

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) YEE, JAMES JOSEPH		2. SSN [REDACTED]	3. RANK/RATE CPT	4. PAY GRADE 0-3
5. UNIT OR ORGANIZATION JOINT TASK FORCE GUANTANAMO, GUANTANAMO BAY, CUBA APO AE 09360			6. CURRENT SERVICE	
			a. INITIAL DATE 12 Dec. 1997	b. TERM INDEF
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED	
a. BASIC	b. SEA/FOREIGN DUTY	c. TOTAL	9. DATE(S) IMPOSED	
\$ 4069.50	\$ 50.00	\$ 4119.50	10 Sep - present	

II. CHARGES AND SPECIFICATIONS

10. CHARGE: **VIOLATION OF THE UCMJ, ARTICLE 92**

Specification 1: In that Captain JAMES JOSEPH YEE, U. S. Army, Joint Task Force Guantanamo, did, at or near Guantanamo Bay Cuba, between on or about 30 November 2002 and on or about 9 September 2003, violate a lawful general order to wit: paragraph 6(k), General Order No. 2, dated 20 December 2002, issued by Major General Geoffrey D. Miller, U. S. Army, Commander, Joint Task Force, Guantanamo Bay, by wrongfully taking classified materials to a housing unit.

Specification 2: In that Captain JAMES JOSEPH YEE, U. S. Army, Joint Task Force Guantanamo, did, at or near Jacksonville, FL, on or about 9 September 2003, violate a lawful general order to wit: paragraph 6(j), General Order No. 2, dated 20 December 2002, issued by Major General Geoffrey D. Miller, U. S. Army, Commander, Joint Task Force, Guantanamo Bay, by wrongfully transporting classified information without the proper locking containers or covers.

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) Pelot, Michael	b. GRADE Major	c. ORGANIZATION OF ACCUSER JTF Guantanamo
d. SIGNATURE OF ACCUSER [REDACTED]		e. DATE 10 OCT 03

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 10 day of OCT, 2003, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

Paul C. LeBlanc
Typed Name of Officer

Lieutenant Commander, JAGC, USN
Grade and Service

[REDACTED SIGNATURE]

JTF Guantanamo
Organization of Officer

Deputy Staff Judge Advocate
Official Capacity to Administer Oaths
(See R.C.M. 307(b)—must be commissioned officer)

12. On 10th October, 20 03, 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. 300(a)). (See R.C.M. 308 if notification cannot be made.)

Sharon A. Welch
Typed Name of Immediate Commander

Legal Officer, NAWONB 16, Chrekatnik
Organization of Immediate Commander

Lt. Col. WEN
Grade

[Redacted Signature]

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at _____ hours, _____ 20 _____ at _____
Designation of Command or

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

FOR THE¹ _____

Typed Name of Officer

Official Capacity of Officer Signing

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.

Typed Name of Trial Counsel

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.

CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED (Last, First, MI) YEE, JAMES JOSEPH		2. SSN [REDACTED]	3. RANK/RATE CPT	4. PAY GRADE 0-3
5. UNIT OR ORGANIZATION JOINT TASK FORCE GUANTANAMO (JTF GTMO) Guantanamo Bay Cuba, APO AE 09360			6. CURRENT SERVICE	
			a. INITIAL DATE 12 DEC 1997	b. TERM INDEF
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED	
a. BASIC	b. SEAFOR FOREIGN DUTY	c. TOTAL	Pre-Trial Confinement	
\$ 4069.50	\$ 50.00	\$ 4119.50		
9. DATE(S) IMPOSED 10 SEP 03 - present				

II. ADDITIONAL CHARGES AND SPECIFICATIONS

10. Additional CHARGE: **I VIOLATION OF THE UCMJ, ARTICLE 92**

Specification: In that Captain JAMES JOSEPH YEE, U. S. Army, Joint Task Force Guantanamo, did on divers occasions, at or near Guantanamo Bay Cuba, between on or about 30 November 2002 and on or about 9 September 2003, wrongfully violate a lawful general regulation, to wit: Department of Defense Regulation 5500.7-R section 2-301(b), by wrongfully using Federal Government resources for unofficial purposes that reflect adversely on the Department of Defense or a component thereof, by using a government computer to view and store pornographic images.

Additional Charge II: Violation of the UCMJ, Article 107

Specification: In that Captain JAMES JOSEPH YEE, U. S. Army, Joint Task Force Guantanamo, did, at or near Guantanamo Bay Cuba, on or about 2 February 2003, with the intent to deceive, make to [REDACTED], an official statement, to wit: answering "yes" when asked by [REDACTED] "have those CDs been cleared for release to detainees?", which statement was totally false, and was then known by the said Captain JAMES JOSEPH YEE to be so false.

III. PREFERRAL

11a. NAME OF ACCUSER (Last, First, MI) LeBlanc, Paul C.	b. GRADE LCDR	c. ORGANIZATION OF ACCUSER JTF Guantanamo
d. SIGNATURE OF ACCUSER [REDACTED]	e. DATE 25 NOV 03	

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 25th day of November, 2003, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

Michael P. Bochman

Typed Name of Officer

Lieutenant Colonel, JA, USA

Grade and Service

[REDACTED SIGNATURE]

Signature

JTF Guantanamo

Organization of Officer

Staff Judge Advocate

*Official Capacity to Administer Oaths
(See R.C.M. 307(b)—must be commissioned officer)*

12. On _____, 20____, 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

Organization of Immediate Commander

Grade

Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at _____ hours, _____ 20____ at _____
Designation of Command or

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

FOR THE¹ _____

Typed Name of Officer

Official Capacity of Officer Signing

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.

Typed Name of Trial Counsel

Grade or Rank of Trial Counsel

Signature

FOOTNOTES

1 - When an appropriate commander signs personally, inapplicable words are stricken.
2 - See R.C.M. 001(e) concerning instructions. If none, so state.

CONTINUATION SHEET, DA FORM 458, Captain JAMES JOSEPH YEE, JOINT TASK FORCE GUANTANAMO (JTF GTMO) Guantanamo Bay Cuba, APO AE 09360

ITEM 10 (Cont'd):

ADDITIONAL CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 133.

SPECIFICATION: In that Captain JAMES JOSEPH YEE, U. S. Army, Joint Task Force Guantanamo, did on divers occasions, at or near Guantanamo Bay Cuba, between on or about 30 November 2002 and on or about 9 September 2003, wrongfully and dishonorably use a government issued computer to view and store pornographic images.

ADDITIONAL CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 134.

SPECIFICATION: In that Captain JAMES JOSEPH YEE, U. S. Army, Joint Task Force Guantanamo, a married man, did on divers occasions, at or near Guantanamo Bay Cuba and Orlando Florida, between on or about 13 July 2003 and 9 September 2003, wrongfully have sexual intercourse with [REDACTED] USN, a woman not his wife.

(b) (c)