

CHARGE SHEET

PLACE FORT MCPHERSON, GEORGIA		DATE 19 February 1970
ACCUSED (Last name, First name, Middle initial) (List aliases when material) BASKETTE, BILLY J.		SERVICE NO./SOCIAL SECURITY ACCOUNT NO.
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) US ARMY SPECIAL PROCESSING DETACHMENT US ARMY GARRISON FORT MCPHERSON, GEORGIA 30330		GRADE OR RANK PVT E2
DATE OF BIRTH 26 July 1948		PAY PER MONTH
CONTRIBUTION TO FAMILY OR QUARTERS ALLOWANCE (MCM, 1261 (2)) NONE		BASIC \$ 127.80
		SEA OR FOREIGN DUTY \$ n/a
		TOTAL \$ 127.80
RECORD OF SERVICE		
INITIAL DATE OF CURRENT SERVICE 1 February 1968	TERM OF CURRENT SERVICE Two (2) Years	
PRIOR SERVICE: None (As to each prior period of service, give inclusive dates of service and Armed Force, if available.) YEARS MONTHS DAYS		
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
DOCUMENTS AND OBJECTS		
LIST AND DESCRIBE (If not attached to charges, note where it may be found)		
MR DATED: 5 Feb 70, fr, HHB, 4th Bn, 94th FA, Ft Irwin, California		
MR DATED: 16 Feb 70, fr, SPD, USAG, Ft McPherson, Georgia		
DATA AS TO RESTRAINT		
NATURE OF ANY RESTRAINT OF ACCUSED Pre-trial Confinement <i>lnd 1</i>	DATE 23 Jan 70	LOCATION Post Stockade, Fort McPherson, Georgia

Specification: In that Private 42 Billy J. Radcliffe, US Army Special Provosting Detachment, US Army Garrison, Fort McPherson, Georgia, then a member of Headquarters and Headquarters Battery, 4th Battalion, 90th Field Artillery, Fort Irwin, California, did on or about 16 July 1948, without authority, absent himself from his unit, US Army Headquarters and Headquarters Battery, 4th Battalion, 90th Field Artillery, located at Fort Irwin, California, and did remain so absent until on or about 22 January 1970.

If this space is insufficient for all charges and specifications, they will be set forth numerically, front to back, on separate sheets attached to this page.

NAME, GRADE, AND ORGANIZATION OF ACCUSER
RICHARD S. DERBES, CAPT, USA, JAGC, CONN 1970

SIGNATURE

Richard S. Derbes

AFFIDAVIT

Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above-named accuser this 20 day of February, 1970, and signed the foregoing charges and specifications under oath that he is a person subject to the Uniform Code of Military Justice, and that he either has personal knowledge of or has investigated the matters set forth therein, and that the same are true in fact, to the best of his knowledge and belief.

ELT, USAZ

GRADE AND ORGANIZATION OF OFFICER

SIGNATURE

ADJUTANT

ROGER W. WALTON

OFFICIAL CHARACTER, AS ADJUTANT, SUMMARY COURT, ETC.
(MCM, 29g, and Article 30g and 136)

TYPED NAME

Officer administering oath must be a commissioned officer.

21 Feb 70
DATE

I have this date informed the accused of the charges against him (MCM, 32f(1)).

RICHARD S. DERBES, CAPT, USA, JAGC, CONN 1970

NAME, GRADE, AND ORGANIZATION OF IMMEDIATE COMMANDER

SIGNATURE

HEADQUARTERS, THIRD UNITED STATES ARMY, Fort McPherson, Georgia

DESIGNATION OF COMMAND OF OFFICER EXERCISING
SUMMARY COURT-MARTIAL JURISDICTION

PLACE

24 Feb 70
DATE

The sworn charges above were received at 1000 hours, this date (MCM, 33b).

