

CHARGE SHEET

PLACE Port Lewis, Washington		DATE January 1970	
ACCUSED (Last name, First name, Middle initial) (List aliases when material) HUTTO, Charles E.		SERVICE NO./SOCIAL SECURITY ACCOUNT NO.	GRADE OR RANK AND PAY GRADE
ORGANIZATION AND ARMED FORCE (If the accused is not a member of any armed force, state other appropriate description showing that he is subject to military law) HEADQUARTERS COMPANY US ARMY GARRISON FORT MCPHERSON, GEORGIA US ARMY		DATE OF BIRTH 17 December 1948	PAY PER MONTH
		CONTRIBUTION TO FAMILY OR QUARTERS ALLOWANCE (MCM, 126b (2)) \$105.00 quarters allowance	BASIC
			SEA OR FOREIGN DUTY
			TOTAL \$18.00

RECORD OF SERVICE

INITIAL DATE OF CURRENT SERVICE 13 January 1967	TERM OF CURRENT SERVICE 3 years
PRIOR SERVICE: 0 YEARS 0 MONTHS 0 DAYS (As to each prior period of service, give inclusive dates of service and Armed Force, if available)	

DATA AS TO WITNESSES

(Summary Court Officer will line out and insert names as applicable (MCM, 79g) and initial changes)

NAME OF WITNESS	ADDRESS	WITNESSES FOR	
		PROSECUTION	ACCUSED
Mr. Thomas H. Partsch	12720 Wanda Ave, Cleveland, Ohio 44139	X	
Mr. Max D. Hutson	HQ Co, USAG, Ft. McPherson, Ga. 30330	X	
SP4 Harold Brown	Co A, 10th Bn, 2d BCT, Ft. Jackson, SC	X	
SGT Kenneth Schiel	HQ Co, USAG, Ft. McPherson, Ga. 30330	X	
Mr. John E. Mower	PO Box 107, Shippensburg, Pa. 17257	X	
PVT Victor Romero	Co E, 1st Bn, 10th Inf, 5th Inf Div, Fort Carson, Colo.	X	
Mr. Floyd D. Wright	Cross Anchor Trailer Court, Greenville, Tenn.	X	
Mr. Billy H. Thompson	CID Agency, Washington, D.C.	X	
SGT Patrick A. Thiele	HMC, 1st Bn, 299th Inf, Schofield Bde, APO SF 96557	X	
SP4 Randolph E. Glacier	Co A, 1st Bn, 10th Inf, 5th Inf Div, Fort Carson, Colo.	X	
Mr. John H. Smell	16212 111st Ave SE, Renton, Wash.	X	
Mr. Maclin C. Brown	717 South West St., Petersburg, Va. 23801	X	
SP5 Joseph N. Kominski	HMC, 11th Bde, Americal Div, APO SF 96217	X	
Mr. Dennis M. Dunning	Box 150 Star Route, Raymond, Calif.	X	
PVT Johnnie E. Tunstall	Co B, 1st Bn, 10th Inf, 5th Inf Div, Fort Carson, Colo.	X	

*(continued below)

DOCUMENTS AND OBJECTS

DOCUMENTS AND OBJECTS	
*SGT Michael A. Bernhardt	Co A, 1st Bn, 3d Bde, USATC, Ft. Dix, NJ
Mr. Everette L. Cayot	Okeene, Oklahoma
Mr. Varnado Simpson	1815 K Ave, Jackson, Miss. 39213
2LT Walter R. Machnicki	Co A, 7th SFG (Abn), Ft. Bragg, NC

Documents and Objects

Report of Investigation #69-CID011-00069 1st Progress dated 22 Dec 69
 Report of Investigation #70-CID011-00014 1st Progress dated 10 Feb 70

DATA AS TO RESTRAINT

NATURE OF ANY RESTRAINT OF ACCUSED	DATE	LOCATION
None		

DD FORM 458

PREVIOUS EDITION WILL BE USED

Charge I: Violation of the Uniform Code of Military Justice, Article 120

Specification: In that Sergeant Charles E. Hutto, US Army, Headquarters Company, US Army Garrison, Fort McPherson, Georgia, then a member of Company C, 1st Battalion, 20th Infantry, 11th Light Infantry Brigade, Americal Division, did, at My Lai (4), Quang Ngai Province, Republic of Vietnam, on or about 16 March 1968, rape a Vietnamese female person, whose name is unknown.

Charge II: Violation of the Uniform Code of Military Justice, Article 118

Specification: In that Sergeant Charles E. Hutto, US Army, Headquarters Company, US Army Garrison, Fort McPherson, Georgia, then a member of Company C, 1st Battalion, 20th Infantry, 11th Light Infantry Brigade, Americal Division, did, at My Lai (4), Quang Ngai Province, Republic of Vietnam, on or about 16 March 1968, with premeditation, murder a Vietnamese female person, whose name is unknown, by means of shooting her with a rifle.

Charge III: Violation of the Uniform Code of Military Justice, Article 134

Specification: In that Sergeant Charles E. Hutto, US Army, Headquarters Company, US Army Garrison, Fort McPherson, Georgia, then a member of Company C, 1st Battalion, 20th Infantry, 11th Light Infantry Brigade, Americal Division, did, at My Lai (4), Quang Ngai Province, Republic of Vietnam, on or about 16 March 1968, with intent to commit murder, commit an assault upon an unknown number of unidentified civilian Vietnamese men, women, and children, not less than six, whose names are unknown, by firing his weapon at them.

Varnado Simpson	1115 Ave. K, Jackson, Mississippi	X	
Max D. Hutson	Co. A, Inf. School Bn, Ft Benning, Ga.	X	
John R. Mower	P.O. Box 107, Shippenburg, Pa.	X	

DOCUMENTS AND OBJECTS

LIST AND DESCRIBE (If not attached to charges, note where it may be found)

None

DATA AS TO RESTRAINT

NATURE OF ANY RESTRAINT OF ACCUSED	DATE	LOCATION
None		

DD FORM 458
1 JUL 62

PREVIOUS EDITION WILL BE USED