COURT-MARTIAL RECORD

NAME CANJAR, TIMOTHY F.		
SSN THE TOTAL STATE OF THE STAT	b(6)(5), b(7)(c)-5	
ACTIONS CODED:	ASSIGNED TO:	
INITIAL APR - 4 2005	PANEL	
ACCA	ACCA CLERK OF CO.	
FINAL APR 1 2005	HUCH CLERK of Co.	urt.

RETURN THIS FILE TO:

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US ARMY JUDICIARY
901 NORTH STUART STREET, SUITE 1200
ARLINGTON, VA 22203-1837

VOL工 ADMINISTRATIVE CHECK	_OF <u>_</u>	VOL(S)	· ·.	.:
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Clerk of Court's Office				

JALS-CC FORM 24, 1,OCTOBER 2000

PERMANENT FILE 012844

OCT 18 2004

ACLU-RDI 1320 p.1

VOLUME I of I ORIGINAL

VERBATIM 1

RECORD OF TRIAL 2

(and accompanying papers)

/ (b)(b)-5; (b)(7)(c)-5

CANJAR, Timothy F.

(Name: Last, First, Middle Initial)

(Social Security Number

Specialist/E4

(Rank)

Headquarters and Headquarters Company, 320th MP Battalion

(Unit/Command Name)

U.S. Army

(Branch of Service)

Camp Bucca, Iraq APO AE 09375

(Station or Ship)

By

GENERAL COURT-MARTIAL

Convened by COMMANDER

(Title of Convening Authority)

Coalition Land Forces Component Command,

Third U.S, Army,

U.S. Army Central Command

(Unit/Command of Convening Authority)

Tried at

Camp Doha, Kuwait APO AR 09304 On 15 November 2003

(Place or Places of Trial)

(Date or Dates of Trial)

COMPANION CASE(S):

THERE ARE NO COMPANION CASES.

1 Insert "verbatim" or "summarized" as appropriate. (This to previle by the Arm and New York 2 See inside back cover for instructions as to preparation and arrangement. rbatim records of trial only.)

Previous editions are obsolete

012845

Front Cover

20040093

DD FORM 490, MAY 2000

Third United States Army United States Army Forces Central Command Coalition Forces Land Component Command Camp Doha, Kuwait APO AE 09304

GENERAL COURT MARTIAL ORDER

NUMBER

(b, (6)-5; 6(7)(c)-5 Specialist Timothy F. Canjar, US Army, HHG, 320th Military Police Battalion, Camp Bucca, Iraq APO AE 09375, was arraigned at Camp Doha, Kuwait, on the following offenses at a general court-martial convened by Commander, Third U.S. Army, Coalition Forces Land Component Command. Plea: None Entered. Finding: None Entered. Charge I. Article 92. Specification: On 12 May 2003, was derelict in the performance of those duties in that he willfully failed to safeguard from assault or abuse captured Iraqi prisoners of war that he was escorting from Talil Air Base, Iraq, to Camp Bucca, Iraq, as it was his duty to do. Plea: None Entered. Finding: None Entered. 16.(6)-4, b(7)(c)-4 Charge II. Article 93. Plea: None Entered. Finding: None Entered. Specification 1: On 12 May 2003, did maltreat a person subject to his orders, by throwing him to the ground and dragging him across the ground with his pants pulled down around his ankles. Plea: None Entered. Finding: None Entered. (same) Specification 2: On 12 May 2003, did aid and abet in the maltreatment of person subject to his orders, by holding his legs apart, and by encouraging other soldiers to kick him, while other U.S. soldiers kicked him in the groin, face and abdomen. Plea: None Entered. Finding: None Entered. (same) Specification 3: On 12 May 2003, did maltreat person subject to his orders, by twisting his previously injured arm, causing him to scream in pain. Plea: None Entered. Finding: None Entered.

Specification 4: On 12 May 2003, did maltreat an Iraqi prisoner of war, a person subject to his orders, by kicking him in the thigh as he walked towards the in-processing tent, causing him to cry

out in pain. Plea: None Entered. Finding: None Entered.

