

**UNITED STATES MARINE CORPS**  
LEGAL SERVICES SUPPORT SECTION  
2D MARINE LOGISTICS GROUP  
CAMP LEJEUNE, NORTH CAROLINA 28542-0125

UNITED STATES

v.

AHMAD R. SIDDIQI  
CORPORAL  
XXX XX 6699  
U.S. MARINE CORPS

MEMORANDUM OF PRETRIAL AGREEMENT

Date: 17 June 2010

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I, Corporal Ahmad R. Siddiqi, U.S. Marine Corps, the accused in a special court-martial, certify that:

1. That for good consideration and after consultation with my counsel, I agree to enter a voluntary plea of guilty to the charge and specification listed below at Commanding General's nonjudicial punishment, provided the Commanding General agrees to withdraw the charges and specification from the pending special court-martial.

2. I am satisfied with my defense counsel, Mr. Haytham Faraj and Capt A. R. Wilschke, U.S. Marine Corps, in all aspects.

3. I understand this offer and agreement and have been advised that it cannot be used against me in the determination of my guilt on any matters arising from the charges and specifications made against me in this court-martial.

4. I understand the jurisdictional limits on punishment at Commanding General's nonjudicial punishment are as follows: (1) reduction of one pay grade; (2) restriction for a period not to exceed 60 days; (3) extra duties for a period not to exceed 45 days; (4) if restriction and extra duties are awarded jointly, the maximum period is 45 days; and, (5) forfeiture of one-half of one month's pay for two months.

5. I expressly understand this pretrial agreement will become void in the event: (1) I fail to plead guilty as set forth below; (2) the Commanding General refuses to accept my pleas of guilty as set forth below; (3) the Commanding General initially accepts my pleas of guilty as set forth below but, prior to the time sentence is announced, I ask permission to withdraw my pleas, and the Commanding General permits me to do so; (4) the Commanding General initially accepts my pleas of guilty as set forth below but, prior to the time the sentence is adjudged, the Commanding General sets aside my guilty plea and enter pleas of not guilty on my behalf; (5) I fail to accept nonjudicial punishment.

6. I understand that if this agreement becomes null and void for any of the reasons listed above that the Commanding General is free to withdraw from the pretrial agreement and refer the charge and specification to trial by special court-martial.

7. I understand I may ask permission to withdraw my plea of guilty at any time before sentence is announced, and that the Commanding General may, at his discretion permit me to do so. I further understand that I may refuse

nonjudicial punishment prior to the Commanding General advising me of the sentence.

8. My defense counsels has fully advised me of the meaning and effect of my guilty plea, and its attendant effects and consequences including the possibility that I may be processed for an administrative discharge for the misconduct that is the basis for this agreement, and that, depending on the circumstances, such discharge may be characterized as other than honorable.

9. That I will plead as follows:

<u>CHARGE</u>	<u>OFFENSE</u>	<u>PLEA</u>
Charge I:	Violation of Article 81	NOT GUILTY
Spec:	Conspire to Assault	NOT GUILTY
Charge II:	Violation of Article 107	GUILTY
Spec 1:	False Statement	NOT GUILTY
Spec 2:	False Statement	GUILTY
Charge III:	Violation of Article 128	NOT GUILTY
Spec:	Assault	NOT GUILTY

10. It is expressly understood that I will not commit any act of misconduct chargeable under the Uniform Code of Military Justice between the date both parties sign this agreement and the date of the Commanding General's nonjudicial punishment. Any act of misconduct on my part after both parties sign this agreement and before the date of the Commanding General 's nonjudicial punishment is held, will be grounds for withdrawal from this agreement by the convening authority.

11. The Commanding General agrees not to initiate, recommend, or pursue administrative processing for discharge of my case. I understand that this does not bind higher authority or the Secretary of the Navy from independent review of the facts of my case and possible administrative processing of my case. I understand that any administrative discharge will be characterized in accordance with service regulations, and may be under other than honorable conditions. I fully understand the nature and purpose of an administrative board and the rights that I would have at such a board.

12. There are no other agreements, oral or written, express or implied, between myself and the convening authority, or any other representative of the government, except those written and contained in this agreement.

Witness: \_\_\_\_\_  
A. R. Wilschke  
Captain  
U.S. Marine Corps  
Defense Counsel

Signed: \_\_\_\_\_  
Ahmad R. Siddiqi  
Corporal  
U.S. Marine Corps  
Accused

Date: \_\_\_\_\_

Date: \_\_\_\_\_

  
Waynam Faraj, Esq.

**Civilian Defense Counsel**

**Date: 17 June 2010**

The foregoing agreement is approved.

Date: \_\_\_\_\_

\_\_\_\_\_  
R. T. TRYON  
Major General  
U.S. Marine Corps  
Convening Authority