

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) STEVENS, Robert G.			2. SSN [REDACTED]		3. GRADE OR RANK SSG	4. PAY GRADE E-6
5. UNIT OR ORGANIZATION Headquarters and Headquarters Company, Brigade Special Troops Battalion, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, WA 98433					6. CURRENT SERVICE	
					a. INITIAL DATE 12 MAY 2010	b. TERM 4 Years
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED None.		9. DATE(S) IMPOSED N/A.	
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL				
\$2,801.40	N/A	\$2,801.00				

II. CHARGES AND SPECIFICATIONS

10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 81

SPECIFICATION 1: In that Staff Sergeant (E-6) Robert G. Stevens, U.S. Army, did at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 March 2010 and on or about 31 March 2010, conspire with Staff Sergeant (E-6) Calvin R. Gibbs, Sergeant (E-5) Darren N. Jones, [REDACTED] Specialist (E-4) Adam C. Winfield, Specialist (E-4) Michael S. Wagnon II, and Private First Class (E-3) Ashton A. Moore to commit an offense under the Uniform Code of Military Justice, to wit: aggravated assault with a dangerous weapon upon three males of apparent Afghan descent, and in order to effect the object of the conspiracy the said Staff Sergeant (E-6) Robert G. Stevens, Staff Sergeant (E-6) Calvin R. Gibbs, Sergeant (E-5) Darren N. Jones, Specialist (E-4) Michael S. Wagnon II, and Private First Class (E-3) Ashton A. Moore did shoot at three males of apparent Afghan descent with dangerous weapons, to wit: loaded firearms.

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 107

SPECIFICATION 1: In that Staff Sergeant (E-6) Robert G. Stevens, U.S. Army, did, at or near Kandahar Air Field, Afghanistan, on or about 14 May 2010, with intent to deceive, make to Special Agent [REDACTED] an official statement, to wit: that he felt the individuals he fired upon during a patrol with Staff Sergeant (E-6) Calvin R. Gibbs in March 2010 were a threat and that he observed something that resembled a rocket propelled grenade in the possession of the individuals he fired upon, or words to that effect, which statement was totally false, and was then known by the said Staff Sergeant (E-6) Robert G. Stevens to be so false.

(See Continuation Sheet)

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) [REDACTED]		b. GRADE O-3	c. ORGANIZATION OF ACCUSER HHC, BSTB, 2/2 ID (SBCT)
d. SIGNATURE OF ACCUSER [REDACTED]			e. DATE 8/24/2010

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 24th day of August, 2010, 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 to the best of his knowledge and belief.

[REDACTED]

Typed Name of Officer

HHC, BSTB, 2/2 ID (SBCT)

Organization of Officer

O-3
[REDACTED]

Signature

Article 136, UCMJ

Official Capacity to Administer Oath
(See R.C.M. 307(b) - must be a commissioned officer)

12.

On 8/24/2010, 2010, the accused was informed of the charges against him and of the name of the accuser known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

Typed Name of Immediate Commander

HHC, BSTB, 2/2 ID SBCT

Organization of Immediate Commander

0-3

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at 1000 hours, 25 August 2010, at

HQ, BSTB, 2/2 ID (SBCT)

Designation of Command or

Joint Base Lewis-McChord, WA 98433

Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

FOR THE ¹

Typed Name of Officer

COMMANDING

Official Capacity of Officer Signing

O-4

Grade

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Referred for trial to the _____ Court-martial convened by _____

_____, _____ 20____, subject to the following instructions:²

By _____ of _____

Command or Order

Typed Name of Officer

Official Capacity of Officer Signing

Grade

Signature

15.

On _____, 20____, I (caused to be) served a copy hereof on (each of) the above named accused.

Typed Name of Trial Counsel

O-3

Grade or Rank of Trial Counsel

Signature

FOOTNOTES: 1 — When an appropriate commander signs personally, inapplicable words are stricken.
2 — See R.C.M. 601(e) concerning instructions. If none, so state.

CONTINUATION SHEET, DD FORM 458, PERTAINING TO FOSTER, Stevens, Robert G., SSG, [REDACTED], Headquarters and Headquarters Company, Brigade Special Troops Battalion, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, Washington 98433

Item 10 (Cont'd)

SPECIFICATION 2: In that Staff Sergeant (E-6) Robert G. Stevens, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 10 March 2010, with intent to deceive, make to [REDACTED], an official statement, to wit: that an enemy combatant had thrown a grenade at his Stryker vehicle, or words to that effect, which statement was totally false, and was then known by the said Staff Sergeant (E-6) Robert G. Stevens to be so false.

CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 128

THE SPECIFICATION : In that Staff Sergeant (E-6) Robert G. Stevens, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 March 2010 and on or about 31 March 2010, commit an assault upon three males of apparent Afghan descent by shooting at them with a dangerous weapon, to wit: a loaded firearm.

CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 134

THE SPECIFICATION: In that Staff Sergeant (E-6) Robert G. Stevens, U.S. Army, did at or near Kandahar Airfield, Afghanistan on or about between 01 August 2009 and 1 May 2010, wrongfully and wantonly engage in conduct, to wit: throw a grenade outside his Stryker vehicle while there was no immediate threat to himself or other Soldiers, conduct likely to cause death or grievous bodily harm to Soldiers of 5th Brigade (SBCT), 2d Infantry Division.

CHARGE V: VIOLATION OF THE UCMJ, ARTICLE 92

THE SPECIFICATION: In that Staff Sergeant (E-6) Robert G. Stevens, U.S. Army, who knew of or should have known of his duties, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 25 December 2009 and on or about 10 March 2010, was derelict in the performance of those duties in that he willfully failed to properly account for and dispose of a grenade as it was his duty to do.