012846

20040093

30 September 2004

Finding: None Entered. (6)(6)-1, (6)(7)(6)-1Charge III. Article 107. Plea: None Entered. Specification: On 15 May 2003, with the intent to deceive, make to United States Army Criminal Investigation Division Command, an official statement on a DA Form 2823 Sworn Statement, to wit: that he did not kick an Iraqi prisoner of war, that he did not see any other U.S. soldier kick an Iraqi prisoner of war, that he did not strike an Iraqi prisoner of war, that he did not see any U.S. soldiers kick an Iraqi prisoner of war in the groin. which was totally false, and was known by the said Specialist Timothy Frank Canjar to be so false. Plea: None Entered. Finding: None Entered. Finding: None Entered. Charge IV. Article 128. Plea: None Entered. Specification 1: On 12 May 2003, unlawfully twist the previously injured arm of] an Iraqi prisoner of war with his hands, causing him to scream in h (2) (3)-4 pain. Plea: None Entered. Finding: None Entered. Specification 2: On 12 May 2003, unlawfully kick an Iraqi prisoner of war in the thigh as he walked towards the prisoner processing tent, causing him to cry out in pain. Plea: None Entered. Finding: None Entered. Specification 3: On 12 May 2003, unlawfully throw , an Iraqi prisoner of war, to the ground and drag him across the ground with his pants around his ankles. Plea: None Entered. Finding: None Entered. (6)-5; h (7)(6)-5

Specification 4: On 12 May 2003, unlawfully aid and abet -b(6)-5; b(7)(1)-5 in unlawfully kicking an Iragi prisoner of war, in the groin, abdomen and head, by holding his leg and encouraging SGT b(6)-4 to kick him. Plea: None Entered. Finding: None Entered. b (7)(c)-4 Additional Charge I. Article 134. Plea: None Entered. Finding: None Entered. Specification: On 16 May 2003, wrongfully endeavor to impeded an investigation by meeting with SSG SGT and others for the purpose of deciding who would take responsibility for the actions of SPC Canjar's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003 and by deciding that MSG SSG and SPC Canjar would take responsibility for the actions of SPC Canjar's unit at or near Camp Bucca, Iraq on or about 12 May 2003. Plea: None Entered. Finding: None Entered.

012847

1 b (6) -5, b(7)(c)-5

Additional Charge II. Article 81. Plea: None Entered. Finding: None Entered.

Specification: On 16 May 2003, conspire with MSG SSG SSG SSG SSG SSG SSG SSG SSG SSG	// -
to commit an offense under the Uniform Code of Military Justice, to wit:	b(6)-5;
Obstruction of Justice, by meeting to decide who would take responsibility for the actions SPC	b/+)(c)-5
	PIPICE
Canjar's unit, and in order to effect the object of the conspiracy the said MSG	
SGT and SPC Canjar decided who would take responsibility for	
the actions of SPC Canjar's unit and to misrepresent what occurred on or near Camp Bucca, Iraq o	n .
or about 12 May 2003, and that misrepresentations were made. Plea: None Entered. Finding:	
None Entered.	

The accused having been arraigned, the proceedings were terminated on 7 January 2004. All charges and specifications referred are withdrawn and dismissed with prejudice. All rights, privileges and property of which the accused may have been deprived of by virtue of these proceedings will be restored.

BY COMMAND OF LIEUTENANT GENERAL MCKIERNAN:

b(6)-2; b(7)(6)-2

DISTRIBUTION:

- 1- SPC Timothy F. Canjar
- 1- Military Judge
- 1-Defense Counsel
- 1-Cdr, 320th Military Police Bn
- 1- Cdr, 800th Military Police Bde
- 1-PSB, ATTN: Records Section
- 10- Clerk of Court (JALS-CCZ) 901 N. Stuart St, Arlington, VA 22203-1837
- 1- Cdr, USAEREC (PCRE-FS), Fort Benjamin Harrison, IN 46249
- 1- Commander, United States Army Reserve Personnel Center, ATTN: DARP-PRD-MP, 9700 Page

SGM, USA

Chief Paralegal NCO

- Boulevard, St. Louis, MO 63132-5200
- 1- FORSCOM, ATTN: FCJA-ML, Fort McPherson, GA 30330-6000

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out in pain. Plea: None Entered. Finding: None Entered.

