 458, PERTAINING TO MORLOCK, Jeremy N., SPC, [REDACTED]
[REDACTED] B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint
Base Lewis-McChord, Washington 98433

Item 10 (Cont'd)

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 118

SPECIFICATION 1: In that Corporal (E-4) Jeremy N. Morlock, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 January 2010 and on or about 31 January 2010, with premeditation, murder a male of apparent Afghan descent by means of throwing a grenade at him and shooting him with firearms.

SPECIFICATION 2: In that Corporal (E-4) Jeremy N. Morlock, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 22 February 2010, with premeditation, murder a male of apparent Afghan descent by means of shooting him with firearms.

SPECIFICATION 3: In that Corporal (E-4) Jeremy N. Morlock, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 2 May 2010, with premeditation, murder a male of apparent Afghan descent by means of throwing a grenade at him and shooting him with firearms.

CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 128

THE SPECIFICATION: In that Corporal (E-4) Jeremy N. Morlock, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, unlawfully strike [REDACTED]
[REDACTED] on the body with his hands and feet.

CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 134

THE SPECIFICATION: In that Corporal (E-4) Jeremy N. Morlock, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, wrongfully endeavor to impede an investigation in the cases of U.S. v. Corporal (E-4) Jeremy N. Morlock, U.S. v. Specialist Adam W. Kelly, U.S. v. Corporal (E-4) Emmitt R. Quintal, U.S. v. Sergeant (E-5) Darren N. Jones, U.S. v. Specialist (E-4) Corey A. Moore, and other suspected hashish users by striking [REDACTED]
[REDACTED] on the body with his hands and feet, threatening to kill him if he spoke about hashish use within the platoon to command and law enforcement authorities, and showing him fingers removed from a corpse which conduct was prejudicial to the good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

CHARGE V: VIOLATION OF THE UCMJ, ARTICLE 92

THE SPECIFICATION: In that Corporal (E-4) Jeremy N. Morlock, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 January 2010 and on or about 31 January 2010, violate a lawful general order, to wit: paragraph 2f, CENTCOM General Order No. 1B, dated 13 March 2006, by wrongfully photographing and possessing visual images of human casualties.

CHARGE VI: VIOLATION OF THE UCMJ, ARTICLE 112a

THE SPECIFICATION: In that Corporal (E-4) Jeremy N. Morlock, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on divers occasions between on or about 1 September 2009 and on or about 11 May 2010, wrongfully use hashish a Schedule I controlled substance while receiving special pay under 37 U.S.C. Section 310.

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) WAGNON, MICHAEL, S. II			2. SSN [REDACTED]		3. GRADE OR RANK SPC	4. PAY GRADE E-4
5. UNIT OR ORGANIZATION B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, WA 98433					6. CURRENT SERVICE	
					a. INITIAL DATE 16 MAR 2009	b. TERM 6 Years
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED		9. DATE(S) IMPOSED	
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL	Pretrial Confinement		14 June 2010	
\$2,293.80	None	\$2,293.80				

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 81

SPECIFICATION 1: In that Specialist (E-4) Michael S. Wagnon II, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 November 2009 and on or about 11 May 2010, conspire with members of Bravo Company, 2d Battalion, 1st Infantry Regiment, 5th Brigade (SBCT), 2d Infantry Division to commit an offense under the Uniform Code of Military Justice, to wit: premeditated murder of Afghan noncombatants, and in order to effect the object of the conspiracy Specialist (E-4) Michael S. Wagnon II, Staff Sergeant (E-6) Calvin R. Gibbs, and Corporal (E-4) Jeremy N. Morlock did shoot with firearms a male of apparent Afghan descent.

SPECIFICATION 2: In that Specialist (E-4) Michael S. Wagnon II, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 March 2010 and on or about 31 March 2010, conspire with Staff Sergeant (E-6) Calvin R. Gibbs, Staff Sergeant (E-6) Robert G. Stevens, Sergeant (E-5) Darren N. Jones, [REDACTED], Specialist (E-4) Adam C. Winfield, and Private First Class (E-3) Ashton A. Moore to commit an offense under the Uniform Code of Military Justice, to wit: aggravated assault with a dangerous weapon upon three males of apparent Afghan descent, and in order to effect the object of the conspiracy the said Specialist Michael S. Wagnon II, Staff Sergeant (E-6) Calvin R. Gibbs, Staff Sergeant (E-6) Robert G. Stevens, Sergeant (E-5) Darren N. Jones, and Private First Class (E-3) Ashton A. Moore did shoot at three males of apparent Afghan descent with dangerous weapons, to wit: loaded firearms.

(See Continuation Sheet)

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) [REDACTED]	b. GRADE O-3	c. ORGANIZATION OF ACCUSER 2-1 IN BN, 2/2 ID (SBCT)
d. SIGNATURE OF ACCUSER [REDACTED]	e. DATE 13 Aug 2010	

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 13th day of August, 2010, and signed the foregoing charges and specifications under oath that he is a person subject to the Uniform Code of Military Justice and that he either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his knowledge and belief.

Typed Name of Officer

OSJA, I Corps
Organization of Officer

O-3
Grade

Article 136, UCMJ

*Official Capacity to Administer Oath
(See R.C.M. 307(b) - must be a commissioned officer)*

Signature

12.

On 13 Aug 2010, 2010, the accused was informed of the charges against him and of the name of the accuser known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

[Redacted]
Typed Name of Immediate Commander

2-1 IN BN, 2/2 ID SBCT
Organization of Immediate Commander

O-3

[Redacted]
Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at _____ hours, _____ 2010, at

HQ, 2-1 IN BN, 2/2 ID (SBCT)
Designation of Command or

Joint Base Lewis-McChord, WA 98433
Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

FOR THE ¹ _____

[Redacted]
Typed Name of Officer

COMMANDING
Official Capacity of Officer Signing

O-4
Grade

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY	b. PLACE	c. DATE
--	----------	---------

Referred for trial to the _____ Court-martial convened by _____

_____ 20 _____, 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.

[Redacted]
Typed Name of Trial Counsel

O-3
Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken.
2 — See R.C.M. 601(e) concerning instructions. If none, so state.

