

UNITED STATES

v.

CHARLES E. HUTTO
SERGEANT
US ARMY

)
)
) STIPULATION OF FACT

It is hereby stipulated by and between Trial and Defense Counsel with the express consent of the accused that the following facts are true:

- a. That on 16 March 1968, Co. G/1/20 was engaged in a search and destroy mission on the village of My Lai (4), Republic of Vietnam.
- b. The unit was in a free fire zone.
- c. No officer, non-commissioned or enlisted member of the American Division ever initiated disciplinary action against the defendant for indiscriminately discharging weapons during the operation.
- d. That the government is without knowledge as to whether the persons who purportedly were the victims of the alleged assault by the defendant were members of Viet Cong paramilitary forces, Viet Cong regular military forces, North Vietnamese military forces, non-combatants, loyal South Vietnamese or otherwise.

FRANKLIN E. WINTERS
Trial Counsel

EDWARD L. MAGILL
Individual Civilian Counsel

WILLIAM G. BERNARDI
Assistant Trial Counsel

JAMES W. LANE
Military Defense Counsel

CHARLES E. HUTTO
Sergeant US Army
Accused