Third United States Army
United States Army Forces Central Command
Coalition Forces Land Component Command
Camp Doha, Kuwait
APO AE 09304

GENERAL COURT MARTI		30 Septem	ber 2004
NUMBER	8 b(6)-5,	b(7)(c)-5	·
	09375, was arraigned at artial convened by Comm	, HHG, 320th Military Police Batt Camp Doha, Kuwait, on the follow nander, Third U.S. Army, Coalitio	wing
Charge I. Article 92.	Plea: None Entered.	Finding: None Entered.	
failed to safeguard from assa	ult or abuse captured Iraq	rformance of those duties in that he prisoners of war that he was escentially to do. Plea: None Entered.	orting from
Charge II. Article 93.	Plea: None Entered.	Finding: None Entered.	b(6)-4; b(7)(c)-
	nis orders, by throwing hi	m to the ground and dragging him Plea: None Entered. Finding: N	Ione
*	bject to his orders, by hol ther U.S. soldiers kicked	the maltreatment of little lit	0 0
Specification 3: On 12 May person subject to his orders, Plea: None Entered. Finding	by twisting his previously	y injured arm, causing him to scree	a (same) am in pain.
•	-	qi prisoner of war, a person subjected the in-processing tent, causing	

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Charge III. Article 107.	Plea: None Entered.	Finding: None Entered.	b(6)-1, b(3)(c)-1
on a DA Form 2823 Sworn S did not see any other U.S. so prisoner of war, that he did n	my Criminal Investigation in Statement, to wit: that he did lidier kick an Iraqi prisoner of the see any U.S. soldiers kick was known by the said Special Control of the said	ve, make to Special Agent Division Command, an official I not kick an Iraqi prisoner of votoner of war, that he did not strike and k an Iraqi prisoner of war in the cialist Timothy Frank Canjar to	I statement war, that he n Iraqi e groin,
Charge IV. Article 128.	Plea: None Entered.	Finding: None Entered.	66-4; 6(7)(0-4
Specification 1: On 12 May pain. Plea: None Entered.	an Iraqi prisoner of war	previously injured arm of with his hands, causing him to	scream in
<u> </u>	•	raqi prisoner of war in the thigh n to cry out in pain. Plea: Nor	ne Entered.
specification 4: On 12 May Sergeant prisoner of war, in the groin Edmondson to kick him. Place Additional Charge I. Articology MSG pecification: On 16 May 2 MSG pecification who would take resumbat occurred on or near Carses SSG	isoner of war, to the ground a: None Entered. Finding: $b(\zeta)-5$, $b(7)(c)-5$ 2003, unlawfully aid and all in unlawfully kicking abdomen and head, by hole a: None Entered. Finding: the 134. Plea: None Entered SGT sponsibility for the actions of mp Bucca, Iraq on or about and SPC Canjar wo	bet Master Sergean ding his leg and encouraging S	and an Iraqi GT b(b)-5; b(z)(c)-5 and an Iraqi GT b(b)-4 b(z)(c)-9 meeting with e purpose of represent that MSG actions of
\\ b(b)-5; b(7)(c)-5			
		012	850

Additional Charge II. Article 81. Plea: None Entered. Finding: None Entered.
\(\sigma\) -5;
Specification: On 16 May 2003, conspire with MSG $\frac{1}{2}$, SSG $\frac{1}{2}$, SSG $\frac{1}{2}$
Specification: On 16 May 2003, conspire with MSG specification. SSG SGT $(7)(c)$ to commit an offense under the Uniform Code of Military Justice, to wit: Obstruction of Justice, by meeting to decide who would take responsibility for the actions SPC.
Obstruction of Justice, by meeting to decide who would take responsibility for the actions SPC
Canjar's unit, and in order to effect the object of the conspiracy the said MSG
SGT and SPC Canjar decided who would take responsibility for
the actions of SPC Canjar's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on
or about 12 May 2003, and that misrepresentations were made. Plea: None Entered. Finding:
None Entered

The accused having been arraigned, the proceedings were terminated on 7 January 2004. All charges and specifications referred are withdrawn and dismissed with prejudice. All rights, privileges and property of which the accused may have been deprived of by virtue of these proceedings will be restored.