CONTINUATION SHEET, DD FORM 458, PERTAINING TO WAGNON, Michael, S. II, SPC, [REDACTED]
[REDACTED] B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint
Base Lewis-McChord, Washington 98433

Item 10 (Cont'd)

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 118

The SPECIFICATION: In that Specialist (E-4) Michael S. Wagnon II, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 22 February 2010, with premeditation, murder a male of apparent Afghan descent by means of shooting him with firearms.

CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 128

THE SPECIFICATION: In that Specialist (E-4) Michael S. Wagnon II, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 March 2010 and on or about 31 March 2010, commit an assault upon three males of apparent Afghan descent by shooting at them with a dangerous weapon, to wit: a loaded firearm.

CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 134

SPECIFICATION 1: In that Specialist (E-4) Michael S. Wagnon II, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 January 2010 and on or about 31 February 2010, possess a skull taken from an Afghan person's corpse, which conduct was prejudicial to the good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

SPECIFICATION 2: In that Specialist (E-4) Michael S. Wagnon II, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 May 2010 and on or about 17 May 2010, wrongfully endeavor to impede an investigation in the case of U.S. v. Wagnon by obtaining a computer hard drive and asking another Soldier to erase incriminating evidence from the hard drive which conduct was prejudicial to good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (<i>Last, First, MI</i>) WINFIELD, ADAM, C.		2. SSN [REDACTED]	3. GRADE OR RANK SPC	4. PAY GRADE E-4
5. UNIT OR ORGANIZATION B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, WA 98433			6. CURRENT SERVICE	
			a. INITIAL DATE 27 JUL 2006	b. TERM 6 Years
7. PAY PER MONTH		8. NATURE OF RESTRAINT OF ACCUSED		9. DATE(S) IMPOSED 14 June 2010
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL		
\$2,199.90	None	\$2,199.90		
		Pretrial Confinement		

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 81

SPECIFICATION 1: In that Specialist (E-4) Adam C. Winfield, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 November 2009 and on or about 11 May 2010, conspire with members of Bravo Company, 2d Battalion, 1st Infantry Regiment, 5th Brigade (SBCT), 2d Infantry Division to commit an offense under the Uniform Code of Military Justice, to wit: premeditated murder of Afghan noncombatants, and in order to effect the object of the conspiracy Specialist (E-4) Adam C. Winfield, Staff Sergeant (E-6) Calvin R. Gibbs, and Corporal (E-4) Jeremy N. Morlock did throw a grenade at and shoot with firearms a male of apparent Afghan descent.

SPECIFICATION 2: In that Specialist (E-4) Adam C. Winfield, U.S. Army, did at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 March 2010 and on or about 31 March 2010, conspire with Staff Sergeant (E-6) Calvin R. Gibbs, Staff Sergeant (E-6) Robert G. Stevens, Sergeant (E-5) Darren N. Jones, [REDACTED] Specialist (E-4) Michael S. Wagnon II and Private First Class (E-3) Ashton A. Moore to commit an offense under the Uniform Code of Military Justice, to wit: aggravated assault with a dangerous weapon upon three males of apparent Afghan descent, and in order to effect the object of the conspiracy the said Specialist (E-4) Adam C. Winfield pulled security and Specialist (E-4) Michael S. Wagnon II, Staff Sergeant (E-6) Robert G. Stevens, Sergeant (E-5) Darren N. Jones, Staff Sergeant (E-6) Calvin R. Gibbs, and Private First Class (E-3) Ashton A. Moore did shoot at three males of apparent Afghan descent with dangerous weapons, to wit: loaded firearms.

(See Continuation Sheet)

III. PREFERRAL

11a. NAME OF ACCUSER (<i>Last, First, MI</i>) [REDACTED]	b. GRADE O-3	c. ORGANIZATION OF ACCUSER 2-1 IN BN, 2/2 ID (SBCT)
d. SIGNATURE OF ACCUSER [REDACTED]		e. DATE 13 Aug 2010

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 13th day of August, 2010, and signed the foregoing charges and specifications under oath that he is a person subject to the Uniform Code of Military Justice and that he either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his knowledge and belief.

[REDACTED]

Typed Name of Officer

OSJA, I Corps

Organization of Officer

O-3

Article 136, UCMJ

*Official Capacity to Administer Oath
(See R.C.M. 307(b) - must be a commissioned officer)*

[REDACTED]

Signature

12.

On 13 Aug 2010, 2010, the accused was informed of the charges against him and of the name of the accuser known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

[Redacted]

Typed Name of Immediate Commander

2-1 IN BN, 2/2 ID SBCT

Organization of Immediate Commander

O-3

[Redacted]

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at _____ hours, _____ 2010, at

HQ, 2-1 IN BN, 2/2 ID (SBCT)

Designation of Command or

Joint Base Lewis-McChord, WA 98433

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

FOR THE ¹

[Redacted]

Typed Name of Officer

COMMANDING

Official Capacity of Officer Signing

O-4

Grade

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Referred for trial to the _____ Court-martial convened by _____

_____ 20 _____, 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.

[Redacted]

Typed Name of Trial Counsel

O-3

Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken.
2 — See R.C.M. 601(e) concerning instructions. If none, so state.

CONTINUATION SHEET, DD FORM 458, PERTAINING TO WINFIELD, Adam, C., SPC, [REDACTED]
[REDACTED], B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint
Base Lewis-McChord, Washington 98433

Item 10 (Cont'd)

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 118

THE SPECIFICATION: In that Specialist (E-4) Adam C. Winfield, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 2 May 2010, with premeditation, murder a male of apparent Afghan descent by means of throwing a grenade at him and shooting him with firearms.

CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 128

THE SPECIFICATION : In that Specialist (E-4) Adam C. Winfield, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 March 2010 and on or about 31 March 2010, commit an assault upon three males of apparent Afghan descent by shooting at them with a dangerous weapon, to wit: a loaded firearm.

CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 112a

THE SPECIFICATION: In that Specialist (E-4) Adam C. Winfield, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on divers occasions between on or about 1 September 2009 and on or about 11 May 2010, wrongfully use hashish a Schedule I controlled substance while receiving special pay under 37 U.S.C. Section 310.

