Personal Data L. Personal Data L. Sen Graber, Juston R 067-70-5608 SPC E4				CHARGE SHE	ET		09 March 2006	
Graber, Juston R. 5. UNITO ROBGANIZATION C Company, 3rd Battalion, 187th Infantry Regiment, 3rd Brigade Combat Team, 101st Airborne Division (Air Assault), Forward Operating Base Brassfield-Mora, Iraq, APO AE 09349 7. FAY PERMONTH 5. BASIC 5. SEAFOREIGN DUTY 6. TOTAL 5. CHARGE: I VIOLATION OF THE LCMJ, ARTICLE 80 THE SPECIFICATION: In that Specialist Juston R. Graber, U.S. Army, did, at or near the Muthana Chemical Complex, Iraq, on or about 9 May 2006, enspire with Staff Sergeant Raymond L. Girouard to commit an offense under the Uniform Code of Military Justice, to wit: premeditated murder of a male detainee of apparent Middle-Eastern Goscent Whose name is unknown by means of shooting him with a firearm. CHARGE: II VIOLATION OF THE UCMJ, ARTICLE 81 THE SPECIFICATION: In that Specialist Juston R. Graber, U.S. Army, did, at or near the Muthana Chemical Complex, Iraq, on or about 9 May 2006, conspire with Staff Sergeant Raymond L. Girouard to commit an offense under the Uniform Code of Military Justice, to wit: premeditated murder of a male detainee of apparent Middle-Eastern Goscent whose name is unknown and in order to effect the object of the conspiracy, the said Specialist Juston R. Graber did aim at the aforementioned male detainee whose name is unknown through the sight picture of his firearm. CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 107 THE SPECIFICATION: In that Specialist Juston R. Graber, U.S. Army, at or near Contingency Operating Base Speicher, Iraq, on or about 29 May 2006, with intent to deceive, make to Special Agent Ramon A. De La Mora an official statement, to wit: "Upon arriving to the front of the house I with the statement was false in that not all three detainees were dead when he arrived at the front of the house after hearing shots fired, and was then know by the said Specialist Juston R. Graber to be so false. (SEE CONTINUATION) 6. SIGNATURE OF ACCUSER (Lam, Fort, Middle Industry) AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this					A		L nu co in	
S. UNITORO ROGANIZATION C. Company, 3rd Battalion, 187th Infantry Regiment, 3rd Brigade Combat Team, 101st Airborne Division (Air Assault), Forward Operating Base Brassfield-Mora, Iraq, APO AE 09349 T. PAYPER MONTH B. BASIC B. SEAFOREIGN DLTY C. TOTAL S1,748.10 \$100.00 \$1,848.10 S1,748.10 \$100.00 \$1,848.10 II. CHARGES AND SPECIFICATIONS 10. CHARGE: I VIOLATION OF THE UCMJ. ARTICLES THE SPECIFICATION: In that Specialist Juston R. Graber, 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 Specialist Juston R. Graber, U.S. Army, did, at or near the Muthana Chemical Complex, Iraq, on or about 9 May 2006, conspire with Staff Sergeant Raymond L. Girouard to commit an offense under the Uniform Code of Military Justice, to wit: premeditated murder of a male detainee of apparent Middle-Eastern descent whose name is unknown, and in order to effect the object of the conspiracy, the safe Specialist Juston R. Graber did aim at the aforementioned male detainee whose name is unknown through the sight picture of his firearm. CHARGE III: VIOLATION OF THE UCMJ. ARTICLE 107 THE SPECIFICATION: In that Specialist Juston R. Graber, U.S. Army, at or near Contingency Operating Base Specialist Juston R. Graber, Iraq, on or about 29 May 2006, with intent to deceive, make to Special Region A. De La Mora an official statement, to wit: "Upon arriving to the front of the house I witnessed the 3 dead detainees" or words to that effect, which statement was false in that not all three detainees were dead when he arrived at the front of the house after hearing shots fired, and was then know by the said Specialist Juston R. Graber to be so false. (SEE CONTINUATION) III. PREFERRAL	1. NAME OF ACCUSED (Last, First, Middle Initial)			2. SSN				
C Company, 3rd Battalion, 187th Infantry Regiment, 3rd Brigade Combat Team, 101st Airborne Division (Air Assault), Forward Operating Base Brassfield-Mora, Iraq, APO AE 09349 7. PAY PER NONTH 8. BASIC 8. SEAFOREIGN DUTY 10. CHARGE: I VIOLATION In that Specialist Juston R. Graber, 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 Specialist Juston R. Graber, U.S. Army, did, at or near the Muthana Chemical Complex, Iraq, on or about 9 May 2006, conspire with Staff Sergeant Raymond L. Girouard to commit an offense under the Uniform Code of Military Justice, to wit: premeditated murder of a male detainee of apparent Middle-Eastern descent whose name is unknown, and in order to effect the object of the conspiracy, the said Specialist Juston R. Graber did aim at the aforementioned male detainee whose name is unknown through the sight picture of his firearm. CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 107 THE SPECIFICATION: In that Specialist Juston R. Graber, U.S. Army, at or near Contingency Operating Base Specicles, Iraq, on or about 29 May 2006, with intent to deceive, make to Special Agent Ramon A. De La Mora an official statement, to wit: "Upon arriving to the front of the house I witnessed the 3 dead detainees" or words to that effect, which statement was false in that not all three detainees were dead when he arrived at the front of the house after hearing shots fired, and was then know by the said Specialist Juston R. Graber to be so false. (SEE CONTINUATION) 11. PREFERRAL 11. NAME OF ACCUSER (Lam. First, Middle bindal) 12. OAGO (OGA) AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 21 day of 3.042 2006 (GGA) and signed the foregoing				067-70-56	08		E4	
