


NAVY-MARINE CORPS TRIAL JUDICIARY
NORTHERN JUDICIAL CIRCUIT
GENERAL COURT-MARTIAL

UNITED STATES	)	GENERAL COURT-MARTIAL
)	
v.)	
	)	PAGE 56 MATTERS
JAMES M. ROWE)	
CAPTAIN)	
UNITES STATES MARINE CORPS	)	24 October 2011
)	

The Government now provides the following:

- | | |
|---|--------------------------|
| a. Cleansed charge sheet | Attached as Enclosure 1. |
| b. Government witness list | Attached as Enclosure 2. |
| c. Military Judge <i>voir dire</i> | None. |
| d. Government proposed <i>voir dire</i> | Attached as Enclosure 3. |
| e. Government proposed instructions | Attached as Enclosure 4. |
| f. Government exhibit list | Attached as Enclosure 5. |
| g. Motions or responses | None. |
| h. Judicial notice | None. |
| i. Stipulations | None. |
| j. Findings Worksheet | Attached as Enclosure 6. |
| k. Sentencing Worksheet | Attached as Enclosure 7. |
| l. Modified convening order | Forthcoming. |
| m. Court-martial members questionnaires | Forthcoming. |


P. C. COMBE II
Captain, U. S. Marine Corps
Trial Counsel

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 Lieutenant 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.

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 II: 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 III: 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 IV: 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 V: 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.

Charge VI: 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, which conduct was to the prejudice of good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

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, which conduct was to the prejudice of good order and discipline in the armed forces and 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, which conduct was to the prejudice of good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

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, which conduct was to the prejudice of good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

Additional Charge: Violation of the UCMJ, Article 133

Specification 1: In that Captain James M. Rowe, U.S. Marine Corps, on active duty, a married man, did at or near Washington, D.C., Virginia, and West Virginia, on divers occasions, between on or about 1 January 2010 to on or about 28 August 2010, share a hotel room with First Lieutenant Ariana B. Klay, U.S. Marine Corps, kiss First Lieutenant Klay, and masturbate in the presence of First Lieutenant Klay, a married woman not his wife, which conduct was unbecoming of an officer and a gentleman.

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, used insulting and defamatory language toward a junior officer, First Lieutenant Ariana B. Klay, to wit: you are a slut, you are a whore, I am going to tell your husband and your command unless you give me head, suck Jeremy's dick, or words to that effect, which conduct was unbecoming of an officer and a gentleman.

NAVY-MARINE CORPS TRIAL JUDICIARY
NORTHERN JUDICIAL CIRCUIT
GENERAL COURT-MARTIAL

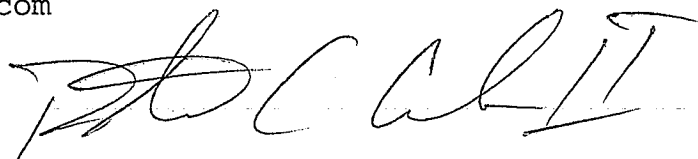
UNITED STATES	)	GENERAL COURT-MARTIAL
)	
v.)	
	)	Witness List
JAMES M. ROWE)	
CAPTAIN)	
UNITES STATES MARINE CORPS	)	24 October 2011
)	

The government may call the following witnesses during trial:

- a. Special Agent Janice Buckmon
2713 Mitscher Rd, SW
BLDG 168, Suite 200
Anacostia Annex, DC 20373
(202) 433-2510
(202) 345-2857
- b. Mrs. Ariana Klay
(703) 389-4040
- c. Cpl Garrett Quinn
Bravo Company
Marine Barracks Washington
(425) 495-2840 (c)
(202) 433-5922 (Company Commander Capt Scott McDonald)
- d. Mr. Jeremy Owens
1706 Base Road
Greensburg, Indiana 47240
(417) 718-6307
- e. Ms. Anna Barton
Sexual Assault Prevention Response Program
Marine Corps Base Quantico, Virginia
(703) 432-0053
- f. Mr. Benjamin Klay
(703) 389-4047

g. Ms. Renetta Cowan
Licensed Clinical Social Worker
Malcolm Grow Medical Center
(240) 857-2849

h. Dr. Gabriel Holguin
25930 Laurel Pass
San Antonio, Texas 78260
Phone: (210) 885-5320
Fax: (210) 547-0275
Gabriel_holguin@hotmail.com

A handwritten signature in black ink, appearing to read 'P. C. COMBE II', written in a cursive style.