BY COMMAND OF LIEUTENANT GENERAL MCKIERNAN:

DISTRIBUTION:

1- SPC Timothy F. Canjar

1- Military Judge

1- Defense Counsel

1- Cdr, 320th Military Police Bn

1- Cdr, 800th Military Police Bde

1-PSB, ATTN: Records Section

1-DFAS

10- Clerk of Court (JALS-CCZ) 901 N. Stuart St, Arlington, VA 22203-1837

1-Cdr, USAEREC (PCRE-FS), Fort Benjamin Harrison, IN 46249

1- Commander, United States Army Reserve Personnel Center, ATTN: DARP-PRD-MP, 9700 Page

SGM, USA

Chief Paralegal NCO

Boulevard, St. Louis, MO 63132-5200

1- FORSCOM, ATTN: FCJA-ML, Fort McPherson, GA 30330-6000

012851

b(6)-2; b(7)(c)-2

Third United States Army
United States Army Forces Central Command
Coalition Forces Land Component Command
Camp Doha, Kuwait
APO AE 09304

GENERAL COURT MART		30 September 2004	,
NUMBER	8 6(6) -5,	b(7)(c)-5	
	09375, was arraigned at Canartial convened by Comman	IHG, 320th Military Police Battalion, amp Doha, Kuwait, on the following nder, Third U.S. Army, Coalition Forces	
Charge I. Article 92.	Plea: None Entered.	Finding: None Entered.	
failed to safeguard from assa	ault or abuse captured Iraqi p	ormance of those duties in that he willful prisoners of war that he was escorting fro luty to do. Plea: None Entered. Finding	om
Charge II. Article 93.	Plea: None Entered.	Finding: None Entered. b(6)-4	; b(7)(c)-'
	his orders, by throwing him	to the ground and dragging him across the lea: None Entered. Finding: None	he (some)
	ubject to his orders, by holdi other U.S. soldiers kicked him	ng his legs apart, and by encouraging of m in the groin, face and abdomen. Plea:	_
Specification 3: On 12 May person subject to his orders, Plea: None Entered. Findir	by twisting his previously in	a njured arm, causing him to scream in pai	in.
-	e thigh as he walked towards	prisoner of war, a person subject to his s the in-processing tent, causing him to ced.	ry

012852

Finding: None Entered. (6)-1; (7)(6)-1Plea: None Entered. Charge III. Article 107. Specification: On 15 May 2003, with the intent to deceive, make to Special Agent United States Army Criminal Investigation Division Command, an official statement on a DA Form 2823 Sworn Statement, to wit: that he did not kick an Iraqi prisoner of war, that he did not see any other U.S. soldier kick an Iraqi prisoner of war, that he did not strike an Iraqi prisoner of war, that he did not see any U.S. soldiers kick an Iraqi prisoner of war in the groin, which was totally false, and was known by the said Specialist Timothy Frank Canjar to be so false. Plea: None Entered. Finding: None Entered. Finding: None Entered. L(4)-4. L(2)c)-4 Charge IV. Article 128. Plea: None Entered. Specification 1: On 12 May 2003, unlawfully twist the previously injured arm of an Iraqi prisoner of war with his hands, causing him to scream in pain. Plea: None Entered. Finding: None Entered. Specification 2: On 12 May 2003, unlawfully kick an Iraqi prisoner of war in the thigh as he walked towards the prisoner processing tent, causing him to cry out in pain. Plea: None Entered. Finding: None Entered. same Specification 3: On 12 May 2003, unlawfully throw an Iraqi prisoner of war, to the ground and drag him across the ground with his pants around his ankles. Plea: None Entered. Finding: None Entered. b(6)-5; b(7)6)-5 Specification 4: On 12 May 2003, unlawfully aid and abet Master Sergeant in unlawfully kicking an Iraqi prisoner of war, in the groin, abdomen and head, by holding his leg and encouraging SGT) b(6)-4 Edmondson to kick him. Plea: None Entered. Finding: None Entered. b (7(c)-4 Additional Charge I. Article 134. Plea: None Entered. Finding: None Entered. Specification: On 16 May 2003, wrongfully endeavor to impeded an investigation by meeting with SGT and others for the purpose of deciding who would take responsibility for the actions of SPC Canjar's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003 and by deciding that MSG , and SPC Canjar would take responsibility for the actions of SPC Canjar's unit at or near Camp Bucca, Iraq on or about 12 May 2003. Plea: None Entered. Finding: None Entered. b(6)-5, b(7)(c)-5