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) BRAM, David D.			2. SSN [REDACTED]		3. GRADE OR RANK SSG	4. PAY GRADE E-6
5. UNIT OR ORGANIZATION B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, WA 98433					6. CURRENT SERVICE	
					a. INITIAL DATE 21 APR 2010	b. TERM 4 Years
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED		9. DATE(S) IMPOSED	
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL				
\$2,801.40	None	\$2,801.40	None		N/A	

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 81

THE SPECIFICATION: In that Staff Sergeant (E-6) David D. Bram, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, conspire with Corporal (E-4) Jeremy N. Morlock, Staff Sergeant (E-6) Calvin R. Gibbs, Specialist (E-4) Adam W. Kelly, Specialist (E-4) Corey A. Moore, Sergeant (E-5) Darren N. Jones, and Corporal (E-4) Emmitt R. Quintal to commit an offense under the Uniform Code of Military Justice, to wit: assault consummated by a battery of [REDACTED] and in order to effect the object of the conspiracy the said Staff Sergeant (E-6) David D. Bram, Staff Sergeant (E-6) Calvin R. Gibbs, Corporal (E-4) Jeremy N. Morlock, Specialist (E-4) Adam W. Kelly, Specialist (E-4) Corey A. Moore, Sergeant (E-5) Darren N. Jones, and Corporal (E-4) Emmitt R. Quintal did strike [REDACTED] on the body with their fists and feet.

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 134

THE SPECIFICATION: In that Staff Sergeant (E-6) David D. Bram, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, wrongfully endeavor to impede an investigation in the cases of U.S. v. Specialist (E-4) Adam W. Kelly, U.S. v. Corporal (E-4) Emmitt R. Quintal, U.S. v. Corporal (E-4) Jeremy N. Morlock, U.S. v. Sergeant (E-5) Darren N. Jones, U.S. v. Specialist (E-4) Corey A. Moore, and other suspected hashish users by strangling [REDACTED] around the neck with his hands, striking him on the body with his hands and feet, and threatening to kill him if he spoke about hashish use within the platoon to command and law enforcement authorities which conduct was prejudicial to the good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

(See Continuation Sheet)

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) [REDACTED]	b. GRADE O-3	c. ORGANIZATION OF ACCUSER B Co, 2-1 IN BN, 2/2 ID (SBCT)
d. SIGNATURE OF ACCUSER [REDACTED]		e. DATE 24 Aug 2010

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 24th day of August, 2010, and signed the foregoing charges and specifications under oath that he is a person subject to the Uniform Code of Military Justice and that he either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his knowledge and belief.

[REDACTED]
Typed Name of Officer

HHC, BSTB, 2/2 ID (SBCT)
Organization of Officer

O-3
[REDACTED]
Signature

Article 136, UCMJ
*Official Capacity to Administer Oath
(See R.C.M. 307(b) - must be a commissioned officer)*

12.

On 24 Aug 2010, 2010, the accused was informed of the charges against him and of the name of the accuser known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

[Redacted]
Typed Name of Immediate Commander

HHC, 2-1 IN BN, 2/2 ID SBCT
Organization of Immediate Commander

O-3
Grade

[Redacted]
Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at _____ hours, _____, 2010, at

HQ, 2-1 IN BN, 2/2 ID (SBCT)
Designation of Command or

Joint Base Lewis-McChord, WA 98433
Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

FOR THE ¹ _____

[Redacted]
Typed Name of Officer

COMMANDING
Official Capacity of Officer Signing

O-5
Grade

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Referred for trial to the _____ Court-martial convened by _____

_____, _____ 20 _____, 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.

[Redacted]
Typed Name of Trial Counsel

O-3
Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken.
2 — See R.C.M. 601(e) concerning instructions. If none, so state.

12.

On _____, 2006, 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

B Co, 2-1 IN, 2/2 ID (SBCT)

Organization of Immediate Commander

O-3

Grade

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at 1400 hours, 25 August 10 20 10 at HQ, 2-1 IN, 2/2 ID
Designation of Command or

(SBCT), JBLM, WA 98433

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

FOR THE ¹ _____

COMMANDING

Official Capacity of Officer Signing

Typed Name of Officer

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Referred for trial to the _____ court-martial convened by _____

_____, _____ 20 _____, 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

O-3

Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken.

2 — See R.C.M. 601(e) concerning instructions. If none, so state.

CONTINUATION SHEET, DD FORM 458, PERTAINING TO BRAM, David, D., SSG, [REDACTED],
B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base
Lewis-McChord, Washington 98433

Item 10 (Cont'd)

CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 128

THE SPECIFICATION: In that Staff Sergeant (E-6) David D. Bram, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, unlawfully strangle [REDACTED] around the neck with his hands and strike [REDACTED] on the body and neck with his hands and feet.

CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 92

SPECIFICATION 1: In that Staff Sergeant (E-6) David D. Bram, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 December 2009 and on or about 31 December 2009, violate a lawful general order, to wit: paragraph 2f, CENTCOM General Order No. 1B, dated 13 March 2006, by wrongfully photographing and possessing visual images of human casualties.

SPECIFICATION 2: In that Staff Sergeant (E-6) David D. Bram, U.S. Army, who knew or should have known of his duties at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 November 2009 and on or about 11 May 2010, was derelict in the performance of those duties in that he willfully failed to properly account for and dispose of an AK-47 rifle taken from Afghanistan National Security Forces personnel as it was his duty to do.

CHARGE V: VIOLATION OF THE UCMJ, ARTICLE 93

THE SPECIFICATION: In that Staff Sergeant (E-6) David D. Bram, U.S. Army, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, was cruel toward [REDACTED], a person subject to his orders, by strangling him around the neck with his hands and striking him on the body and neck with his hands and feet.

