

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (<i>Last, First, MI</i>) ROWE, James M.		2. SSN 304 98 0267	3. RANK/RATE Capt	4. PAY GRADE O-3
5. UNIT OR ORGANIZATION MARDET, Ft Sill, OK		DOB: 26 Oct 79	6. CURRENT SERVICE	
			a. INITIAL DATE 8 Oct 99	b. TERM INDEF
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED	
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL		
\$5,617.80	N/A	\$5,617.80	None	
9. DATE(S) IMPOSED None				

II. CHARGES AND SPECIFICATIONS

10.

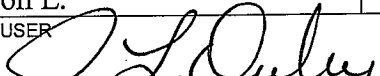
Charge I: Violation of the UCMJ, Article 120

Specification 1: [*Aggravated sexual assault by using threats or placing in fear*] In that Captain James M. Rowe, U.S. Marine Corps, on active duty, did at or near Washington, D.C., on or about 28 August 2010, cause First Lieutenant Ariana B. Klay, U.S. Marine Corps, to engage in a sexual act, to wit: penetrate with his penis the vagina of First Lieutenant Klay, by placing her in fear that he would inform her husband and her command of her alleged unlawful activities.

Specification 2: [*Abusive sexual contact by using threats or placing in fear*] In that Captain James M. Rowe, U.S. Marine Corps, on active duty, did at or near Washington, D.C., on or about 28 August 2010, cause First Lieutenant Ariana B. Klay, U.S. Marine Corps, to engage in a sexual contact, to wit: penetrating the mouth of First Lieuteant Klay with his penis and touching the vaginal area of First Lieutenant Klay by placing her in fear that he would inform her husband and her command of her alleged unlawful activities.

SEE SUPPLEMENTAL PAGE

III. PREFERRAL

11a. NAME OF ACCUSER (<i>Last, First, MI</i>) OWSLEY, Jason L.	b. GRADE SSgt	c. ORGANIZATION OF ACCUSER HqSvcBn, MCB, Quantico
d. SIGNATURE OF ACCUSER 	e. DATE 27 April 2011	

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 April, 20 11, 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.

C. M. HOOVER
Typed Name of Officer
Captain, U.S. Marine Corps
Grade and Service


Signature

HqSvcBn, MCB, Quantico, VA
Organization of Officer
Judge Advocate
Official Capacity to Administer Oaths
(See R.C.M. 307(b)—must be commissioned officer)

12. On _____, 20 11, 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.)

S. L. ROSSOW

Typed Name of Immediate Commander

Lieutenant Colonel, U.S. Marine Corps

Grade

Signature

XO, Marine Artillery Detachment, Ft Sill, OK

Organization of Immediate Commander

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at _____ hours, _____ 20 11 at XO,
Marine Artillery Detachment, Ft Sill, OK *Designation of Command or*

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

FOR THE¹ Commanding Officer

S. L. ROSSOW

Typed Name of Officer

Lieutenant Colonel, U.S. Marine Corps

Grade

Signature

Executive Officer

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 _____

DATED _____, _____ 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 11, I (caused to be) served a copy hereof on (each of) the above named accused.

C. M. HOOVER

Typed Name of Trial Counsel

Captain, 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(e) concerning instructions. If none, so state.

Specification 3: [*Abusive sexual contact by using threats or placing in fear*] In that Captain James M. Rowe, U.S. Marine Corps, on active duty, did at or near Washington, D.C., on or about 28 August 2010, cause First Lieutenant Ariana B. Klay, U.S. Marine Corps, to engage in a sexual contact, to wit: penetrate with Mr. Jeremy Owen's penis the mouth of First Lieutenant Klay by placing her in fear that he would inform her husband and her command of her alleged unlawful activities.

Specification 4: [*Indecent act*] In that Captain James M. Rowe, U.S. Marine Corps, on active duty, did at or near Washington, D.C., on or about 28 August 2010, wrongfully commit indecent conduct, to wit: engage in sexual contact, with First Lieutenant Ariana B. Klay, in the presence of Mr. Jeremy Owen.

