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17 MAY 1946
JAGMANOR
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RECORDED AT CMHQ IN AB 160, 53-131
CPARS (Ed. 1945 of AFAS)
40 P. 2. 1946 (10/16)
4/388

Convened by Brig P.A.S. Todd Comd CCA 2 Coy Corps dated 14 May 46

ACCUSED.

(As to the trial of two or more charged jointly see RP 16, 71, 109. As to reasons for showing (a) permanent or confirmed rank, and (b) apptmt, A/Rank or A/apptmt, if any, see AA 182, 193, fns, KR Can 306, 328, 330.)

Number. (a) Prmtnt R. (b) Apptmt, A/R or A/ Apptmt. Full Christian Names. Surname. Unit.

M 27566 GNR LOUIS LAPLACE
D 10890 GNR MILTON CARR SULLIVAN

PROCEEDINGS REVIEWED
Retired Capt
14 May 46
PROCEEDINGS OF TRIAL
REVIEWING OFFICER, JAG
M.H.

PROCEEDINGS REVIEWED
14 May 46
8 May 46 n. Sec 7 Ent HQ
91 Army GP

Hold in Part I in (Court) and on (date(s)) 30 May 46

RECORD FORM A - OPENING PROCEEDINGS AND ARRAIGNMENT

A1. The President, Members, waiting Member, JA, if any, and Offrs under instr, if any, assemble, and the Court is closed.

(PRINTED MATTER, NOT IN ITALICS FOR GUIDANCE, WILL BE DELETED, IF NOT USED OR APPLICABLE, AND INITIALED BY PRES OR JA. The Schedule referred to throughout is on p 4. Citations do NOT include all relevant fns. For guidance on procedure when a variation in this form arises, see form for GCAN, MML pp 741 to 739. A brief record of such variation will be made and given a number having reference to appropriate or preceding para number herein. See back of Convening Order, CF A95, for oaths and instrs on how to record addresses, evidence, etc, which instrs are hereafter called "Notes". As to general provisions for conducting the trial see AA 53, RP 56, 63-70, 73, 74, 94, 103, 119, 122.)

A2. The President initials and lays before the Court the Convening Order and Charge Sheet(s) attached thereto. (1) The Court is satisfied that it is properly convened and constituted (2), accused (are) amenable to military law, and each charge discloses an offence. (3)

(1. As to use of Summary of Evidence see RP 17 fn 6. 2. AA 49, 50, RP 105-107. 3. RP 11-13, 23, 24.)

A3. The Court is opened. The accused (are) brought before the Court. At 1000 hours trial commences.

A4. The Prosecutor produces a Medical Certificate that accused (are) fit to undergo trial by court-martial. (1) The Prosecutor informs the Court that accused elected to be tried by court-martial instead of being dealt with summarily by the C.O. (2)

(1. KR Can 557. 2. AA 46(B), RP 60 fn 1. For effect see KR Can 563(C). Delete, if not applicable.

A5. President to accused: Do you object to SGT. KENNETH VAN VALJALDENHOUEN DUTCH TO ENGLISH as interpreter? ANSWER SULLIVAN - NO

The Interpreter is sworn. (1) Do you object to and as shorthand writer? Ans

The shorthand writer is sworn. (1)

(1. RP 72. Delete, if none employed.)

A6. The Convening Order and names of the President and Members of the Court are read to the accused. (1) President to accused: Do you object to be tried by me as President or by any of the Members of the Court?

ANSWER SULLIVAN (2) - NO
(1. RP 110. 2. If no objection, waiting member retires. RP 68(B). If objection, see procedure AA 51, RP 25, 7, 18, MML p 742.)

A7. The President, Members, JA, if any, and Offrs under instr, if any, are sworn. (1) The following are the ranks, names and units of the offrs comprising the Court, etc:

President	LT COL	J.W.G THOMPSON	MAJ ED	ROA
Member	MAJOR	M.L TROY	ED	CIC
Member	CAPT	K.F GAREN		CAC

Judge Advocate
Prosecutor CAPT. W.D. SHERREN ROA 2 Coy Svy.

Defending Offr LT. T.C. MCGILLEN ROA 6 Coy Ath Regt

Questions by President: Is the Prosecutor a lawyer? Ans NO. Is the Defending Offr a lawyer? Ans NO. (1)

(1. RP 26, 27, 109, 111. List of offrs under instr will be returned separately with proceedings for information of Conv Offr)
(2. If Pres a lawyer and Def Offr not, accused is entitled to an adjournment when RP 82 (2) and fn 2 were not followed. See D1 p 2.)

A8. The accused (are) arraigned (separately) on all charges in the charge sheet. (1) The accused (do) not object to any charge. (2) There is no amendment to be made to the Charge Sheet. (3) The President records the pleas in Part I of the Schedule.

(1. If a special plea is made for separate trial on one or more charges (RP 62(E), 108), or as to the jurisdiction of the Court (RP 34, 35(A), 112), or as to accused's mental fitness to stand trial (AA 132, RP 57), or by one of several accused charged jointly to be tried separately (RP 16, 71), such plea, the addresses made in support or against, the evidence, if any, and finding are recorded per Notes. For forms of record see references in fns to RP cited. Insert in AB rank and name of the accused making the plea.)

A9. The accused (are) arraigned (separately) on all charges in the charge sheet. (1) The accused (do) not object to any charge. (2) There is no amendment to be made to the Charge Sheet. (3) The President records the pleas in Part I of the Schedule.

(1. RP 31, 112. See para 1 of instrs p 2. When more than one Charge Sheet see RP 62; when several accused to be tried separately see RP 71(C), and use separate copies of CF A96 to record proceedings. 2. RP 11, RP 31. If otherwise, delete and make appropriate record per Notes.)

A10. The Court (is) closed and only considers the Instrs on Procedure after Arraignment at top of p 2. The proceedings are continued on Record Form D

PRESIDENT OR JA WILL INITIAL ALL DELETIONS AND ALTERATIONS.

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