

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (<i>Last, First, MI</i>) Burke, Patrick T.		2. SSN 625-20-8883	3. GRADE OR RANK First Lieutenant	4. PAY GRADE 0-2
5. UNIT OR ORGANIZATION 9th Bomb Squadron (ACC) Dyess AFB, TX 79607			6. CURRENT SERVICE	
			a. INITIAL DATE 30 May 2007	b. TERM INDEF
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED	
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL		
\$4,207.20	\$0.00	\$4,207.20	None	
9. DATE(S) IMPOSED None				

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: Violation of the UCMJ, Article 111

Specification: In that FIRST LIEUTENANT PATRICK T. BURKE, United States Air Force, 9th Bomb Squadron, Dyess Air Force Base, Texas, at or near Rapid City, South Dakota, on or about 10 August 2010, on or near Skyline Drive, did operate a vehicle, to wit: a 1994 Nissan Sentra while drunk. (ROS) 13 May 2011

CHARGE II: Violation of the UCMJ, Article 121


Specification: In that FIRST LIEUTENANT PATRICK T. BURKE, United States Air Force, 9th Bomb Squadron, Dyess Air Force Base, Texas, did, at or near Rapid City, South Dakota, on or about 10 August 2010, wrongfully appropriate a 1994 Nissan Sentra, of a value of more than \$500.00, the property of Wendy No Moccasin.

CHARGE III: Violation of the UCMJ, Article 128

Specification 1: In that FIRST LIEUTENANT PATRICK T. BURKE, United States Air Force, 9th Bomb Squadron, Dyess Air Force Base, Texas, did, at or near Rapid City, South Dakota, on or about 10 August 2010, unlawfully trip Wendy No Moccasin with his foot causing her to fall, and unlawfully strike Wendy No Moccasin in the head with his hands.

Specification 2: In that FIRST LIEUTENANT PATRICK T. BURKE, United States Air Force, 9th Bomb Squadron, Dyess Air Force Base, Texas, did, at or near Rapid City, South Dakota, on or about 10 August 2010, assault Captain Robert H. Adams III, who was then known by the accused to be a commissioned officer of the United States Air Force, by striking Captain Robert H. Adams III in the head with his hands, and by choking the neck of the said Captain Robert H. Adams III with his arms or hands.

III. PREFERRAL

11a. NAME OF ACCUSER (<i>Last, First, MI</i>) MILLER, MICHAEL A.	b. GRADE Lt Col	c. ORGANIZATION OF ACCUSER 9 BS/CC	d. SIGNATURE OF ACCUSER 	e. DATE 21 March 2011
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AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser this 21st day of March 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.

DUSTIN B. KOUBA

Typed Name of Officer

Captain

Grade


Signature

7 BW/JA

Organization of Officer

Assistant Staff Judge Advocate

Official Capacity to Administer Oath

(See R.C.M. 307(b)(1) -- must be commissioned officer)

12. On 21 March, 2011 1645, the accused was informed of the charges against him/her and of the names(s) of the accuser(s) known to me (See R.C.M. 308(a)). (See R.C.M. 308 if notification cannot be made.)

MICHAEL A. MILLER
Type Name of Immediate Commander

9 BS/CC
Organization of Immediate Commander

Lieutenant Colonel

Michael A Miller
Grade
Signature

IV. RECEIPT BY SUMMARY COURT MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at 1725 hours, 21 March, 20 11, at Headquarters, 7th Bomb Wing
Designation of Command or

Dyess Air Force Base, Texas 79607
Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

FOR THE ¹ COMMANDER

PATRICK J. DOLAN
Type Name of Officer

STAFF JUDGE ADVOCATE
Official Capacity of Officer Signing

LIEUTENANT COLONEL
Grade

Patrick J Dolan
Signature

V. REFERRAL, SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY
HEADQUARTERS TWELFTH AIR FORCE (ACC) b. PLACE Davis-Monthan AFB, AZ c. DATE 13 May 2011

Referred for trial to the General court-martial board convened by Special Order A-36

dated 13 May 20 11, subject to the following instructions: ² None

~~XX~~ FOR THE COMMANDER ~~XX~~
Command or Order

JEFFREY J. SLAGLE
Typed Name of Officer

Staff Judge Advocate
Official Capacity of Officer Signing

Colonel

Jeffrey J Slagle
Grade
Signature

15. On 17 May, 20 11, I ~~KNOW~~ served a copy hereof on ~~(each of)~~ ~~XXXXX~~ the above named accused.

MARK E. EVANS
Typed Name of Trial Counsel

Captain
Grade or Rank of Trial Counsel

Mark E Evans
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

(Continuation)

CHARGES AND SPECIFICATIONS

~~CHARGE IV: Violation of the UCMJ, Article 134~~

Specification: In that FIRST LIEUTENANT PATRICK T. BURKE, United States Air Force, 9th Bomb Squadron, Dyess Air Force Base, Texas, the driver of a vehicle at the time of an accident in which said vehicle was involved, and having knowledge of said accident, did, at or near Rapid City, South Dakota, on or about 10 August 2010, wrongfully and unlawfully leave the scene of the accident without

~~making his identity known.~~ Withdrawn on 27 Sep 11, (EG)

1. NAME OF ACCUSED (Last, First, MI)

Burke, Patrick T.

2. SSN

625-20-8883