

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) BRAM, David D.			2. SSN [REDACTED]		3. GRADE OR RANK SSG	4. PAY GRADE E-6
5. UNIT OR ORGANIZATION B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base Lewis-McChord, WA 98433					6. CURRENT SERVICE	
					a. INITIAL DATE 21 APR 2010	b. TERM 4 Years
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED		9. DATE(S) IMPOSED	
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL				
\$2,801.40	None	\$2,801.40	None		N/A	

II. CHARGES AND SPECIFICATIONS

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

THE SPECIFICATION: In that Staff Sergeant (E-6) David D. Bram, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, conspire with Corporal (E-4) Jeremy N. Morlock, Staff Sergeant (E-6) Calvin R. Gibbs, Specialist (E-4) Adam W. Kelly, Specialist (E-4) Corey A. Moore, Sergeant (E-5) Darren N. Jones, and Corporal (E-4) Emmitt R. Quintal to commit an offense under the Uniform Code of Military Justice, to wit: assault consummated by a battery of [REDACTED] and in order to effect the object of the conspiracy the said Staff Sergeant (E-6) David D. Bram, Staff Sergeant (E-6) Calvin R. Gibbs, Corporal (E-4) Jeremy N. Morlock, Specialist (E-4) Adam W. Kelly, Specialist (E-4) Corey A. Moore, Sergeant (E-5) Darren N. Jones, and Corporal (E-4) Emmitt R. Quintal did strike [REDACTED] on the body with their fists and feet.

CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 134

THE SPECIFICATION: In that Staff Sergeant (E-6) David D. Bram, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, wrongfully endeavor to impede an investigation in the cases of U.S. v. Specialist (E-4) Adam W. Kelly, U.S. v. Corporal (E-4) Emmitt R. Quintal, U.S. v. Corporal (E-4) Jeremy N. Morlock, U.S. v. Sergeant (E-5) Darren N. Jones, U.S. v. Specialist (E-4) Corey A. Moore, and other suspected hashish users by strangling [REDACTED] around the neck with his hands, striking him on the body with his hands and feet, and threatening to kill him if he spoke about hashish use within the platoon to command and law enforcement authorities which conduct was prejudicial to the good order and discipline in the armed forces and was of a nature to bring discredit upon the armed forces.

(See Continuation Sheet)

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) [REDACTED]	b. GRADE O-3	c. ORGANIZATION OF ACCUSER B Co, 2-1 IN BN, 2/2 ID (SBCT)
d. SIGNATURE OF ACCUSER [REDACTED]		e. DATE 24 Aug 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 24 Aug 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.)

[Redacted]
Typed Name of Immediate Commander

HHC, 2-1 IN BN, 2/2 ID SBCT
Organization of Immediate Commander

O-3
Grade

[Redacted]
Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at _____ hours, _____, 2010, at

HQ, 2-1 IN BN, 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 _____

[Redacted]
Typed Name of Officer

COMMANDING
Official Capacity of Officer Signing

O-5
Grade

Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY	b. PLACE	c. DATE
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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.

[Redacted]
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.

12.

On _____, 2006, the accused was informed of the charges against him/her and of the name(s) of the accuser(s) known to me (See R.C.M. 308 (a)). (See R.C.M. 308 if notification cannot be made.)

Typed Name of Immediate Commander

B Co, 2-1 IN, 2/2 ID (SBCT)

Organization of Immediate Commander

O-3

Grade

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13.

The sworn charges were received at 1400 hours, 25 August 10 20 10 at HQ, 2-1 IN, 2/2 ID
Designation of Command or

(SBCT), JBLM, WA 98433

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

FOR THE ¹ _____

COMMANDING

Official Capacity of Officer Signing

Typed Name of Officer

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 BRAM, David, D., SSG, [REDACTED],
B Company, 2d Battalion, 1st Infantry Regiment, 2d Brigade (SBCT), 2d Infantry Division, Joint Base
Lewis-McChord, Washington 98433

Item 10 (Cont'd)

CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 128

THE SPECIFICATION: In that Staff Sergeant (E-6) David D. Bram, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, unlawfully strangle [REDACTED] around the neck with his hands and strike [REDACTED] on the body and neck with his hands and feet.

CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 92

SPECIFICATION 1: In that Staff Sergeant (E-6) David D. Bram, U.S. Army, did, at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 December 2009 and on or about 31 December 2009, violate a lawful general order, to wit: paragraph 2f, CENTCOM General Order No. 1B, dated 13 March 2006, by wrongfully photographing and possessing visual images of human casualties.

SPECIFICATION 2: In that Staff Sergeant (E-6) David D. Bram, U.S. Army, who knew or should have known of his duties at or near Forward Operating Base Ramrod, Afghanistan, between on or about 1 November 2009 and on or about 11 May 2010, was derelict in the performance of those duties in that he willfully failed to properly account for and dispose of an AK-47 rifle taken from Afghanistan National Security Forces personnel as it was his duty to do.

CHARGE V: VIOLATION OF THE UCMJ, ARTICLE 93

THE SPECIFICATION: In that Staff Sergeant (E-6) David D. Bram, U.S. Army, at or near Forward Operating Base Ramrod, Afghanistan, on or about 5 May 2010, was cruel toward [REDACTED], a person subject to his orders, by strangling him around the neck with his hands and striking him on the body and neck with his hands and feet.