

UNITED STATES)

v)

MOTION FOR SHOW CAUSE ORDER

WILLIAM L. CALLEY, JR)

FIRST LIEUTENANT, US ARMY)

Comes now the accused through counsel in the above entitled case

and moves the court to issue an order to General Court-Martial

Convening Authority, in this case, to show cause why a Writ of

Mandamus should not be issued compelling him to provide adequate

funds, under the provisions of Paragraph 116, Manual for Courts-

Martial, 1969 (Revised), for accused to employ in his behalf a

qualified private detective agency to investigate the alleged

My Lai 4 incident and other related case aspects thereof; or, in

the alternative to detail a qualified and accredited criminal

investigator to serve (TDY) under the operational control, and

in confidence with, the appointed military defense counsel for a

period of not less than sixty (60) days.

BASIS FOR MOTION

The United States currently has employed the investigative sources

of the Department of the Army Inspector General and The Provost

Marshal General's Criminal Investigation Division to interview

witnesses and obtain statements, many of which have not been made

available to the accused or his counsel. In addition, a Lieutenant

General is conducting a relevant collateral investigation of the

alleged incident. Defense needs its own investigator to help uncover

vital defense, extenuation, and mitigation evidence in this capital

case. Denial of this show cause order may materially delay defense's

case preparation and may ultimately cause essential evidence to become

If counsel must engage in lengthy personal investigation, vital defense legal research will be impaired thereby, in effect, denying accused of his constitutional right to counsel.

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of and for
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