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) JONES, Darren N.		2. SSN [REDACTED]	3. GRADE OR RANK SGT	4. PAY GRADE E-5
5. UNIT OR ORGANIZATION B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, WA 98433			6. CURRENT SERVICE	
			a. INITIAL DATE 14 NOV 2006	b. TERM 3 Years
7. PAY PER MONTH		8. NATURE OF RESTRAINT OF ACCUSED		9. DATE(S) IMPOSED
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL		
\$2,305.50	None	\$2,305.50	None	
				N/A

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 81

SPECIFICATION 1: In that Sergeant (E-5) Darren N. Jones, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, conspire with Corporal (E-4) Jeremy N. Morlock, Staff Sergeant (E-6) David D. Bram, Specialist (E-4) Adam W. Kelly, Specialist (E-4) Corey A. Moore, Staff Sergeant (E-6) Calvin R. Gibbs, and Corporal (E-4) Emmitt R. Quintal to commit an offense under the Uniform Code of Military Justice, to wit: assault consummated by a battery upon [REDACTED] and in order to effect the object of the conspiracy the said Sergeant (E-5) Darren N. Jones, Staff Sergeant (E-6) Calvin R. Gibbs, Corporal (E-4) Jeremy N. Morlock, Staff Sergeant (E-6) David D. Bram, Specialist (E-4) Adam W. Kelly, Specialist (E-4) Corey A. Moore, and Corporal (E-4) Emmitt R. Quintal did strike [REDACTED] on the body with their hands and feet.

SPECIFICATION 2: In that Sergeant (E-5) Darren N. Jones, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 March 2010 and on or about 31 March 2010, conspire with Staff Sergeant (E-6) Robert G. Stevens, Staff Sergeant (E-6) Calvin R. Gibbs, [REDACTED] Specialist (E-4) Adam C. Winfield, Specialist (E-4) Michael S. Wagnon II, and Private First Class (E-3) Ashton A. Moore to commit an offense under the Uniform Code of Military Justice, to wit: aggravated assault with a dangerous weapon upon three males of apparent Afghan descent, and in order to effect the object of the conspiracy the said Sergeant (E-5) Darren N. Jones, Staff Sergeant (E-6) Calvin R. Gibbs, Staff Sergeant (E-6) Robert G. Stevens, Specialist (E-4) Michael S. Wagnon II, and Private First Class (E-3) Ashton A. Moore did shoot at three males of apparent Afghan descent with dangerous weapons, to wit: loaded firearms.

(See Continuation Sheet)

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) [REDACTED]	b. GRADE O-3	c. ORGANIZATION OF ACCUSER B Co, 2-1 IN BN, 2/2 ID (SBCT)
d. SIGNATURE OF ACCUSER [REDACTED]	e. DATE 24 Aug 2010	

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 24th day of August, 2010, and signed the foregoing charges and specifications under oath that he is a person subject to the Uniform Code of Military Justice and that he either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his knowledge and belief.

[REDACTED]

Typed Name of Officer

HHC, BSTB, 2/2 ID (SBCT)

Organization of Officer

O-3

Grade

[REDACTED]

Signature

Article 136, UCMJ

Official Capacity to Administer Oath
(See R.C.M. 307(b) - must be a commissioned officer)

12.

On 24 Aug, 2010, the accused was informed of the charges against him and of the name of the accuser known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

[Redacted]

Typed Name of Immediate Commander

B Co, 2-1 IN BN, 2/2 ID SBCT

Organization of Immediate Commander

O-3

[Redacted]

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at _____ hours, _____ 2010, at

HQ, 2-1 IN BN, 2/2 ID (SBCT)

Designation of Command or

Joint Base Lewis-McChord, WA 98433

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

FOR THE ¹ _____

[Redacted]

Typed Name of Officer

COMMANDING

Official Capacity of Officer Signing

O-5

Grade

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Referred for trial to the _____ Court-martial convened by _____

_____ 20 _____, 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.

[Redacted]

Typed Name of Trial Counsel

O-3

Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken.
2 — See R.C.M. 601(e) concerning instructions. If none, so state.

CONTINUATION SHEET, DD FORM 458, PERTAINING TO JONES, Darren, N., SGT, [REDACTED]
B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base
Lewis-McChord, Washington 98433

Item 10 (Cont'd)

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 128

SPECIFICATION 1: In that Sergeant (E-5) Darren N. Jones, U.S. Army, did, at or near Forward
Operating Base Ramrod, Afghanistan, on or about 5 May 2010, unlawfully strike [REDACTED]
[REDACTED] on the body with his hands and feet.

SPECIFICATION 2: In that Sergeant (E-5) Darren N. Jones, U.S. Army, did, at or near Forward
Operating Base Ramrod, Afghanistan, between on or about 1 March 2010 and on or about 31 March
2010, commit an assault upon three males of apparent Afghan descent by shooting at them with a
dangerous weapon, to wit: a loaded firearm.

CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 134

THE SPECIFICATION: In that Sergeant (E-5) Darren N. Jones, U.S. Army, did, at or near Forward
Operating Base Ramrod, Afghanistan, on or about 5 May 2010, wrongfully endeavor to impede an
investigation in the cases of U.S. v. Specialist (E-4) Adam W. Kelly, U.S. v. Corporal (E-4) Emmitt R.
Quintal, U.S. v. Corporal (E-4) Jeremy N. Morlock, U.S. v. Sergeant (E-5) Darren N. Jones, U.S. v.
Specialist (E-4) Corey A. Moore, and other suspected hashish users by striking [REDACTED]
[REDACTED] on the body with his hands and feet which conduct was prejudicial to the good order and
discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 112a

THE SPECIFICATION: In that Sergeant (E-5) Darren N. Jones, U.S. Army, did, at or near Forward
Operating Base Ramrod, Afghanistan, on divers occasions between on or about 1 September 2009 and on
or about 11 May 2010, wrongfully use hashish a Schedule I controlled substance while receiving special
pay under 37 U.S.C. Section 310.