Additional Charge II. Article 81. Plea: None Entered. Finding: None Entered. b(6)-5;

Specification: On 16 May 2003, conspire with MSG SSG SGT

to commit an offense under the Uniform Code of Military Justice, to wit:

Obstruction of Justice, by meeting to decide who would take responsibility for the actions SPC

Caniar's unit, and in order to effect the object of the conspiracy the said MSG SSG

SGT and SPC Canjar decided who would take responsibility for the actions of SPC Canjar's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003, and that misrepresentations were made. Plea: None Entered. Finding:

None Entered.

The accused having been arraigned, the proceedings were terminated on 7 January 2004. All charges and specifications referred are withdrawn and dismissed with prejudice. All rights, privileges and property of which the accused may have been deprived of by virtue of these proceedings will be restored.

BY COMMAND OF LIEUTENANT GENERAL MCKIERNAN:

SGM, USA

Chief Paralegal NCO

b(6)-2; b(7/c)-2

DISTRIBUTION:

1- SPC Timothy F. Canjar

1- Military Judge

1- Defense Counsel

1- Cdr, 320th Military Police Bn

1- Cdr, 800th Military Police Bde

1- PSB, ATTN: Records Section

1-DFAS

10- Clerk of Court (JALS-CCZ) 901 N. Stuart St, Arlington, VA 22203-1837

1- Cdr, USAEREC (PCRE-FS), Fort Benjamin Harrison, IN 46249

1- Commander, United States Army Reserve Personnel Center, ATTN: DARP-PRD-MP, 9700 Page Boulevard, St. Louis, MO 63132-5200

1- FORSCOM, ATTN: FCJA-ML, Fort McPherson, GA 30330-6000

Third United States Army United States Army Forces Central Command Coalition Forces Land Component Command Camp Doha, Kuwait APO AE 09304

GENERAL COURT MARTIAL ORDER

30 September 2004

NUMBER

b(b)-5; b(7)(c)-5

, US Army, HHG, 320th Military Police Battalion, Specialist Timothy F. Canjar, Camp Bucca, Iraq APO AE 09375, was arraigned at Camp Doha, Kuwait, on the following offenses at a general court-martial convened by Commander, Third U.S. Army, Coalition Forces Land Component Command.

Charge I. Article 92.

Plea: None Entered.

Finding: None Entered.

Specification: On 12 May 2003, was derelict in the performance of those duties in that he willfully failed to safeguard from assault or abuse captured Iraqi prisoners of war that he was escorting from Talil Air Base, Iraq, to Camp Bucca, Iraq, as it was his duty to do. Plea: None Entered. Finding: None Entered.

Charge II. Article 93.

Plea: None Entered.

Finding: None Entered. $\frac{1}{6}$

Specification 1: On 12 May 2003, did maltreat a person subject to his orders, by throwing him to the ground and dragging him across the ground with his pants pulled down around his ankles. Plea: None Entered. Finding: None Entered.

Specification 2: On 12 May 2003, did aid and abet in the maltreatment of a person subject to his orders, by holding his legs apart, and by encouraging other soldiers to kick him, while other U.S. soldiers kicked him in the groin, face and abdomen. Plea: None Entered. Finding: None Entered.

Specification 3: On 12 May 2003, did maltreat person subject to his orders, by twisting his previously injured arm, causing him to scream in pain. Plea: None Entered. Finding: None Entered.

Specification 4: On 12 May 2003, did maltreat an Iraqi prisoner of war, a person subject to his orders, by kicking him in the thigh as he walked towards the in-processing tent, causing him to cry out in pain. Plea: None Entered. Finding: None Entered.

