

CHARGE SHEET

09 March 2006

I. PERSONAL DATA

1. NAME OF ACCUSED (<i>Last, First, Middle Initial</i>) Clagett, Corey R.		2. SSN 247-75-5555	3. GRADE OR RANK PFC	4. PAY GRADE E3	
5. UNIT OR ORGANIZATION C Company, 3rd Battalion, 187 th Infantry Regiment, 3rd Brigade Combat Team, 101st Airborne Division (Air Assault), Forward Operating Base Brassfield-Mora, Iraq, APO AE 09349			6. CURRENT SERVICE		
			a. INITIAL DATE 20 October 2004	b. TERM 3 yrs	
7. PAY PER MONTH		8. NATURE OF RESTRAINT OF ACCUSED Pretrial Confinement	9. DATE(S) IMPOSED 15 June 2006		
a. BASIC	b. SEA/FOREIGN DUTY				c. TOTAL
\$1,501.20	\$100.00				\$1,601.20

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 80

THE SPECIFICATION: In that Private First Class Corey R. Clagett, U.S. Army, did, at or near the Muthana Chemical Complex, Iraq, on or about 9 May 2006, attempt with premeditation to murder a male detainee of apparent Middle-Eastern descent whose name is unknown by means of shooting him with a firearm.

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 81

THE SPECIFICATION: In that Private First Class Corey R. Clagett, U.S. Army, did, at or near the Muthana Chemical Complex, Iraq, on or about 9 May 2006, conspire with Corporal William B. Hunsaker and Staff Sergeant Raymond L. Girouard to commit an offense under the Uniform Code of Military Justice, to wit: premeditated murder of three male detainees of apparent Middle-Eastern descent whose names are unknown, and in order to effect the object of the conspiracy, the said Private First Class Corey R. Clagett and Specialist William B. Hunsaker did shoot at the aforementioned three male detainees of apparent Middle-Eastern descent whose names are unknown.

CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 118

SPECIFICATION 1: In that Private First Class Corey R. Clagett, U.S. Army, did, at or near the Muthana Chemical Complex, Iraq, on or about 9 May 2006, with premeditation, murder a male detainee of apparent Middle-Eastern descent whose name is unknown by means of shooting him with a firearm.

(SEE CONTINUATION)

III. PREFERRAL

11a. NAME OF ACCUSER (<i>Last, First, Middle Initial</i>) JASON A. SIENKO	b. GRADE CPT	c. ORGANIZATION OF ACCUSER C Co, 3rd Bn, 187 th Inf Regt, 3rd BCT
d. SIGNATURE OF ACCUSER <i>Jason Sienko</i>		e. DATE (YYYYMMDD) 2006 06 18

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 18th day of June, 2006, 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.

JOSEPH B. MACKEY

Typed Name of Officer

HHC, 3rd BCT

Organization of Officer

CPT

Grade

Trial Counsel

*Official Capacity to Administer Oath
(See R.C.M. 307(b) - must be a commissioned officer)*

Signature

On 2006 06 18, 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.)

JASON A. SIENKO

Typed Name of Immediate Commander

C Co, 3rd Bn, 187th Inf Regt, 3rd BCT

Organization of Immediate Commander

CPT

Grade

Jason Sienko

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at _____ hours, _____ at HQ, 3rd Bn, 187th Inf Regt, 3rd BCT
Designation of Command or

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

FOR THE¹

NATHANIEL JOHNSON JR.

Typed Name of Officer

Commander

Official Capacity of Officer Signing

LTC

Grade

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE (YYYYMMDD)

Referred for trial to the _____ court-martial convened by _____

_____, subject to the following instructions:²

By _____ Of _____
Command or Order

Typed Name of Officer

Official Capacity of Officer Signing

Grade

Signature

15.

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

Typed Name of Trial Counsel

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.

Item 10 (Cont'd):

SPECIFICATION 2: In that Private First Class Corey R. Clagett, U.S. Army, did, at or near the Muthana Chemical Complex, Iraq, on or about 9 May 2006, with premeditation, murder a male detainee of apparent Middle-Eastern descent whose name is unknown by means of shooting him with a firearm.

CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 134

SPECIFICATION 1: In that Private First Class Corey R. Clagett, U.S. Army, did, while traveling in a vehicle between Forward Operating Base Brassfield-Mora, Iraq and the U.S. Army Criminal Investigation Command (CID) office at Contingency Operating Base Speicher, Iraq, on or about 29 May 2006, wrongfully communicate to Private First Class Bradley L. Mason a threat, to wit: "Staff Sergeant Girouard will not have to kill you because I will kill you if you say anything" or words to that effect.

SPECIFICATION 2: In that Private First Class Corey R. Clagett, U.S. Army, did, while traveling in a vehicle between Forward Operating Base Brassfield-Mora, Iraq and the U.S. Army Criminal Investigation Command (CID) office at Contingency Operating Base Speicher, Iraq, on or about 29 May 2006, wrongfully endeavor to influence the testimony of Private First Class Bradley L. Mason as a witness in the investigation into the shooting of three male detainees of apparent Middle-Eastern descent whose names are unknown at or near the Muthana Chemical Complex on or about 9 May 2006 by communicating to the said Private First Class Bradley L. Mason a threat, to wit: "Staff Sergeant Girouard will not have to kill you because I will kill you if you say anything" or words to that effect.