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) KELLY, ADAM, W.			2. SSN [REDACTED]		3. GRADE OR RANK SPC	4. PAY GRADE E-4
5. UNIT OR ORGANIZATION B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, Washington 98433					6. CURRENT SERVICE	
					a. INITIAL DATE 13 FEB 2010	b. TERM 3 Years
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED		9. DATE(S) IMPOSED	
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL	None.		N/A.	
\$2,199.90	N/A	\$2,199.90				

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 81

SPECIFICATION 1: In that Specialist (E-4) Adam W. Kelly, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, conspire with Corporal (E-4) Jeremy N. Morlock, Staff Sergeant (E-6) David D. Bram, Staff Sergeant (E-6) Calvin R. Gibbs, Specialist (E-4) Corey A. Moore, Sergeant (E-5) Darren N. Jones, and Corporal (E-4) Emmitt R. Quintal to commit an offense under the Uniform Code of Military Justice, to wit: assault consummated by a battery of [REDACTED] and in order to effect the object of the conspiracy the said Specialist (E-4) Adam W. Kelly, Staff Sergeant (E-6) Calvin R. Gibbs, Corporal (E-4) Jeremy N. Morlock, Staff Sergeant (E-6) David D. Bram, Specialist (E-4) Corey A. Moore, Sergeant (E-5) Darren N. Jones, and Corporal (E-4) Emmitt R. Quintal did strike [REDACTED] on the body with their fists and feet.

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 128

SPECIFICATION 1: In that Specialist (E-4) Adam W. Kelly, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, unlawfully strike [REDACTED] on the body with his hands and feet and spit in his face.

CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 112a

SPECIFICATION 1: In that Specialist (E-4) Adam W. Kelly, U.S. Army, did at or near Forward Operating Base Ramrod, Afghanistan, on divers occasions between on or about 1 October 2009 and on or about 31 October 2009, wrongfully use hashish a Schedule I controlled substance while receiving special pay under 37 U.S.C. Section 310.

(SEE CONTINUATION SHEET)

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) [REDACTED]		b. GRADE O-3	c. ORGANIZATION OF ACCUSER 2-1 IN BN, 2/2 ID (SBCT)
d. SIGNATURE [REDACTED]			e. DATE 13 Aug 2010

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 13th day of August, 2010, and signed the foregoing charges and specifications under oath that he is a person subject to the Uniform Code of Military Justice and that he either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his knowledge and belief.

[REDACTED]

Typed Name of Officer

OSJA, I Corps

Organization of Officer

O-3
[REDACTED]

Signature

Article 136, UCMJ

Official Capacity to Administer Oath
(See R.C.M. 307(b) - must be a commissioned officer)

12.

On 13 Aug 2010, 2010, the accused was informed of the charges against him and of the name of the accuser known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

[Redacted]

Typed Name of Immediate Commander

2-1 IN BN, 2/2 ID (SBCT)

Organization of Immediate Commander

[Redacted]

O-3

Grade

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at _____ hours, _____ 2010, at

HQ, 2-1 IN BN, 2/2 ID (SBCT)

Designation of Command or

APO AE 09355

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

FOR THE ¹

[Redacted]

Typed Name of Officer

COMMANDING

Official Capacity of Officer Signing

O-4

Grade

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Referred for trial to the _____ Court-martial convened by _____

_____ 20 _____, 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.

[Redacted]

Typed Name of Trial Counsel

O-3

Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, Inapplicable words are stricken.
2 — See R.C.M. 601(e) concerning instructions. If none, so state.

12.

On _____, 2006, 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

2-1 IN, 2/2 ID (SBCT)
Organization of Immediate Commander

O-3
Grade

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at 1400 hours, 25 August 20 10 at HQ, 2-1 IN, 2/2 ID
Designation of Command or

(SBCT), JBLM, WA 98433

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

FOR-THE ¹ _____

Typed Name of Officer

COMMANDING
Official Capacity of Officer Signing

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Referred for trial to the _____ court-martial convened by _____

_____, 20 _____, 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

O-3
Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken.
2 — See R.C.M. 601(e) concerning instructions. If none, so state.

CONTINUATION SHEET, DD FORM 458, PERTAINING TO KELLY, Adam, W., SPC, [REDACTED]
B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base
Lewis-McChord, Washington, 98433

Item 10 (Cont'd)

VIOLATION OF THE UCMJ: ARTICLE 134

SPECIFICATION 1: In that Specialist (E-4) Adam W. Kelly, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, wrongfully endeavor to impede an investigation in the cases of U.S. v. Specialist (E-4) Adam W. Kelly, U.S. v. Corporal (E-4) Emmitt R. Quintal, U.S. v. Corporal (E-4) Jeremy N. Morlock, U.S. v. Sergeant (E-5) Darren N. Jones, U.S. v. Specialist (E-4) Corey A. Moore, and other suspected hashish users by striking [REDACTED] on the body with his hands and feet and spitting in his face which conduct was prejudicial to the good order and discipline of the armed forces and was of a nature to bring discredit upon the armed forces.

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) MOORE, ASHTON, A.		2. SSN [REDACTED]	3. GRADE OR RANK PFC	4. PAY GRADE E-3
5. UNIT OR ORGANIZATION B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, WA 98433			6. CURRENT SERVICE	
			a. INITIAL DATE 25 SEP 2008	b. TERM 4 Years
7. PAY PER MONTH		8. NATURE OF RESTRAINT OF ACCUSED		9. DATE(S) IMPOSED
a. BASIC \$1,705.80	b. SEA/FOREIGN DUTY None	c. TOTAL \$1,705.80	None.	
			N/A	

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 81

THE SPECIFICATION: In that Private First Class (E-3) Ashton A. Moore, U.S. Army, did at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 March 2010 and on or about 31 March 2010, conspire with Staff Sergeant (E-6) Robert G. Stevens, Sergeant (E-5) Darren N. Jones, [REDACTED] Specialist (E-4) Adam C. Winfield, Specialist (E-4) Michael S. Wagnon II, and Staff Sergeant (E-6) Calvin R. Gibbs to commit an offense under the Uniform Code of Military Justice, to wit: aggravated assault with a dangerous weapon upon three males of apparent Afghan descent, and in order to effect the object of the conspiracy the said Private First Class (E-3) Ashton A. Moore, Staff Sergeant (E-6) Calvin R. Gibbs, Staff Sergeant (E-6) Robert G. Stevens, Sergeant (E-5) Darren N. Jones, and Specialist (E-4) Michael S. Wagnon II did shoot at three males of apparent Afghan descent with dangerous weapons, to wit: loaded firearms.

