

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (<i>Last, First, MI</i>) EICKENHORST, David I.		2. SSN 339 60 3370	3. GRADE OR RANK Maj	4. PAY GRADE O-4
5. UNIT OR ORGANIZATION Marine Wing Support Squadron 371 Marine Wing Support Group 37 Third Marine Aircraft Wing Marine Corps Air Station Miramar, California		DOB: 19 Dec 66	6. CURRENT SERVICE	
			a. INITIAL DATE 27 Sep 01	b. TERM Indef
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED	
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL	9. DATE(S) IMPOSED	
\$6,851.10	None	\$6,851.10	None N/A	

II. CHARGES AND SPECIFICATIONS

10. **Charge I:** Violation of the UCMJ, Article 128

Specification: In that Major David I. Eickenhorst, U.S. Marine Corps, Marine Wing Support Squadron 371, Marine Wing Support Group 37, 3d Marine Aircraft Wing, on active duty, did, at or near Camp Dwyer, Afghanistan, on or about 18 March 2011, commit an assault upon SSgt Christopher Wilson by gesturing toward him with a dangerous weapon likely to produce death or grievous bodily harm, to wit: a loaded firearm.


Charge II: Violation of the UCMJ, Article 134

Specification: In that Major David I. Eickenhorst, U.S. Marine Corps, Marine Wing Support Squadron 371, Marine Wing Support Group 37, 3d Marine Aircraft Wing, on active duty, did, at or near Camp Dwyer, Afghanistan, on or about 18 March 2011, wrongfully communicate to SSgt Christopher Wilson a threat to injure him, to wit: Major Eickenhorst said, "you're fucking up" then unholstered his weapon and said, "want to work on an early retirement?" and that under the circumstances, the accused's conduct was to the prejudice of good order and discipline in the armed forces.

or words to that effect,

*ABT
2010802*

III. PREFERRAL

11a. NAME OF ACCUSER (<i>Last, First, MI</i>) PERE', Christopher B.	b. GRADE GySgt	c. ORGANIZATION OF ACCUSER HQHQQRN, MCAS Miramar, CA
d. SIGNATURE OF ACCUSER 		e. DATE 20110714

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 14th day of July 2011, 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.

A. B. HOLMES

Typed Name of Officer

Captain, U.S. Marine Corps

Grade

Signature

HQHQQRN, MCAS Miramar, CA

Organization of Officer

Judge Advocate

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

ORIGINAL

0001

12. On 19 July, 2011, 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.)

T. A. PERRY

Typed Name of Immediate Commander

MWSG-37, 3d MAW, MCAS Miramar, CA

Organization of Immediate Commander

Major, U.S. Marine Corps

Grade

T. A. PERRY
Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at 1426 hours, 19 July 2011 at MWSG-37, 3d MAW
Designation of Command or

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

T. A. PERRY

Typed Name of Officer

Major, U.S. Marine Corps

Grade

T. A. PERRY
Signature

For The 1 Commanding Officer

Legal Officer

Official Capacity of Officer Signing

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY 3d Marine Aircraft Wing b. PLACE San Diego, CA c. DATE NOV 23 2011

Referred for trial to the General court-martial convened by GCMCO #1-09
dated 19 November 2009, subject to the following instructions: None.

by //////////////////////////////////// of

Command or Order

A. W. O'DONNELL, JR.

Typed Name of Officer

Major General, U.S. Marine Corps

Grade

A. W. O'DONNELL, JR.
Signature

Commanding General

Official Capacity of Officer Signing

15. On _____, 2011, I (caused to be) served a copy hereof on (each of) the above named accused.

K. D. SMITH

Typed Name of Trial Counsel

Major, U.S. Marine Corps

Grade or Rank of Trial Counsel

K. D. SMITH
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.

ORIGINAL

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (<i>Last, First, MI</i>) EICKENHORST, David I.			2. SSN 339 60 3370	3. GRADE OR RANK Maj	4. PAY GRADE O-4
5. UNIT OR ORGANIZATION Marine Wing Support Squadron 371, Marine Wing Support Group 37, Third Marine Aircraft Wing, Marine Corps Air Station Miramar, California			6. CURRENT SERVICE		
			a. INITIAL DATE 27 Sep 01	b. TERM Indef	
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED None	9. DATE(S) IMPOSED N/A	
a. BASIC \$6,851.10	b. SEA/FOREIGN DUTY None	c. TOTAL \$6,851.10			

II. CHARGES AND SPECIFICATIONS

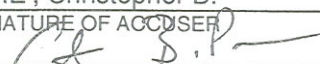
10. **Additional Charge I:** Violation of the UCMJ, Article 93

Specification: In that Major David I. Eickenhorst, U.S. Marine Corps, Marine Wing Support Squadron 371, Marine Wing Support Group 37, Third Marine Aircraft Wing, on active duty, did, at or near Camp Dwyer, Afghanistan, on or about 18 March 2011, maltreat SSgt Christopher Wilson, U.S. Marine Corps, a person subject to his orders, by unholstering his weapon and saying to the said SSgt Wilson "you're fucking up," and "want to work on an early retirement," or words to that effect.

Additional Charge II: Violation of the UCMJ, Article 134

Specification: In that Major David I. Eickenhorst, U.S. Marine Corps, Marine Wing Support Squadron 371, Marine Wing Support Group 37, Third Marine Aircraft Wing, on active duty, did, at or near Camp Dwyer, Afghanistan, on or about 18 March 2011, wrongfully and recklessly engage in conduct, to wit: unholstering and brandishing a loaded firearm in the presence of SSgt Christopher Wilson, U.S. Marine Corps, conduct likely to cause death or grievous bodily harm.

III. PREFERRAL

11a. NAME OF ACCUSER (<i>Last, First, MI</i>) PERE', Christopher B.	b. GRADE GySgt	c. ORGANIZATION OF ACCUSER HQHQRON, MCAS Miramar, CA
d. SIGNATURE OF ACCUSER 		e. DATE ^{cop} 27 26 Sep 11

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 27 day of September 2011, 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.

K. D. SMITH
Typed Name of Officer

HQHQRON, MCAS Miramar, CA
Organization of Officer

Major, U.S. Marine Corps
Grade

Judge Advocate

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

Signature

ORIGINAL

12. On 5 OCTOBER, 2011, 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.)

T. A. PERRY
Typed Name of Immediate Commander

MWSG-37, 3d MAW, MCAS Miramar, CA
Organization of Immediate Commander

Major, U.S. Marine Corps

Grade
Tracy A. Perry
Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at 0823 hours, SEPT. 28, 2011 at MWSG-37, 3d MAW
Designation of Command or

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

For The 1 Commanding General
Legal Officer
Official Capacity of Officer Signing

T. A. PERRY
Typed Name of Officer

Major, U.S. Marine Corps

Grade
Tracy A. Perry
Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY <u>3d Marine Aircraft Wing</u>	b. PLACE <u>San Diego, CA</u>	c. DATE <u>NOV 23 2011</u>
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Referred for trial to the General court-martial convened by GCMCO #1-09
dated 19 November 2009, subject to the following instructions: To be tried in conjunction with the
charges preferred on 14 July 2011.

by //////////////////////////////////// of
Command or Order

A. W. O'DONNELL, JR.
Typed Name of Officer

Major General, U.S. Marine Corps

Grade
[Signature]
Signature

Commanding General
Official Capacity of Officer Signing

15. On _____, 2011, I (caused to be) served a copy hereof on (each of) the above named accused.

K. D. SMITH
Typed Name of Trial Counsel

Major, U.S. Marine Corps
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(c) concerning instructions. If none, so state.

ORIGINAL