P. C. COMBE II
Captain, USMC
Trial Counsel

NAVY-MARINE CORPS TRIAL JUDICIARY
NORTHERN JUDICIAL CIRCUIT
GENERAL COURT-MARTIAL

UNITED STATES	)	GENERAL COURT-MARTIAL
)	
v.)	
	)	Proposed Voir Dire
JAMES M. ROWE)	
CAPTAIN)	
UNITES STATES MARINE CORPS	)	24 October 2011
)	

The Government respectfully requests that the Court utilize all applicable standard *voir dire* questions found at Appendix 1 of the Navy Marine Corps Trial Judiciary Trial Guide. The Government intends to ask the following questions of the members during *voir dire*. All questions will be asked of the entire panel, unless noted otherwise.

Protections of the Accused

1. Do all members understand that it is an accused's constitutional right not to testify in a court-martial against him?
2. Do all the members understand that there are numerous reasons why an accused may not testify, even if the accused is totally innocent?
3. Do all the members understand that one concern of the accused testifying is that they will be subject to cross-examination by Government counsel?
4. Do all the members understand that attorneys are trained to ask questions in a way that limits a person's response so that the response can then be used to support the Government's case against the accused?
5. Do all members understand that if an accused does not testify that the lack of testimony cannot be held against him in any way?
6. Do all members understand that you are not permitted to make any inference as to guilt based on the accused's lack of testimony?
7. Do all members understand that as the accused sits here right now he is innocent in the eyes of the law?
8. Do all members understand that the presumption of innocence is a constitutional protection granted to each and every person subjected to the military justice system?

9. Do all members understand that the accused's mere presence at this court-martial in no way implies that he committed any misconduct or that he must have done something wrong?
10. Do all members understand that before being referred to this general court-martial the case was reviewed by a number of individuals in the chain of command and that the decision to proceed with the case was not based on a finding of guilt?
11. Do all members understand that the decision to proceed in this case was based on a review of the evidence and a determination that there was sufficient evidence to go forward and allow a panel of members, which is you, to listen to the evidence and make a determination as to the accused's guilt or innocence?
12. Do all members understand that you are not permitted to form any opinion as to the guilt or innocence of the accused based on a reading of the charge sheet?
13. Do all members understand that it is the Government's burden to prove charges in this case against the accused and that the accused is not required to prove his innocence?
14. Do all members understand that you are not permitted to have any predetermined ideas about the credibility of a witness?
15. Do all members understand that a witnesses' credibility is based on their testimony at trial and your evaluation of that testimony based on how the witness answers questions and how the witnesses' testimony compares to other witnesses.
16. Do all members understand that a law enforcement official cannot be afforded extra credibility based on their position? That their credibility must be determined in the same manner as any other witness.

Government's Burden of Proof

17. At trial, the Government has to prove each charged offense beyond a reasonable doubt. However, the Government does *not* have to prove each charged offense beyond *all doubt*. The military judge will instruct you that "There are very few things in this world that we know with absolute certainty, and in criminal cases, the law does not require proof that overcomes every possible doubt." Does everyone understand that the law does not require proof that overcomes every possible doubt?
18. Would any member require the Government to prove its case beyond *all doubt*?

19. The judge will instruct you that "[i]f, based on your consideration of the evidence, you are firmly convinced that the accused is guilty of the crime charged, you must find him or her guilty." Would anyone not be able to follow this instruction?

20. The law allows you to use inferences to find guilt in certain situations. For example, in a certain case, there may be no documentary evidence, but there may be other testimonial evidence that demonstrates that a crime occurred. Does any member feel that he or she cannot use inferences to find an accused guilty of a charged offense?