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 128

THE SPECIFICATION: In that Private First Class (E-3) Ashton A. Moore, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 March 2010 and on or about 31 March 2010, commit an assault upon three males of apparent Afghan descent by shooting at them with a dangerous weapon, to wit: a loaded firearm.

CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 112a

In that Private First Class (E-3) Ashton A. Moore, U.S. Army, did at or near Forward Operating Base Ramrod, Afghanistan, on divers occasions between on or about 1 August 2009 and on or about 1 May 2010, wrongfully use hashish a Schedule I controlled substance while receiving special pay under 37 U.S.C. Section 310.
(Nothing Follows)

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) [REDACTED]	b. GRADE O-3	c. ORGANIZATION OF ACCUSER 2-1 IN BN, 2/2 ID (SBCT)
d. SIGNATURE [REDACTED]	e. DATE 13 Aug 2010	

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 13th day of August, 2010, and signed the foregoing charges and specifications under oath that he is a person subject to the Uniform Code of Military Justice and that he either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his knowledge and belief.

[REDACTED]

Typed Name of Officer

OSJA, I Corps

Organization of Officer

O-3

[REDACTED]

Signature

Article 136, UCMJ

Official Capacity to Administer Oath
(See R.C.M. 307(b) - must be a commissioned officer)

12.

On 13 Aug 2010, 2010, the accused was informed of the charges against him and of the name of the accuser known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

[Redacted]

Typed Name of Immediate Commander

2-1 IN BN, 2/2 ID SBCT

Organization of Immediate Commander

O-3
[Redacted]

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at _____ hours, _____ 2010, at

HQ, 2-1 IN BN, 2/2 ID (SBCT)

Designation of Command or

Joint Base Lewis-McChord, WA 98433

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

FOR THE ¹

[Redacted]

Typed Name of Officer

COMMANDING

Official Capacity of Officer Signing

O-4

Grade

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Referred for trial to the _____ Court-martial convened by _____

_____ 20 _____, 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.

[Redacted]

Typed Name of Trial Counsel

O-3

Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken.
2 — See R.C.M. 601(e) concerning instructions. If none, so state.

12.

On _____, 2006, 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

2-1 IN, 2/2 ID (SBCT)
Organization of Immediate Commander

O-3
Grade

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at 1400 hours, 25 August 20 10 at HQ, 2-1 IN, 2/2 ID
Designation of Command or

(SBCT), JBLM, WA 98433

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

FOR THE ¹ _____

COMMANDING
Official Capacity of Officer Signing

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Referred for trial to the _____ court-martial convened by _____

_____, 20 _____, 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

O-3
Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken.
2 — See R.C.M. 601(e) concerning instructions. If none, so state.

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) MOORE, COREY, A.			2. SSN [REDACTED]	3. GRADE OR RANK SPC	4. PAY GRADE E-4
5. UNIT OR ORGANIZATION B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, WA 98433				6. CURRENT SERVICE	
				a. INITIAL DATE 27 JUL 2006	b. TERM 6 Years
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED		9. DATE(S) IMPOSED N/A
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL	None.		
\$2,199.90	None	\$2,199.90			

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 81

THE SPECIFICATION: In that Specialist (E-4) Corey A. Moore, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, conspire with Corporal (E-4) Jeremy N. Morlock, Staff Sergeant (E-6) David D. Bram, Specialist (E-4) Adam W. Kelly, Staff Sergeant (E-6) Calvin R. Gibbs, Sergeant (E-5) Darren N. Jones, and Corporal (E-4) Emmitt R. Quintal to commit an offense under the Uniform Code of Military Justice, to wit: assault consummated by a battery of [REDACTED] and in order to effect the object of the conspiracy the said Specialist (E-4) Corey A. Moore, Staff Sergeant (E-6) Calvin R. Gibbs, Corporal (E-4) Jeremy N. Morlock, Staff Sergeant (E-6) David D. Bram, Specialist (E-4) Adam W. Kelly, Sergeant (E-5) Darren N. Jones, and Corporal (E-4) Emmitt R. Quintal did strike [REDACTED] on the body with their hands and feet.

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 134

SPECIFICATION 1: In that Specialist (E-4) Corey A. Moore, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, wrongfully endeavor to impede an investigation in the cases of U.S. v. Specialist (E-4) Adam W. Kelly, U.S. v. Corporal (E-4) Emmitt R. Quintal, U.S. v. Corporal (E-4) Jeremy N. Morlock, U.S. v. Sergeant (E-5) Darren N. Jones, U.S. v. Specialist (E-4) Corey A. Moore, and other suspected hashish users by striking [REDACTED] on the body with his hands and feet and dragging [REDACTED] across the floor with his hands which conduct was prejudicial to the good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

(See Continuation Sheet)

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) [REDACTED]	b. GRADE O-3	c. ORGANIZATION OF ACCUSER 2-1 IN BN, 2/2 ID (SBCT)
d. SIGNATURE OF ACCUSER [REDACTED]		e. DATE 13 Aug 2010

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 13th day of August, 2010, and signed the foregoing charges and specifications under oath that he is a person subject to the Uniform Code of Military Justice and that he either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his knowledge and belief.

Typed Name of Officer

OSJA, I Corps
Organization of Officer

O-3
Grade

Article 136, UCMJ
Official Capacity to Administer Oath
(See R.C.M. 307(b) - must be a commissioned officer)

Signature

12.

On 13 Aug 2010, 2010, the accused was informed of the charges against him and of the name of the accuser known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

[Redacted]

Typed Name of Immediate Commander

2-1 IN BN, 2/2 ID SBCT

Organization of Immediate Commander

O-3

[Redacted]

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at _____ hours, _____ 2010, at

HQ, 2-1 IN BN, 2/2 ID (SBCT)

Designation of Command or

Joint Base Lewis-McChord, WA 98433

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

FOR THE ¹

[Redacted]

Typed Name of Officer

COMMANDING

Official Capacity of Officer Signing

O-4

Grade

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Referred for trial to _____ Court-martial convened by _____

20 _____, 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.

[Redacted]

Typed Name of Trial Counsel

O-3

Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken. 2 — See R.C.M. 601(e) concerning instructions. If none, so state.