101st Airborne Division (Air Assault), Forward Operating Base Brassfield-Mora, Iraq, APO AE 09349 7. PAY PER MONTH 2. BASIC 3. SEAFOREIGN DUTY 4. NATURE OF RESTRAINT OF ACCUSED 51,748.10 510.00 51,848.10 10. CHARGE: I VIOLATION OF THE UCMJ, ARTICLE 80 THE SPECIFICATION: In that Specialist Juston R. Graber, 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 Specialist Juston R. Graber, U.S. Army, did, at or near the Muthana Chemical Complex, Iraq, on or about 9 May 2006, conspire with Staff Sergeant Raymond L. Girouard to commit an offense under the Uniform Code of Military Justice, to wit: premeditated murder of a male detainee of apparent Middle-Eastern descent whose name is unknown, and in order to effect the object of the conspiracy, the said Specialist Juston R. Graber did aim at the aforementioned male detainee whose name is unknown through the sight picture of his firearm. CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 107 THE SPECIFICATION: In that Specialist Juston R. Graber, U.S. Army, at or near Contingency Operating Base Specieher, Iraq, on or about 29 May 2006, with intent to deceive, make to Special Agent Ramon A. De La Mora an official statement, to wit: "Upon arriving to the front of the house I witnessed the 3 dead detainees" or words to that effect, which statement was false in that not all three detainees were dead when he arrived at the front of the house after hearing shots fired, and was then know by the said Specialist Juston R. Graber to be so false. (SEE CONTINUATION) THE PREFERRAL 10. NAME OF ACCUSER (Lam, Pira, Middle Inhiat) 11. NAME OF ACCUSER (Lam, Pira, Middle Inhiat) 2. CPT CCO, 3rd Bn. 187° Inf Regt, 3rd BCT CCO, 3rd Bn. 187° Inf Regt, 3rd BCT CCPT CCO, 3rd Bn. 187° Inf Regt, 3rd BCT AFFIDAVIT: Before me,				2nd Daise de C	ombot Toom		b. TERM	
Fraq. APO AE 09349 S. PATURE OF RESTRAINT OF ACCUSED S. DATE(S) IMPOSED								
8. NATINE OF RESTRAINT OF ACCUSED 8. BASIC 8. SEAFOREIGN DUTY C. TOTAL 8. 1,748.10 8. SEAFOREIGN DUTY C. TOTAL 9. L. CHARGES AND SPECIFICATIONS 10. CHARGE: I VIOLATION OF THE UCMJ, ARTICLE 80 THE SPECIFICATION: In that Specialist Juston R. Graber, U.S. Army, did, at or near the Muthana Chemical Complex, Iraq, on or about 9 May 2006, attempt, with premeditation, to munder 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 Specialist Juston R. Graber, U.S. Army, did, at or near the Muthana Chemical Complex, Iraq, on or about 9 May 2006, conspire with Staff Sergeant Raymond L. Girouard to commit an offense under the Uniform Code of Military Justice, to wit: premeditated murder of a male detainee of apparent Middle-Eastern descent whose name is unknown, and in order to effect the object of the conspiracy, the said Specialist Juston R. Graber did aim at the aforementioned male detainee whose name is unknown through the sight picture of his firearm. CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 107 THE SPECIFICATION: In that Specialist Juston R. Graber, U.S. Army, at or near Contingency Operating Base Specieher, Iraq, on or about 29 May 2006, with intent to deceive, make to Special Agent Ramon A. De La Mora an official statement, to wit: "Upon arriving to the front of the house I witnessed the 3 dead detainers or words to that effect, which statement was false in that not all three detainees were dead when he arrived at the front of the house after hearing shots fired, and was then know by the said Specialist Juston R. Graber to be so false. (SEE CONTINUATION) 11a. NAME OF ACCUSER (Law, First, Middle Indial) 12b. GRADE 13c. ORGANIZATION OF ACCUSER 15c. DATE (1777)MADD) 25c. DATE (1777)M		`	iit), Forward Op	erating base bi	assitetu-tviora,	2 July 2003] 3 313	