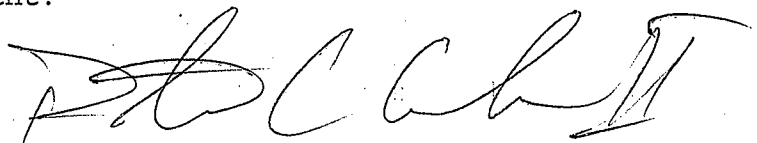
21. Do you understand that testimony is evidence, just as is any object such as a gun, photos, or documents? If the testimonial evidence convinces you beyond a reasonable doubt of the defendant's guilt, could you convict on that alone?

22. Does any member feel that if the government meets its burden in showing the accused committed a crime that they would not be able to vote for a guilty finding solely because the accused had been a good Marine prior to and after the misconduct?

Sentencing

23. A purpose of punishment is specific deterrence, which is deterring this accused from committing a similar crime again. Would each of you agree that this type of deterrence is an appropriate purpose of punishment?

24. Another legitimate purpose of sentencing is general deterrence. General deterrence refers to punishing an accused so that others who hear of his case will be deterred from committing a similar type crime in the future. Would each of you agree that general deterrence is also a legitimate goal of punishment?



P. C. COMBE II
Captain, USMC
Trial Counsel

NAVY-MARINE CORPS TRIAL JUDICIARY
 NORTHERN JUDICIAL CIRCUIT
 GENERAL COURT-MARTIAL

UNITED STATES	)	GENERAL COURT-MARTIAL
)	
v.)	
	)	Proposed Instructions
JAMES M. ROWE)	
CAPTAIN)	
UNITES STATES MARINE CORPS	)	24 October 2011
)	

The Government respectfully requests that the following instructions be provided to the members at trial. All paragraph citations refer to the electronic Military Judge's Benchbook (DA Pam 27-9) dated 1 January 2010.

Paragraph	Instruction
3-45-5.	AGGRAVATED SEXUAL ASSAULT (ARTICLE 120)
3-45-6.	ABUSIVE SEXUAL CONTACT (ARTICLE 120)
3-45-9.	INDECENT ACT (ARTICLE 120)
3-45-11.	WRONGFUL SEXUAL CONTACT (ARTICLE 120)
3-51-2.	FORCIBLE SODOMY (ARTICLE 125)
3-53-1.	EXTORTION (ARTICLE 127)
3-54-2.	ASSAULT CONSUMMATED BY A BATTERY (ARTICLE 128)
3-62-1.	ADULTERY (ARTICLE 134)
3-73-1.	DISORDERLY CONDUCT-DRUNKENNESS (ARTICLE 134)
3-89-1.	INDECENT LANGUAGE COMMUNICATED TO ANOTHER (ARTICLE 134)
3-105-1.	SOLICITING ANOTHER TO COMMIT AN OFFENSE (ARTICLE 134)
7-1-1.	PRINCIPALS-AIDING AND ABETTING
7-3.	CIRCUMSTANTIAL EVIDENCE
7-9-1.	EXPERT TESTIMONY
7-1-2.	PRINCIPALS-COUNSELING, COMMANDING, OR PROCURING
7-1-3.	PRINCIPALS-CAUSING AN ACT TO BE DONE

The Government also provides the following proposed instructions for the sole Specification of Charge V and the specifications of the Additional Charge: Violation of the UCMJ, Article 133:

Charge V, Sole Specification:

(1) That at or near Washington, D.C. on or about 28 August 2010 the accused engaged in sexual intercourse with 1stLt Ariana Klay, U.S. Marine Corps;

(2) That 1stLt Ariana Klay, U. S. Marine Corps was a woman not the accused's spouse;

(3) That the accused engaging in sexual intercourse with 1stLt Ariana Klay was wrongful; and

(4) That, under the circumstances, the accused's conduct was unbecoming an officer and a gentlemen.

"Conduct unbecoming an officer and a gentleman" means behavior in an official capacity which, in dishonoring or disgracing the individual as a commissioned officer or behavior in an unofficial or private capacity which, in dishonoring or disgracing the individual personally, seriously detracts from his standing as a commissioned officer. "Unbecoming conduct" means misbehavior more serious than slight, and of a material and pronounced character. It means conduct morally unfitting and unworthy rather than merely inappropriate or unsuitable misbehavior which is more than opposed to good taste or propriety.