CONTINUATION SHEET, DD FORM 458, PERTAINING TO MOORE, Corey, A., SPC, [REDACTED]
B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base
Lewis-McChord, Washington 98433

Item 10 (Cont'd)

SPECIFICATION 2: In that Specialist (E-4) Corey A. Moore, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 December 2009 and on or about 31 December 2010, stab the corpse of an Afghan male with a knife, which conduct was prejudicial to the good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 128

THE SPECIFICATION: In that Specialist (E-4) Corey A. Moore, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, unlawfully strike [REDACTED]
[REDACTED] on the body with his hands and feet and drag him across the floor with his hands.

CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 112a

In that Specialist (E-4) Corey A. Moore, U.S. Army, did at or near Forward Operating Base Ramrod, Afghanistan, on divers occasions between on or about 1 September 2009 and on or about 11 May 2010, wrongfully use hashish a Schedule I controlled substance while receiving special pay under 37 U.S.C. Section 310.

CHARGE SHEET

I. PERSONAL DATA			
1. NAME OF ACCUSED (Last, First, MI) QUINTAL, Emmitt R.		2. SSN [REDACTED]	3. GRADE OR RANK CPL
5. UNIT OR ORGANIZATION B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, Washington, 98433		4. PAY GRADE E-4	
7. PAY PER MONTH		6. CURRENT SERVICE	
a. BASIC \$2,094.00	b. SEA/FOREIGN DUTY N/A	a. INITIAL DATE 09 DEC 2008	b. TERM 5 Years
c. TOTAL \$2,194.00		9. DATE(S) IMPOSED N/A.	
8. NATURE OF RESTRAINT OF ACCUSED None.			

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 81

THE SPECIFICATION: In that Corporal (E-4) Emmitt R. Quintal, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, conspire with Corporal (E-4) Jeremy N. Morlock, Staff Sergeant (E-6) David D. Bram, Staff Sergeant (E-6) Calvin R. Gibbs, Specialist (E-4) Corey A. Moore, Sergeant (E-5) Darren N. Jones, and Corporal (E-4) Emmitt R. Quintal to commit an offense under the Uniform Code of Military Justice, to wit: assault consummated by a battery of [REDACTED] and in order to effect the object of the conspiracy the said Corporal (E-4) Emmitt R. Quintal, Specialist (E-4) Adam W. Kelly, Staff Sergeant (E-6) Calvin R. Gibbs, Corporal (E-4) Jeremy N. Morlock, Staff Sergeant (E-6) David D. Bram, Specialist (E-4) Corey A. Moore, and Sergeant (E-5) Darren N. Jones did strike [REDACTED] on the body with their hands and feet.

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 134

THE SPECIFICATION: In that Corporal (E-4) Emmitt R. Quintal, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, wrongfully endeavor to impede an investigation in the cases of U.S. v. Corporal (E-4) Emmitt R. Quintal, U.S. v. Corporal (E-4) Jeremy N. Morlock, U.S. v. Sergeant (E-5) Darren N. Jones, U.S. v. Specialist (E-4) Corey A. Moore, U.S. v. Specialist (E-4) Adam W. Kelly, and other suspected hashish users by kicking [REDACTED] in the body with his feet which conduct was prejudicial to the good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

(SEE CONTINUATION SHEET)

III. PREFERRAL			
11a. NAME OF ACCUSER (Last, First, MI) [REDACTED]		b. GRADE O-3	c. ORGANIZATION OF ACCUSER B Co, 2-1 IN BN, 2/2 ID SBCT
d. SIGNATURE OF ACCUSER [REDACTED]			e. DATE 27 Aug 2010

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 27th day of August, 2010, and signed the foregoing charges and specifications under oath that he is a person subject to the Uniform Code of Military Justice and that he either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his knowledge and belief.

[REDACTED]
Typed Name of Officer

HHC, BSTB, 2/2 ID (SBCT)
Organization of Officer

O-3
Grade

[REDACTED]
Signature

Article 136, UCMJ
Official Capacity to Administer Oath
(See R.C.M. 307(b) - must be a commissioned officer)

12.

On 24 Aug, 2010, the accused was informed of the charges against him and of the name of the accuser known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

[Redacted]
Typed Name of Immediate Commander

B Co, 2-1 IN BN, 2/2 ID SBCT
Organization of Immediate Commander

O-3

[Redacted]
Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at _____ hours, _____ 2010, at

HQ, 2-1 IN BN, 2/2 ID (SBCT)
Designation of Command or

Joint Base Lewis-McChord, Washington 98433
Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

FOR THE ¹ _____

[Redacted]
Typed Name of Officer

COMMANDING
Official Capacity of Officer Signing

O-5
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 _____, 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.

[Redacted]
Typed Name of Trial Counsel

O-3
Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken.
2 — See R.C.M. 601(e) concerning instructions. If none, so state.

12.

On _____, 2006, 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

B Co, 2-1 IN, 2/2 ID (SBCT)
Organization of Immediate Commander

O-3
Grade

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at 1400 hours, 25 August 20 10 at HQ, 2-1 IN, 2/2 ID
Designation of Command or

(SBCT), JBLM, WA 98433

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

FOR THE ¹ _____

COMMANDING

Official Capacity of Officer Signing

Typed Name of Officer

SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Referred for trial to the _____ court-martial convened by _____

_____, _____ 20 _____, 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

O-3
Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken.
2 — See R.C.M. 601(e) concerning instructions. If none, so state.

CONTINUATION SHEET, DD FORM 458, PERTAINING TO QUNITAL, Emmitt, R., [REDACTED], B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, Washington, 98344

Item 10 (Cont'd)

CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 128

THE SPECIFICATION: In that Corporal (E-4) Emmitt R. Quintal, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, unlawfully strike [REDACTED] on the body with his hands and feet and spit in his face.

CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 112a

THE SPECIFICATION: In that Corporal (E-4) Emmitt R. Quintal, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on divers occasions between on or about 1 September 2009 and on or about 11 May 2010, wrongfully use hashish a Schedule I controlled substance while receiving special pay under 37 U.S.C. Section 310.