012855

Finding: None Entered. $\frac{b(6)-1}{b(3)(6)}$ Plea: None Entered. Charge III. Article 107. Specification: On 15 May 2003, with the intent to deceive, make to Special Agent! United States Army Criminal Investigation Division Command, an official statement on a DA Form 2823 Sworn Statement, to wit: that he did not kick an Iraqi prisoner of war, that he did not see any other U.S. soldier kick an Iraqi prisoner of war, that he did not strike an Iraqi prisoner of war, that he did not see any U.S. soldiers kick an Iraqi prisoner of war in the groin, which was totally false, and was known by the said Specialist Timothy Frank Canjar to be so false. Plea: None Entered. Finding: None Entered. Finding: None Entered. 5(6)-4; 6(7)(6)-4 Charge IV. Article 128. Plea: None Entered. Specification 1: On 12 May 2003, unlawfully twist the previously injured arm of an Iraqi prisoner of war with his hands, causing him to scream in pain. Plea: None Entered. Finding: None Entered. Specification 2: On 12 May 2003, unlawfully kick an Iraqi prisoner of war in the thigh as he walked towards the prisoner processing tent, causing him to cry out in pain. Plea: None Entered. Finding: None Entered. Specification 3: On 12 May 2003, unlawfully throw n Iraqi prisoner of war, to the ground and drag him across the ground with his 6(6)-5; 6(7)(0)-5 pants around his ankles. Plea: None Entered. Finding: None Entered. Specification 4: On 12 May 2003, unlawfully aid and abet Master Sergeant in unlawfully kicking an Iragi prisoner of war, in the groin, abdomen and head, by holding his leg and encouraging SGT Edmondson to kick him. Plea: None Entered. Finding: None Entered. Additional Charge I. Article 134. Plea: None Entered. Finding: None Entered. Specification: On 16 May 2003, wrongfully endeavor to impeded an investigation by meeting with MSG 1 SGT and others for the purpose of deciding who would take responsibility for the actions of SPC Canjar's unit and to misrepresent what becurred on or near Camp Bucca, Iraq on or about 12 May 2003 and by deciding that MSG and SPC Canjar would take responsibility for the actions of SPC Carjar's unit at or near Camp Bucca, Iraq on or about 12 May 2003. Plea: None Entered. Finding None Entered. - b(6)-5; b(7)(c)-5

GCMO No 8, DA, Third U.S. Army, CFLCC, Camp Doha, Kuwait APO, AE 09304, dated 30 Sep

012856

04 (continued)

Additional Charge II. Article 81. Plea: None Entered. Finding: None Entered.

0(6)-5 b*(*7)&)-5

The accused having been arraigned, the proceedings were terminated on 7 January 2004. All charges and specifications referred are withdrawn and dismissed with prejudice. All rights, privileges and property of which the accused may have been deprived of by virtue of these proceedings will be restored.

BY COMMAND OF LIEUTENANT GENERAL MCKIERNAN:

b(6)-2 b(7)(c)-2

DISTRIBUTION:

- 1- SPC Timothy F. Canjar.
- 1- Military Judge
- 1- Defense Counsel
- 1- Cdr, 320th Military Police Bn
- 1- Cdr, 800th Military Police Bde
- 1- PSB, ATTN: Records Section
- 1-DFAS
- 10- Clerk of Court (JALS-CCZ) 901 N. Stuart St, Arlington, VA 22203-1837
- 1- Cdr, USAEREC (PCRE-FS), Fort Benjamin Harrison, IN 46249
- 1- Commander, United States Army Reserve Personnel Center, ATTN: DARP-PRD-MP, 9700 Page Boulevard, St. Louis, MO 63132-5200

SGM, USA

Chief Paralegal NCO

1- FORSCOM, ATTN: FCJA-ML, Fort McPherson, GA 30330-6000

Third United States Army
United States Army Forces Central Command
Coalition Forces Land Component Command
Camp Doha, Kuwait
APO AE 09304

GENERAL COURT MARTIAL NUMBER	ORDER 8 b(6)-5;	b(7)(4)-5 30 September 2	2004
Camp Bucca, Iraq APO AE 093	75, was arraigned at Cam	IG, 320th Military Police Battalion on the following er, Third U.S. Army, Coalition Fo	
Charge I. Article 92. Ple	a: None Entered.	Finding: None Entered.	
failed to safeguard from assault o	r abuse captured Iraqi pri	nance of those duties in that he wi soners of war that he was escorting by to do. Plea: None Entered. Fin	g from
Charge II. Article 93. Ple	a: None Entered.	Finding: None Entered.	·4; b(7)(c)-
ground with his pants pulled dow	rders, by throwing him to	the ground and dragging him acro	ess the
Entered.			some
•	t to his orders, by holding U.S. soldiers kicked him i	this legs apart, and by encouraging in the groin, face and abdomen. P	_
Specification 3: On 12 May 2003 person subject to his orders, by two Plea: None Entered. Finding: N	wisting his previously inju	ared arm, causing him to scream in	a pain.
	th as he walked towards th	isoner of war, a person subject to he in-processing tent, causing him	

