

IN THE FIFTH JUDICIAL CIRCUIT  
Fort Benning, Georgia 31905

UNITED STATES

v.

WILLIAM L. CALLEY, JUNIOR  
FIRST LIEUTENANT  
UNITED STATES ARMY

MOTION TO CONTINUE

Comes now defendant Lieutenant William L. Calley, Jr., individually, and through his Military and Civilian Counsel, and moves the above-entitled Courts-Martial to continue the date of trial of his criminal charges from the 18th day of May, 1970 until August 24, 1970. If his request is granted, the last mentioned date is to be considered by Counsel for the Defense as a firm setting unless stayed by Judicial Processes of Civil Jurisdiction.

(1) The reasons underlying this request are that the United States of America has obtained additional testimony from witnesses thru the Peer's Committee and CID activities, which has been reduced to typewritten form. Defense Counsel has made a demand to inspect the document and have been informed that the Committee or some representative of the United States Government will make the records available for inspection to the defense in either Washington, D. C. or Fort Benning, Georgia.

(2) That Civilian Counsel has received from Trial Counsel within the past few days a great many statements obtained by the Army CID and it will be necessary to read them and digest their contents for consideration of subpoenaing the witnesses to testify.

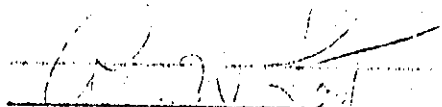
(3) That numerous witnesses identified in the Peer's Report and the Army CID statements should, if possible, be


interviewed and they are scattered throughout the United States and contacting them will take a considerable period of time.

(4) That the case is capital and the accused will be prejudiced if not given adequate time to permit his counsel to prepare their defense.

(5) That the time granted to perform the preparatory work necessary to defend a case of this serious consequence will expedite the trial proceeding when they commence.

Dated this 14th day of April, 1970.

  
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GEORGE W. LATIMER  
Chief Counsel for Accused  
520 Kearns Building  
Salt Lake City, Utah 84101

  
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KENNETH A. RABY  
Military Defense Counsel

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RICHARD B. KAY  
Counsel for Accused

Received a copy of the foregoing Motion to Continue  
this \_\_\_\_\_ day of April, 1970.

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AUBREY M DANIEL III  
CPT, JAGC  
Trial Counsel