

**RECORD OF PROCEEDINGS UNDER ARTICLE 15, UCMJ**

For use of this form, see AR 27-10; the proponent agency is TJAG.

*See Notes on Reverse Before Completing Form*

NAME [REDACTED]	GRADE LTC	SSN [REDACTED]	UNIT HHC, 1-8 <sup>th</sup> IN, 3BCT APO AE 09391	PAY (Basic & Sea/Foreign) \$6489.70
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considering whether you should be punished under Article 15, UCMJ, for the following misconduct: <sup>1/</sup> In that you, did, at or Samarra, Iraq, on or between 3 January 2004 and 16 January 2004, wrongfully endeavored to impede an investigation by influencing the sworn statements of First Lieutenant [REDACTED], Sergeant First Class [REDACTED]

SEE CONTINUATION SHEET

2. You are not required to make any statements, but if you do, they may be used against you in this proceeding or at a trial by court-martial. You have several rights under this Article 15 proceeding. First I want you to understand that I have not yet made a decision whether or not you will be punished. I will not impose any punishment unless I am convinced beyond a reasonable doubt that you committed the offense(s). You may ordinarily have an open hearing before me. You may request a person to speak on your behalf. You may present witnesses or other evidence to show why you shouldn't be punished at all (*matters of defense*) or why punishment should be very light (*matters of extenuation and mitigation*). I will consider everything you present before deciding whether I will impose punishment or the type and amount of punishment I will impose. <sup>2/</sup> If you do not want me to dispose of this report of misconduct under Article 15, you have the right to demand trial by court-martial instead. <sup>3/</sup> In deciding what you want to do you have the right to consult with legal counsel

located at CPT [REDACTED], DSN 318-[REDACTED], [REDACTED]@us.army.mil You now have 48 hours to decide what you want to do. <sup>4/</sup>

DATE 8 MAR 04 TIME 1400	NAME, GRADE, AND ORGANIZATION OF COMMANDER RAYMOND T. ODIERNO, MG, 4 <sup>th</sup> IN DIV (MECH)	SIGNATURE [Signature]
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3. Having been afforded the opportunity to consult with counsel, my decision are as follows: (*Initial appropriate blocks, date, and sign*)

- a.  I demand trial by court-martial.
- b.  I do not demand trial by court-martial and in the Article 15 proceedings:
- (1) I request the hearing be  Open  Closed. (2) A person to speak in my behalf  Is  Is not requested.
- (3) Matters in defense, mitigation, and/or extenuation:  Are not presented  Will be presented in person  Are attached.

DATE 13 Mar 04	NAME AND GRADE OF SERVICE MEMBER [REDACTED], LTC	[REDACTED]
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4. In a(n)  Open  Closed hearing <sup>5/</sup> all matters presented in defense, mitigation, and/or extenuation, having been considered, the following punishment is imposed: <sup>6/</sup>

to be reprimanded.

5. I direct the original DA Form 2627 be filed in the  Performance fiche  Restricted fiche of the OMPF. <sup>7/</sup> NA

6. You are advised of your right to appeal to the Cdr, CJTF-7 within 5 calendar days. An appeal made after that time may be rejected as untimely. Punishment is effective immediately unless otherwise stated above.

DATE 13 Mar 04	NAME, GRADE, AND ORGANIZATION OF COMMANDER RAYMOND T. ODIERNO, MG, 4 <sup>th</sup> IN DIV (MECH)	SIGNATURE [Signature]
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7. (*Initial appropriate block, date, and sign*)

- a.  I do not appeal    b.  I appeal and do not submit additional matters <sup>8/ 9/</sup>    c.  I appeal and submit additional

DATE 13 Mar 04	NAME AND GRADE OF SERVICE MEMBER [REDACTED], LTC	[REDACTED]
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8. I have considered the appeal and it is my opinion that:

DATE	NAME AND GRADE OF JUDGE ADVOCATE	SIGNATURE
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9. After consideration of all matters presented in appeal, the appeal is:  
 Denied     Granted as follows: <sup>10/</sup>

DATE	NAME, GRADE, AND ORGANIZATION OF COMMANDER	SIGNATURE
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10. I have seen the action taken on my appeal.	DATE	SIGNATURE OF SERVICE MEMBER
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11. ADDITIONAL DOCUMENTS AND/OR COMMENTS <sup>11/12/13/</sup> Blk/M

- 1- Informal Commander's Inquiry containing 78 pages  
1- ORB

all (b)(6) z

(b)(6)z

Item 1, Continued:

[REDACTED] Sergeant [REDACTED], Specialist [REDACTED] and Specialist [REDACTED] to deny that Mr. [REDACTED] and Mr. [REDACTED] were pushed into the Tigris River, near Samarra, Iraq, and that they instead were left at the side of the roadway. This is a violation of Article 134, UCMJ.

(b)(6)4

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