10. CHARGE I VIOLATION OF THE UCMJ, ARTICLE 81 THE SPECIFICATION: In that Specialist Juston R. Graber, U.S. Army, did, at or near the Muthana Chemical Complex, Iraq, on or about 9 May 2006, enspire with Staff Sergeant Raymond L. Girouard to commit on official aim at the aforementioned male detainee of apparent Middle-Eastern descent whose name is unknown, and in order to effect the object of the conspiracy, the said Specialist Juston R. Graber, U.S. Army, did, at or near the Muthana Chemical Complex, Iraq, on or about 9 May 2006, conspire with Staff Sergeant Raymond L. Girouard to commit an offense under the Uniform Code of Military Justice, to wit: premeditated murder of a male detainee of apparent Middle-Eastern descent whose name is unknown, and in order to effect the object of the conspiracy, the said Specialist Juston R. Graber did aim at the aforementioned male detainee whose name is unknown through the sight picture of his firearm. CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 107 THE SPECIFICATION: In that Specialist Juston R. Graber, U.S. Army, at or near Contingency Operating Base Speicher, Iraq, on or about 29 May 2006, with intent to deceive, make to Special Agent Ramon A. De La Mora an official statement, to wit: "Upon arriving to the front of the house I witnessed the 3 dead detainees" or words to that effect, which statement was false in that not all three detainees were dead when he arrived at the front of the house after hearing shots fired, and was then know by the said Specialist Juston R. Graber to be so false. (SEE CONTINUATION) AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 21 day of 3 one 2 ORGANIZATION of the best of his/fire knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/fire knowledge and belief. JOSEPH B. MACKEY Typed Name of Officer CPT Trial Counsel	The state of the s			8. NATURE OF RE	STRAINT OF ACCUSED	9. DATE(S) IMPOSED		
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11a. NAME OF ACCUSER (Last, First, Middle Initial) JASON A. SIENKO d. SIGNATURE OF ACCUSER AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 21 day of 5006, 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 CPT COO, 3rd Bn, 187th Inf Regt, 3rd BCT e. DATE (YYYYMMDD) 2006 0621 e. DATE (YYYYMMDD) 2006 0621 HE foregoing charges and specifications under oath 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 HHC, 3rd BCT Organization of Officer Trial Counsel	Complex, Iraunder the Un Eastern desc R. Graber di firearm. CHARGE II THE SPECI Speicher, Irau official state effect, which	aq, on or about 9 May 2 niform Code of Military ent whose name is unked aim at the aforemention. It VIOLATION OF THE FICATION: In that Spaq, on or about 29 May ement, to wit: "Upon arm a statement was false in g shots fired, and was the	2006, conspire way Justice, to wit: nown, and in order oned male details. The UCMJ, ARTI ecialist Juston R 2006, with intensiving to the from that not all three len know by the	premeditated notes to effect the nee whose name of the local state of the house of	Army, at or near Coake to Special Agent witnessed the 3 dere dead when he arrigustant and the construction of the conspection o	ouard to commit an ainee of apparent M iracy, the said Specigh the sight picture of the sight	offense iddle- alist Juston of his Base Mora an ds to that	
JASON A. SIENKO d. SIGNATURE OF ACCUSER AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 21 day of 5006, 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 Trial Counsel				III. PREFERRAL				
d. SIGNATURE OF ACCUSER AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 21 day of 3006, 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 HHC, 3rd BCT Typed Name of Officer Organization of Officer Trial Counsel			l)					
AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 21 day of 3000, 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 Organization of Officer Trial Counsel				CPT	C Co, 3rd Bn, 1		<u>CT</u>	
AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 21 day of 5000, 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 Organization of Officer Trial Counsel	d. SIGNATURE OF	ACCUSER Japan Sin	Jeo					
(See R.C.M. 307(b) - must be a commissioned officer)	the above na specifications	under oath that he/she is or has investigated the management of Officer JOSEPH B. MACKI Typed Name of Officer CPT Grade Grade	gned, authorized the day of 30 aperson subject the atters set forth the	o the Uniform Co		signed the foregoing e and that he/she either est of his/her knowledge, 3rd BCT ation of Officer Counsel ity to Administer Oath ust be a commissioned officer	charges and has personal te and belief.	

12.	·
On,,,, the accuse the accuser(s) known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notion	ed was informed of the charges against him/her and of the name(s) of fication cannot be made.)
JASON A. SIENKO	C Co, 3rd Bn, 187 th Inf Regt, 3rd BCT
Typed Name of Immediate Commander	Organization of Immediate Commander
CPT STATE OF THE S	apparation of the state of the
Japan Lientzo	
Signature	
	T-MARTIAL CONVENING AUTHORITY
13.	
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DD FORM 458 (BACK), MAY 2000

Continuation Sheet, DD Form 458, Pertaining to SPC JUSTON R. GRABLE, 067-70-5608, C Co, 3rd Bn, 187th Inf Regt, FOB Brassfield-Mora, APO AE 09349

Item 10 (Cont'd):

CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 118

THE SPECIFICATION: In that Specialist Juston R. Graber, U.S. Army, 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.