Additional Charge:

Specification 1:

(1) That at or near Washington, D.C. between on or about 1 January 2010 and on or about 28 August 2010 the accused did kiss and masturbate in the presence of 1stLt Ariana Klay;

(2) That 1stLt Ariana Klay, U. S. Marine Corps was a woman not the accused's spouse;

(3) That the accused engaging in sexual intercourse with 1stLt Ariana Klay was wrongful; and

(4) That, under the circumstances, the accused's conduct was unbecoming an officer and a gentlemen.

"Conduct unbecoming an officer and a gentleman" means behavior in an official capacity which, in dishonoring or disgracing the individual as a commissioned officer or behavior in an unofficial or private capacity which, in dishonoring or disgracing the individual personally, seriously detracts from his standing as a commissioned officer. "Unbecoming conduct" means misbehavior more serious than slight, and of a material and pronounced character. It means conduct morally unfitting and unworthy rather than merely inappropriate or

unsuitable misbehavior which is more than opposed to good taste or propriety.

Specification 2:

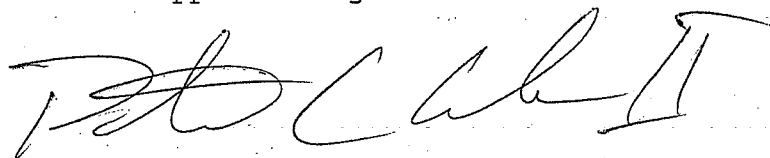
(1) That at or near Washington, D.C. on or about 28 August 2010 the accused did use the following language toward 1stLt Ariana Klay, "you are a slut, you are a whore, I am going to tell your husband and your command unless you give me head, suck Jeremy's dick." Or words to that effect.;

(2) That 1stLt Ariana Klay, U. S. Marine Corps was an officer junior in grade to the accused;

(3) That the language used by the accused was insulting and defamatory; and

(4) That, under the circumstances, the accused's conduct was unbecoming an officer and a gentlemen.

"Conduct unbecoming an officer and a gentleman" means behavior in an official capacity which, in dishonoring or disgracing the individual as a commissioned officer or behavior in an unofficial or private capacity which, in dishonoring or disgracing the individual personally, seriously detracts from his standing as a commissioned officer. "Unbecoming conduct" means misbehavior more serious than slight, and of a material and pronounced character. It means conduct morally unfitting and unworthy rather than merely inappropriate or unsuitable misbehavior which is more than opposed to good taste or propriety.



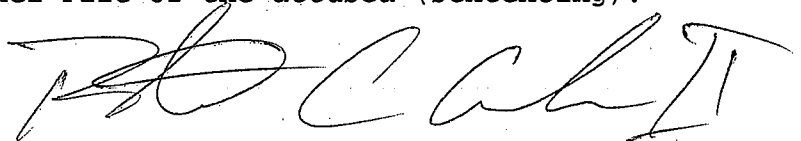
P. C. COMBE II
Captain, USMC
Trial Counsel

NAVY-MARINE CORPS TRIAL JUDICIARY
NORTHERN JUDICIAL CIRCUIT
GENERAL COURT-MARTIAL

UNITED STATES	)	GENERAL COURT-MARTIAL
)	
v.)	
	)	Exhibit List
JAMES M. ROWE)	
CAPTAIN)	
UNITES STATES MARINE CORPS	)	24 October 2011

The government may introduce the following evidence currently in government custody during trial:

1. Audio Recording of recorded telephone conversation between the accused and then 1stLt Ariana Klay dated 25 January 2011 (including attendant transcript).
2. Official Military Personnel File of the accused (sentencing).



P. C. COMBE II
Captain, U. S. Marine Corps
Trial counsel

NAVY-MARINE CORPS TRIAL JUDICIARY
NORTHERN JUDICIAL CIRCUIT
GENERAL COURT-MARTIAL

UNITED STATES	)	GENERAL COURT-MARTIAL
)	
v.)	
	)	FINDINGS WORKSHEET
JAMES M. ROWE)	
CAPTAIN)	
UNITES STATES MARINE CORPS)	

[NOTE: After the court members have reached their findings, the President shall strike out all inapplicable language. After the Military Judge has reviewed the worksheet, the President will announce the findings by reading the remaining language. The President will not read the language in bold print.]

