

SUMMING UP BY JA

*JA*

1. Duty of JA to advise on law.
2. Court is sole judge of facts.
3. Credibility of witnesses is for Court. May believe or disbelieve whole or part of a witness's evidence.
4. Accused innocent until proven guilty.
5. Burden of proof is on Prosecution.
6. Accused entitled to benefit of reasonable doubt.
7. Reasonable doubt defined.
8. Desertion is absence without leave coupled with intention of quitting the service entirely or of avoiding some important particular service.
9. Must be satisfied accused had knowledge of the particular service and intended to avoid it. Intent may be inferred from acts of accused.
10. Court may find accused guilty of desertion or guilty of AWL or may acquit him.
11. Refers to RP 44(D).
12. President, Prosecutor and Defending Offr state they wish nothing added to JA's direction.

*John W. ...*