Specification 5: [*Wrongful sexual contact*] In that Captain James M. Rowe, U.S. Marine Corps, on active duty, did at or near Washington, D.C., on or about 28 August 2010, engage in a sexual contact with First Lieutenant Ariana B. Klay, U.S. Marine Corps, to wit: penetrate with his penis the vagina of First Lieutenant Klay and such sexual contact was without legal justification or lawful authorization and without the permission of First Lieutenant Klay.

Charge III: Violation of the UCMJ, Article 125

Specification 1: In that Captain James M. Rowe, U.S. Marine Corps, on active duty, did, at or near Washington, D.C., on or about 28 August 2010, commit sodomy with First Lieutenant Ariana B. Klay, by force and without the consent of the said First Lieutenant Klay.

Specification 2: In that Captain James M. Rowe, U.S. Marine Corps, on active duty, did, at or near Washington, D.C., on or about 28 August 2010, commit sodomy with First Lieutenant Ariana B. Klay, by force and without the consent of the said First Lieutenant Klay.

Charge IV: Violation of the UCMJ, Article 127

Specification: In that Captain James M. Rowe, U.S. Marine Corps, on active duty, did, at or near Washington, D.C., on or about 28 August 2010, with intent unlawfully to obtain sexual contact, communicate to First Lieutenant Ariana B. Klay, U.S. Marine Corps, a threat to inform her husband and her command of her alleged unlawful activities.

Charge V: Violation of the UCMJ, Article 128

Specification: In that Captain James M. Rowe, U.S. Marine Corps, on active duty, did at or near Washington, D.C., on or about 28 August 2010, assault First Lieutenant Ariana B. Klay, U.S. Marine Corps, who then was and was then known by the accused to be a commissioned officer of the U.S. Marine Corps, by touching his penis to the mouth and the vaginal area of First Lieutenant Klay.

Charge VI: Violation of the UCMJ, Article 133

Specification: In that Captain James M. Rowe, U.S. Marine Corps, on active duty, a married man, did, at or near Washington, D.C., between on or about 28 August 2010, wrongfully engage in sexual contact with First Lieutenant Ariana B. Klay, U.S. Marine Corps, a married woman not his wife, which conduct was unbecoming an officer and gentlemen.

ORIGINAL

Charge VII: Violation of the UCMJ, Article 134

Specification 1: [*Adultery*] In that Captain James M. Rowe, U.S. Marine Corps, on active duty, a married man, did, at or near Washington, D.C., between on or about 28 August 2010, wrongfully have sexual intercourse with First Lieutenant Ariana B. Klay, U.S. Marine Corps, a married woman not his wife.

Specification 2: [*Disorderly conduct, drunkenness*] In that Captain James M. Rowe, U.S. Marine Corps, on active duty, was, at or near Washington, D.C., on or about 28 August 2010, drunk and disorderly which conduct was of a nature to bring discredit upon the armed forces.

Specification 3: [*Indecent language*] In that Captain James M. Rowe, U.S. Marine Corps, on active duty, did, at or near Washington, D.C., on or about 28 August 2010, orally communicate to Mr. Jeremy Owens, in the presence of First Lieutenant Ariana B. Klay, U.S. Marine Corps, certain indecent language, to wit: "Come on Jeremy, Ariana's going to show you what kind of slut she is" or words to that effect.

Specification 4: [*Soliciting another to commit an offense*] In that Captain James M. Rowe, U.S. Marine Corps, on active duty, did, at or near Washington, D.C., on or about 28 August 2010, wrongfully solicit Mr. Jeremy Owens, to commit sodomy and abusive sexual contact with First Lieutenant Ariana B. Klay, U.S. Marine Corps, by threatening to inform her husband and her command of her alleged unlawful activities.

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