

DEPARTMENT OF THE ARMY
HEADQUARTERS, THIRD UNITED STATES ARMY
Fort McPherson, Georgia 30330

GENERAL COURT-MARTIAL ORDER
NUMBER 2

28 January 1970.

Before a general court-martial which assembled at Fort McPherson, Georgia, pursuant to Court-Martial Convening Order Number 35, this headquarters, 12 November 1969, was arraigned and tried:

Specialist Four Charles R. Findley, SSAN: , US Army, Garrison Company, United States Army Garrison, Fort McPherson, Georgia.

Charge I: Violation of the Uniform Code of Military Justice, Article 89

Specification: In that Specialist Four Charles R. FINDLEY, United States Army, Garrison Company, United States Army Garrison, Fort McPherson, Georgia, did, at Fort McPherson, Georgia, on or about 18 September 1969, behave himself with disrespect toward First Lieutenant DON C SMITH, his superior commissioned officer, by saying to him, "I'm tired of your Bull Shit and I'm going to see what I can do about it," and "I'm going to go get my gun, you little son of a bitch," or words to that effect.

Charge II: Violation of the Uniform Code of Military Justice, Article 90

Specification: In that Specialist Four Charles R FINDLEY, United States Army, Garrison Company, United States Army Garrison, Fort McPherson, Georgia, did, at Fort McPherson, Georgia, on or about 18 September 1969, strike First Lieutenant DON C SMITH, his superior commissioned officer, who was then in the execution of his office, on the forearm with a mop handle and the left side of his body with a large trash can.

Charge III: Violation of the Uniform Code of Military Justice, Article 91

Specification 1: In that Specialist Four Charles R FINDLEY, United States Army, Garrison Company, United States Army Garrison, Fort McPherson, Georgia, did, at Fort McPherson, Georgia, on or about 18 September 1969, assault Staff Sergeant Johnnie M L Jones, his superior non-commissioned officer, who was then in the execution of his office, by striking him with a trash can and a swinging door.

Specification 2: In that Specialist Four Charles R FINDLEY, United States Army, Garrison Company, United States Army Garrison, Fort McPherson, Georgia, having received a lawful order from Staff Sergeant Johnnie M L Jones, his superior noncommissioned officer, to be "at ease," and to "report to the orderly room," did, at Garrison Company Supply Room, Garrison Company, United States Army Garrison, Fort McPherson, Georgia, on or about 18 September 1969, willfully disobey the same.

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Specification 3: In that Specialist Four Charles R FINDLEY, United States Army, Garrison Company, United States Army Garrison, Fort McPherson, Georgia, at Fort McPherson, Georgia, on or about 18 September 1969, was disrespectful in deportment toward Staff Sergeant Johnnie M L Jones, his superior noncommissioned officer, who was then in the execution of his office, by saying to him, "you don't tell me nothing and I'm not going to obey any lawful order to report to the orderly room," or words to that effect.

Charge IV: Violation of the Uniform Code of Military Justice, Article 128

Specification 1: In that Specialist Four Charles R FINDLEY, United States Army, Garrison Company, United States Army Garrison, Fort McPherson, Georgia, did, at Fort McPherson, Georgia, on or about 19 September 1969, assault Sergeant Charles L Barnes, a person then having and in the execution of military police duties, by striking him with his fist.

Specification 2: In that Specialist Four Charles R FINDLEY, United States Army, Garrison Company, United States Army Garrison, Fort McPherson, Georgia, did, at Fort McPherson, Georgia, on or about 19 September 1969, assault Private First Class Bruce R Barrette, a person then having and in the execution of military police duties, by striking him with a broken window frame.

PLEAS

To all Charges and all Specifications: Not Guilty.

FINDINGS BY MILITARY JUDGE

Of the Specification of Charge I and Charge I: Not Guilty.

Of the Specification of Charge II and Charge II: Guilty.

Of Specification 1 of Charge III: Guilty, except the words, "and a swinging door;" of the excepted words: Not Guilty.

Of Charge III as to Specification 1: Guilty.

Of Specification 2 of Charge III: Guilty, except the words, "to be at ease," and of the excepted words: Not Guilty.

Of Charge III as to Specification 2: Guilty.

Of Specification 3 of Charge III: Guilty, except the words, "and I am not going to obey any lawful order to report to the Orderly Room;" of the excepted words: Not Guilty.

Of Charge III as to Specification 3: Guilty.

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Of Specification 1 of Charge IV: Not Guilty.

Of Specification 2 of Charge IV: Guilty.

Of Charge IV: Guilty.

SENTENCE

To be dishonorably discharged from the service, to forfeit all pay and allowances, to be confined at hard labor for two years, and to be reduced to the grade of Private E1. (Two previous convictions considered.)

The sentence was adjudged on 5 December 1969.

ACTION

DEPARTMENT OF THE ARMY
HEADQUARTERS THIRD UNITED STATES ARMY
Fort McPherson, Georgia 30330

28 January 1970

In the foregoing case of Specialist Four Charles R. Findley, United States Army, Garrison Company, United States Army Garrison, Fort McPherson, Georgia, the sentence is approved. The forfeitures shall apply to pay and allowances becoming due on and after the date of this action. The record of trial is forwarded to The Judge Advocate General of the Army for review by a Court of Military Review. Pending completion of appellate review, the accused will be confined in the United States Disciplinary Barracks, Fort Leavenworth, Kansas, or elsewhere as competent authority may direct.

/s/ A. O. Connor

/t/ A. O. CONNOR

Lieutenant General, USA
Commanding

BY COMMAND OF LIEUTENANT GENERAL CONNOR:

OFFICIAL



RICHARD S. DERBES

Captain, JAGC

Acting Asst Adjutant General

SAMUEL L. REID
Brigadier General, USA
Chief of Staff

GCMO No. 2 , DA, HQ, Third US Army, Ft McPherson, GA., 28 January 1970, Con't.

DISTRIBUTION:

1-SP4 Charles R. Findley
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1-Commandant, USDB, Ft Leavenworth, KS 60037
1-Chief, Exam. Div. MPO, FC USA, Indianapolis, IN 46249
1-CO, US Army Pers Svcs Spt Ctr, ATTN: AGPE-F, Ft Benjamin Harrison, IN 46249
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