FOR THE

ROGER W. WALTON, 1LT, USA, ADJUTANT

NAME, GRADE, AND OFFICIAL CAPACITY OF OFFICER SIGNING

SIGNATURE

1ST INDORSEMENT

HEADQUARTERS, THIRD UNITED STATES ARMY, Fort McPherson, Georgia PLACE **16 March 1970** DATE

Referred for trial to the general court-martial appointed by Court-Martial Convening
Order Number 13, this headquarters.

dated 16 March 1970, subject to the following instructions:²

None

BY COMMAND of LTC CONNOR
COMMAND OR ORDER

RICHARD S. DERBES

Captain, JAGC

Acting Asst Adjutant General

NAME, GRADE, AND OFFICIAL CAPACITY OF OFFICER SIGNING

SIGNATURE

Richard S. Derbes

I have served a copy hereof on each of the above-named accused, this _____ day of _____, 19_____.
11 Feb 1970

NAME, GRADE, AND ORGANIZATION OF TRIAL COUNSEL

SIGNATURE

¹ When an appropriate commander signs personally, inapplicable words are stricken out. ² Relative to proper instructions which may be included in the Indorsement of reference for trial, see MCM, 33f(1). If none, so state.

Fill in blank numbers of pertinent charges and specifications or "all specifications and charges," as may be appropriate for use unless departmental regulations prevent such election (MCM, 32f(2)).

THE ACCUSED HAS BEEN PERMITTED AND HAS ELECTED TO REFUSE PUNISHMENT UNDER ARTICLE 15 AS TO

THE ACCUSED HAS NOT BEEN OFFERED PUNISHMENT UNDER ARTICLE 15 AS TO **The Specification and the Charge:**

NAME, GRADE, AND ORGANIZATION OF OFFICER EXERCISING ARTICLE 15 JURISDICTION

RICHARD G. KIM, CPT, MPC, COMDG SPD

SIGNATURE

Richard G. Kim

RECORD OF TRIAL BY SUMMARY COURT-MARTIAL

CASE NUMBER

(Inserted by convening authority)

TO BE FILLED IN BY SUMMARY COURT AS APPLICABLE

1. WAS THE ACCUSED ADVISED IN ACCORDANCE WITH PARAGRAPH 79g, MCM, 1951? YES

When an accused has been permitted and has elected to refuse punishment under Article 15, trial by summary court-martial may proceed despite his objection.

2. THE ACCUSED, HAVING REFUSED TO CONSENT IN WRITING TO TRIAL BY SUMMARY COURT-MARTIAL AND NOT HAVING BEEN PERMITTED TO REFUSE PUNISHMENT UNDER ARTICLE 15, THE CHARGES ARE HEREWITHE RETURNED TO THE CONVENING AUTHORITY.

NAME, GRADE, AND ORGANIZATION OF SUMMARY COURT OFFICER

SIGNATURE

TO BE FILLED IN BY THE ACCUSED

SIGNATURE OF ACCUSED

CONSENT OBJECT TO TRIAL BY SUMMARY COURT-MARTIAL

SPECIFICATIONS AND CHARGES

PLEAS

FINDINGS

SENTENCE OR REMARKS

NUMBER OF PREVIOUS CONVICTIONS CONSIDERED (MCM, 75b(2))

PLACE AND DATE OF TRIAL

DATE SENTENCE ADJUDGED

NAME, GRADE, ORGANIZATION, AND ARMED FORCE OF SUMMARY COURT OFFICER (MCM, 49)

SIGNATURE

Enter after signature, "Only officer present with command", if such is the case.

TO BE FILLED IN BY CONVENING AUTHORITY (MCM, 89, and app. 14a.)

ORGANIZATION

PLACE

DATE

ACTION OF CONVENING AUTHORITY

NAME, GRADE, AND ORGANIZATION OF CONVENING AUTHORITY

SIGNATURE

ENTERED ON APPROPRIATE PERSONNEL RECORDS IN CASE OF CONVICTION. (MCM, 91g)

NAME, GRADE, AND DESIGNATION OF OFFICER RESPONSIBLE FOR ACCUSED'S RECORDS

SIGNATURE

NOTE: Summary of evidence, if required by the convening or higher authority, will be attached on separate pages.