

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) WILL, Joshua K.			2. SSN 468-19-3070	3. GRADE OR RANK PFC	4. PAY GRADE E-3
5. UNIT OR ORGANIZATION D Company, 1st Battalion, 3d US Infantry (The Old Guard) Fort Myer, Virginia 22211				6. CURRENT SERVICE	
				a. INITIAL DATE 20080717	b. TERM 4 yrs, 4 mos
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED Pretrial Confinement	9. DATE(S) IMPOSED 21 Sep 09 -	
a. BASIC \$1,649.70	b. SEA/FOREIGN DUTY None	c. TOTAL \$1,649.70			

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 80.

THE SPECIFICATION: In that Private First Class Joshua K. Will, U.S. Army, did, at or near Fort Myer, Virginia, on or about 20 September 2009, attempt to wrongfully distribute some amount of methylenedioxymethamphetamine (MDMA), a schedule I controlled substance.

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 112A.

SPECIFICATION 1: In that Private First Class Joshua K. Will, U.S. Army, did, at or near Fort Myer, Virginia, between on or about 14 June 2009 and on or about 17 June 2009, wrongfully use heroin.

SPECIFICATION 2: In that Private First Class Joshua K. Will, U.S. Army, did, at or near Fort Myer, Virginia, between on or about 14 June 2009 and on or about 17 June 2009, wrongfully use codeine, a schedule II controlled substance.

SPECIFICATION 3: In that Private First Class Joshua K. Will, U.S. Army, did, at or near Fort Myer, Virginia, between on or about 14 June 2009 and on or about 17 June 2009, wrongfully use morphine, a schedule II controlled substance.

SPECIFICATION 4: In that Private First Class Joshua K. Will, U.S. Army, did, at or near Fort Myer, Virginia, between on or about 23 August 2009 and on or about 20 September 2009, wrongfully use marijuana.

(See Continuation Sheet)

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) CROY, Andrew D.	b. GRADE O-3	c. ORGANIZATION OF ACCUSER D Co, 1st BN, 3d U.S. IN (TOG)
d. SIGNATURE OF ACCUSER 		e. DATE 21 Sep 09

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 21 day of September, 2009, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

PATRICK CASHMAN

Typed Name of Officer

O-3

Grade


Signature

OSJA, MDW

Organization of Officer

Trial Counsel

Official Capacity to Administer Oath

(See R.C.M. 307(b) - must be a commissioned officer)

12. On 21 SEP, 2009, 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.)

ANDREW D. CROY
 Typed Name of Immediate Commander

D Co, 1st BN, 3d U.S. IN (TOG)
 Organization of Immediate Commander

O-3
 Grade

[Signature]
 Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at 1500 hours, 30 SEP 2009 at HQ, 1ST BN 3d U.S. IN (TOG)
 Designation of Command or

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

FOR THE

ROBERT A. FORTE
 Typed Name of Officer

Commanding
 Official Capacity of Officer Signing

O-5
 Grade

[Signature]
 Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY Headquarters, United States Army Military District of Washington	b. PLACE Fort McNair, DC	c. DATE 20100301
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Referred for trial to the General Court-martial convened by Court-Martial Convening Order
Number 4, this headquarters, dated
4 March 2009, subject to the following instructions:² none.

By Command Of MAJOR GENERAL KARL R. HORST
 Command or Order

ASHDEN FEIN
 Typed Name of Officer

Chief, Military Justice
 Official Capacity of Officer Signing

O-3
 Grade

[Signature]
 Signature

15. On _____, 2009, I (caused to be) served a copy hereof on (each of) the above named accused.

Typed Name of Trial Counsel

Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 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 1, DD Form 458, WILL, Joshua, K., PFC, 468-19-3070,
D Company, 1st Battalion, 3d U.S. Infantry (The Old Guard), Fort Myer,
VA 22211

ITEM 10, Continued:

SPECIFICATION 5: In that Private First Class Joshua K. Will, U.S.
Army, did, at or near Fort Myer, Virginia, on or about 20 September
~~2009, wrongfully possess some amount of marijuana.~~

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CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 92.

THE SPECIFICATION: In that Private First Class Joshua K. Will, U.S.
Army, having knowledge of a lawful order issued by Captain Andrew D.
Croy not to leave the Fort Myer, Virginia, Military Installation, an
order which it was his duty to obey, did, at or near Fort Myer,
Virginia, on or about 20 September 2009, fail to obey the same by
wrongfully leaving the Fort Myer, Virginia, Military Installation.