Captain James M. Rowe, U.S. Marine Corps, this general court-martial finds you:

I. IN THE CASE OF COMPLETE ACQUITTAL ANNOUNCE:

Of all charges and specifications thereunder: NOT GUILTY

OR

II. IN THE CASE OF COMPLETE CONVICTION ANNOUNCE:

Of all charges and specifications thereunder: GUILTY

OR

III. MIXED FINDINGS, FINDINGS BY EXCEPTIONS AND SUBSTITUTIONS, or FINDING OF GUILT FOR A LESSER INCLUDED OFFENSE FOR THE ADDITIONAL CHARGE.

Use this part of the findings worksheet: (1) if you find the Accused guilty of some, but not all the Specifications, and/or (2) if you find the Accused guilty of a Specification, but need to make a minor variation to the language used in the Specification. Circle or check the appropriate findings in parentheses and strike out those that do not apply. Without reading the language in bold out loud, the President shall announce:

Charge I and Specifications:

➤ Of Specification 1 of Charge I: (NOT GUILTY) / (GUILTY)

OR, if a minor variation to the language in the Specification is necessary

GUILTY, except the word(s):

" _____

_____, " and

Substituting therefore the word(s):

" _____

_____, " and

Of the excepted word(s): (Not Guilty)

Of the substituted word(s): (Guilty)

➤ Of Specification 2 of Charge I: (NOT GUILTY) / (GUILTY)

OR, if a minor variation to the language in the Specification is necessary

GUILTY, except the word(s):

" _____

_____, " and

Substituting therefore the word(s):

" _____

_____, " and

Of the excepted word(s): (Not Guilty)

Of the substituted word(s): (Guilty)

➤ Of Specification 3 of Charge I: (NOT GUILTY) / (GUILTY)

OR, if a minor variation to the language in the Specification is necessary

GUILTY, except the word(s):

" _____

_____, " and

Substituting therefore the word(s):

" _____
_____, " and

Of the excepted word(s): (Not Guilty)

Of the substituted word(s): (Guilty)

➤ Of Specification 4 of Charge I: (NOT GUILTY) / (GUILTY)

OR, if a minor variation to the language in the Specification is necessary

GUILTY, except the word(s):

" _____
_____, " and

Substituting therefore the word(s):

" _____
_____, " and

Of the excepted word(s): (Not Guilty)

Of the substituted word(s): (Guilty)

➤ Of Specification 5 of Charge I: (NOT GUILTY) / (GUILTY)

OR, if a minor variation to the language in the Specification is necessary

GUILTY, except the word(s):

" _____
_____, " and

Substituting therefore the word(s):

" _____
_____, " and

Of the excepted word(s): (Not Guilty)

Of the substituted word(s): (Guilty)

***The Accused is GUILTY of Charge I if found guilty of at least one of the specifications thereunder.**

➤ Of the Charge I: (Guilty) / (NOT GUILTY)

Charge II and Specifications:

➤ of Specification 1 of Charge II: (NOT GUILTY) / (GUILTY)

OR, if a minor variation to the language in the Specification is necessary

GUILTY, except the word(s):

" _____
_____, " and

Substituting therefore the word(s):

" _____
_____, " and

Of the excepted word(s): (Not Guilty)
Of the substituted word(s): (Guilty)

➤ Of Specification 2 of Charge II: (NOT GUILTY) / (GUILTY)

OR, if a minor variation to the language in the Specification is necessary

GUILTY, except the word(s):

" _____
_____, " and

Substituting therefore the word(s):

" _____
_____, " and

Of the excepted word(s): (Not Guilty)
Of the substituted word(s): (Guilty)

***The Accused is GUILTY of Charge II if found guilty of at least one of the specifications thereunder.**

➤ Of the Charge II: (Guilty) / (NOT GUILTY)

Charge III and Specification:

➤ of the sole Specification of Charge III: (NOT GUILTY) / (GUILTY)

OR, if a minor variation to the language in the Specification is necessary

GUILTY, except the word(s):