012858

Charge III. Article 107.	Plea: None Entered.	Finding: None Entered.	160-1;
United States A on a DA Form 2823 Sworn did not see any other U.S. se prisoner of war, that he did	Statement, to wit: that he did oldier kick an Iraqi prisoner on not see any U.S. soldiers kick was known by the said Spec	ve, make to Special Agent Division Command, an official I not kick an Iraqi prisoner of worf war, that he did not strike an k an Iraqi prisoner of war in the cialist Timothy Frank Canjar to	var, that he Iraqi e groin,
Charge IV. Article 128.	Plea: None Entered.	Finding: None Entered.	o(6)-4; b(7)(c)-
Specification 1: On 12 May	an Iraqi prisoner of war	previously injured arm of with his hands, causing him to	scream in
•	•	aqi prisoner of war in the thigh n to cry out in pain. Plea: Non	
^ ^		and drag him across the ground None Entered.	Same with his b(7(c)-5
Sergeant prisoner of war, in the groun	y 2003, unlawfully aid and all in unlawfully kicking , abdomen and head, by hold lea: None Entered. Finding:	net Master Sergeant ling his leg and encouraging SC	and and an Iraqi
Additional Charge I. Arti	cle 134. Plea: None Enter	ed. Finding: None Entered.	6(6)-4 b(7)(c)-4
MSG SSG deciding who would take rewhat occurred on or near Company SSG SPC Caujan's unit at or near Finding: None Entered.	SGT sponsibility for the actions of amp Bucca, Iraq on or about and SPC Canjar wo	and others for the fSPC Canjar's unit and to misre 12 May 2003 and by deciding the full take responsibility for the acout 12 May 2003. Plea: None Experience of the first point 12 May 2003. Plea: None Experience of the first point 12 May 2003.	purpose of epresent hat MSG ctions of

b(6)-5, Additional Charge II. Article 81. Plea: None Entered. Finding: None Entered. b(7)(6)-5

Specification: On 16 May 2003, conspire with MSG and an analysis of the committee of the Uniform Code of Military Justice, to wit:

Obstruction of Justice, by meeting to decide who would take responsibility for the actions SPC Canjar's unit, and in order to effect the object of the conspiracy the said MSG SSG and SPC Canjar decided who would take responsibility for the actions of SPC Canjar's unit and to misrepresent what occurred on or near Camp Bucca, Iraq on or about 12 May 2003, and that misrepresentations were made. Plea: None Entered. Finding: None Entered.

The accused having been arraigned, the proceedings were terminated on 7 January 2004. All charges and specifications referred are withdrawn and dismissed with prejudice. All rights, privileges and property of which the accused may have been deprived of by virtue of these proceedings will be restored.

BY COMMAND OF LIEUTENANT GENERAL MCKIERNAN:

b(6)-2; b(7)(c)-2

DISTRIBUTION:

1-SPC Timothy F. Canjar

- 1- Military Judge
- 1-Defense Counsel
- 1- Cdr, 320th Military Police Bn
- 1- Cdr, 800th Military Police Bde
- 1-PSB, ATTN: Records Section
- 1-DFAS
- 10- Clerk of Court (JALS-CCZ) 901 N. Stuart St, Arlington, VA 22203-1837
- 1- Cdr, USAEREC (PCRE-FS), Fort Benjamin Harrison, IN 46249
- 1- Commander, United States Army Reserve Personnel Center, ATTN: DARP-PRD-MP, 9700 Page Boulevard, St. Louis, MO 63132-5200

SGM, USA

Chief Paralegal NCO

1- FORSCOM, ATTN: FCJA-ML, Fort McPherson, GA 30330-6000