

OFFICIAL USE ONLY

ASTM-3

3 October 1969

SUBJECT: Request for Information

Commanding Officer
The Student Brigade
Fort Benning, Georgia 31905

1. It is hereby requested that the following information be provided to me as the military defense counsel in the case of United States v. Calley:

a. All operation orders pertaining to Task Force Barker, a part of the Americal Division, in operations conducted on 16 March 1968. *per*

b. Any G-3 situation reports pertaining to Task Force Barker operations of 16 March 1968.

c. Written verification, if possible, from 2d ARVN Division declaring My Lai 4 a free fire zone for operations on 16 March 1968.

d. Information as to recommended awards for Lieutenant Calley as a result his tour of duty in Vietnam. Specifically, his DA 201 File bears a pencilled entry for a Bronze Star dated 2 June 1969, but this award has not been authorized.

e. All written messages concerning this case from DA to any command, message to or from MACV, USARV and Americal Division, and Blue Bell reports, IG message SIR reports, SINFO messages and reports. *Dispute*

f. Any written messages to or from the United States Army Infantry Center concerning this case. *Dispute - let him do it*

g. Any written messages to or from the Judge Advocate General's Office concerning this case.

h. Fact sheet and memorandums which have been written to the Secretary of Defense, or by higher departments concerning this case. *(over)*

i. Copies of MACV, USARV and Americal "Rules of Engagement" in effect on 16 March 1968. *copy*

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Dunaway

10-10-60

8 October 1960

Request for Information (continued)

The following are items of information:

1. Items 1a, 1b, 1c, 1d and 1e are material to the defense of the defendant in the case herein and in connection.

2. Items 1a, 1b, 1c, 1d and 1e are necessary to insure that defense has had an opportunity in a capital case to discover all possible witnesses and evidence material to said defense. Further, as this case was subject to a DA TO hearing and defendant's request for a grant of immunity from the Chief of State was denied, coupled with his retention on active duty, the requested information is required to insure that only lawful command interest and not unlawful command influence exists in this case.

KENNETH A. RABY
Major, JAGC
Defense Counsel