" _____

_____, " and

Substituting therefore the word(s):

" _____

_____, " and

Of the excepted word(s): (Not Guilty)

Of the substituted word(s): (Guilty)

***The Accused is GUILTY of Charge III if found guilty of at least one of the specifications thereunder.**

➤ Of the Charge III: (Guilty) / (NOT GUILTY)

Charge IV and Specification:

➤ of the sole Specification of Charge IV: (NOT GUILTY) / (GUILTY)

OR, if a minor variation to the language in the Specification is necessary

GUILTY, except the word(s):

" _____
_____, " and

Substituting therefore the word(s):

" _____
_____, " and

Of the excepted word(s): (Not Guilty)

Of the substituted word(s): (Guilty)

***The Accused is GUILTY of Charge IV if found guilty of at least one of the specifications thereunder.**

➤ Of the Charge IV: (Guilty) / (NOT GUILTY)

Charge V and Specification:

➤ of the sole Specification of Charge V: (NOT GUILTY) / (GUILTY)

OR, if a minor variation to the language in the Specification is necessary

GUILTY, except the word(s):

" _____

_____, " and

Substituting therefore the word(s):

" _____

_____, " and

Of the excepted word(s): (Not Guilty)

Of the substituted word(s): (Guilty)

***The Accused is GUILTY of Charge V if found guilty of at least one of the specifications thereunder.**

➤ Of the Charge V: (Guilty) / (NOT GUILTY)

Charge VI and Specifications:

➤ Of Specification 1 of Charge VI: (NOT GUILTY) / (GUILTY)

OR, if a minor variation to the language in the Specification is necessary

GUILTY, except the word(s):

" _____
_____, " and

Substituting therefore the word(s):

" _____
_____, " and

Of the excepted word(s): (Not Guilty)

Of the substituted word(s): (Guilty)

➤ Of Specification 2 of Charge VI: (NOT GUILTY) / (GUILTY)

OR, if a minor variation to the language in the Specification is necessary

GUILTY, except the word(s):

" _____
_____, " and

Substituting therefore the word(s):

" _____
_____, " and

Of the excepted word(s): (Not Guilty)

Of the substituted word(s): (Guilty)

➤ Of Specification 3 of Charge VI: (NOT GUILTY) / (GUILTY)

OR, if a minor variation to the language in the Specification is necessary

GUILTY, except the word(s):

" _____
_____, " and

Substituting therefore the word(s):

" _____
_____, " and

Of the excepted word(s): (NOT Guilty)

Of the substituted word(s): (Guilty)

➤ Of Specification 4 of Charge VI: (NOT GUILTY) / (GUILTY)

OR, if a minor variation to the language in the Specification is necessary

GUILTY, except the word(s):

" _____
_____, " and

Substituting therefore the word(s):

" _____
_____, " and

Of the excepted word(s): (Not Guilty)

Of the substituted word(s): (Guilty)

***The Accused is GUILTY of Charge VI if found guilty of at least one of the specifications thereunder.**

Of the Charge VI: (Guilty) / (NOT GUILTY)

Additional Charge and Specifications:

- Of Specification 1 of the Additional Charge:
(NOT GUILTY) / (GUILTY)

OR, if a minor variation to the language in the Specification is necessary

GUILTY, except the word(s):

" _____
_____, " and

Substituting therefore the word(s):

" _____
_____, " and

Of the excepted word(s): (Not Guilty)
Of the substituted word(s): (Guilty)

- Of Specification 2 of the Additional Charge:
(NOT GUILTY) / (GUILTY)

OR, if a minor variation to the language in the Specification is necessary

GUILTY, except the word(s):

" _____
_____, " and

Substituting therefore the word(s):

" _____
_____, " and

Of the excepted word(s): (Not Guilty)
Of the substituted word(s): (Guilty)

*The Accused is GUILTY of the Additional Charge if found guilty of at least one of the specifications thereunder.

:

➤ Of the Additional Charge: (Guilty) / (NOT GUILTY)

President's Signature (date)

[IN THE CASE OF PUNITIVE DISCHARGE:]

6. To receive a (**choose one:**) Dismissal from the service.

President's Signature

Date