CHARGE V: VIOLATION OF THE UCMJ, ARTICLE 92

THE SPECIFICATION: In that Corporal (E-4) Emmitt R. Quintal, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on divers occasion between on or about 1 September 2009 and on or about 15 May 2010, violate a lawful general order, to wit: paragraph 2f, CENTCOM General Order No. 1B, dated 13 March 2006, by wrongfully photographing and possessing visual images of human casualties.

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) STEVENS, Robert G.			2. SSN [REDACTED]		3. GRADE OR RANK SSG	4. PAY GRADE E-6
5. UNIT OR ORGANIZATION Headquarters and Headquarters Company, Brigade Special Troops Battalion, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, WA 98433					6. CURRENT SERVICE	
					a. INITIAL DATE 12 MAY 2010	b. TERM 4 Years
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED		9. DATE(S) IMPOSED	
a. BASIC \$2,801.40	b. SEA/FOREIGN DUTY N/A	c. TOTAL \$2,801.00	None.		N/A.	

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 81

SPECIFICATION 1: In that Staff Sergeant (E-6) Robert G. Stevens, U.S. Army, did at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 March 2010 and on or about 31 March 2010, conspire with Staff Sergeant (E-6) Calvin R. Gibbs, Sergeant (E-5) Darren N. Jones, [REDACTED] Specialist (E-4) Adam C. Winfield, Specialist (E-4) Michael S. Wagnon II, and Private First Class (E-3) Ashton A. Moore to commit an offense under the Uniform Code of Military Justice, to wit: aggravated assault with a dangerous weapon upon three males of apparent Afghan descent, and in order to effect the object of the conspiracy the said Staff Sergeant (E-6) Robert G. Stevens, Staff Sergeant (E-6) Calvin R. Gibbs, Sergeant (E-5) Darren N. Jones, Specialist (E-4) Michael S. Wagnon II, and Private First Class (E-3) Ashton A. Moore did shoot at three males of apparent Afghan descent with dangerous weapons, to wit: loaded firearms.

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 107

SPECIFICATION 1: In that Staff Sergeant (E-6) Robert G. Stevens, U.S. Army, did, at or near Kandahar Air Field, Afghanistan, on or about 14 May 2010, with intent to deceive, make to Special Agent [REDACTED] an official statement, to wit: that he felt the individuals he fired upon during a patrol with Staff Sergeant (E-6) Calvin R. Gibbs in March 2010 were a threat and that he observed something that resembled a rocket propelled grenade in the possession of the individuals he fired upon, or words to that effect, which statement was totally false, and was then known by the said Staff Sergeant (E-6) Robert G. Stevens to be so false.

(See Continuation Sheet)

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) [REDACTED]		b. GRADE O-3	c. ORGANIZATION OF ACCUSER HHC, BSTB, 2/2 ID (SBCT)
d. SIGNATURE OF ACCUSER [REDACTED]			e. DATE 8/24/2010

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 24th day of August, 2010, and signed the foregoing charges and specifications under oath that he is a person subject to the Uniform Code of Military Justice and that he either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his knowledge and belief.

[REDACTED]
Typed Name of Officer

HHC, BSTB, 2/2 ID (SBCT)
Organization of Officer

O-3

[REDACTED]
Signature

Article 136, UCMJ
Official Capacity to Administer Oath
(See R.C.M. 307(b) - must be a commissioned officer)

12.

On 8/24/2010, 2010, the accused was informed of the charges against him and of the name of the accuser known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

[Redacted]
Typed Name of Immediate Commander

HHC, BSTB, 2/2 ID SBCT

Organization of Immediate Commander

0-3

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at 1000 hours, 25 August 2010, at

HQ, BSTB, 2/2 ID (SBCT)

Designation of Command or

Joint Base Lewis-McChord, WA 98433

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

FOR THE ¹

[Redacted]
Typed Name of Officer

COMMANDING

Official Capacity of Officer Signing

O-4

Grade

[Redacted]
Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Referred for trial to the _____ Court-martial convened by _____

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

By _____ of _____

Command or Order

[Redacted]
Typed Name of Officer

Official Capacity of Officer Signing

Grade

[Redacted]
Signature

15.

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

[Redacted]
Typed Name of Trial Counsel

O-3

Grade or Rank of Trial Counsel

[Redacted]
Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken.
2 — See R.C.M. 601(e) concerning instructions. If none, so state.

CONTINUATION SHEET, DD FORM 458, PERTAINING TO FOSTER, Stevens, Robert G., SSG, [REDACTED], Headquarters and Headquarters Company, Brigade Special Troops Battalion, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, Washington 98433

Item 10 (Cont'd)

SPECIFICATION 2: In that Staff Sergeant (E-6) Robert G. Stevens, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 10 March 2010, with intent to deceive, make to [REDACTED], an official statement, to wit: that an enemy combatant had thrown a grenade at his Stryker vehicle, or words to that effect, which statement was totally false, and was then known by the said Staff Sergeant (E-6) Robert G. Stevens to be so false.

CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 128

THE SPECIFICATION : In that Staff Sergeant (E-6) Robert G. Stevens, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 March 2010 and on or about 31 March 2010, commit an assault upon three males of apparent Afghan descent by shooting at them with a dangerous weapon, to wit: a loaded firearm.

CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 134

THE SPECIFICATION: In that Staff Sergeant (E-6) Robert G. Stevens, U.S. Army, did at or near Kandahar Airfield, Afghanistan on or about between 01 August 2009 and 1 May 2010, wrongfully and wantonly engage in conduct, to wit: throw a grenade outside his Stryker vehicle while there was no immediate threat to himself or other Soldiers, conduct likely to cause death or grievous bodily harm to Soldiers of 5th Brigade (SBCT), 2d Infantry Division.

CHARGE V: VIOLATION OF THE UCMJ, ARTICLE 92

THE SPECIFICATION: In that Staff Sergeant (E-6) Robert G. Stevens, U.S. Army, who knew of or should have known of his duties, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 25 December 2009 and on or about 10 March 2010, was derelict in the performance of those duties in that he willfully failed to properly account for and dispose of a grenade as it was his duty to do.