

RECORDED AT CM 10 IN AS 160 46-127
FIELD GENERAL COURT-MARTIAL

CPARS (In Reg of AFAP) 40 P & S 1599 18781 1385

Covered by Order of Bryl RR 9014 Comd AT para dated 21 Dec 44

ACCUSED.

Number. (a) Prmt R. (b) Appmt, A/R or A/Appmt. Full Christian Names. Surname. Initials. Grade or Army Op.

B2227
 JOC

PROCEEDINGS REVIEWED 14 Dec 44
 J. J. Quinn

PROCEEDINGS OF TRIAL.

Held in the Fd in (country) Belgium on (date(s)) 28 Dec 44

RECORD FORM A—OPENING PROCEEDINGS AND ARRAIGNMENT. 13126

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 firm RDs. For guidance on procedure when a variation in this form arises, see form for GCM in MML, pp 741 to 757. A brief record of such variation will be made and given a number having reference to appropriate or preceding form 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, 72, 74, 94, 103, 119, 132.)

A2. The President initials and lays before the Court the Convening Order and Charge Sheet attached thereto. (1) The Court is satisfied that it is properly convened and constituted (2), accused is ~~fit~~ 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 is ~~fit~~ brought before the Court. At 1130 hours trial commences.

A4. The Prosecutor produces a Medical Certificate that accused is ~~fit~~ 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 CO. (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 ~~me~~ as interpreter? ~~Ans No~~
 The shorthand writer is sworn. (1) Do you object to ~~me~~ as shorthand writer? ~~Ans No~~
 (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?
 Ans No
 (1. RP 110. 2. If no objection, waiting member retires. RP 68(B). If objection, see procedure AA 51, RP 25, 71, 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 Major E. W. Parvula (1st Lt AT police)
- Member Capt Martin (1st Lt AT police)
- Member Lt R. J. Jones HQ AT para
- Judge-Advocate Capt W. J. Jones HQ AT para
- Prosecutor Capt T. J. Jones (1st Lt AT police)
- Defending Offr Capt R. J. Jones (1st Lt AT police)

Questions by President: Is the Prosecutor a lawyer? Ans No Is the Defending Offr a lawyer? Ans Yes (2)
 (1. RP 26, 27, 109, 111. List of offrs under instr will be returned separately with proceedings for information of Conv Offr.)
 (2. If Pros a lawyer and Def Offr not, accused is entitled to an adjournment when RP 89 (B) and fn 2 were not followed. See p 3.)

A8. The accused sign baehpelle before arraignment make(s) (no) 1 plea (1)

(1. If a special plea is made for separate trial on one or more charges (RP 62(E), 100), or as to the jurisdiction of the Court (RP 24, 35(A), 113), or in bar of trial (RP 36), or as to accused's mental fitness to stand trial (AA 130, 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 findings are recorded per Notes. For forms of record see references in fns to Rsp cited. Insert in AB rank and name of the accused making the plea.)

A9. The accused is fit arraigned (separately) on all charges in the charge sheet. (1) The accused does (not) object to any charge. (2) There is no amendment to be made to the Charge Sheet. (2) 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 42; when several accused to be tried separately see RP 71(C), and use separate copies of CF A96 to record proceedings. 2. RP 32, RP 33. If otherwise, delete and make appropriate record per Notes.)

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

PRESIDENT OR JA WILL INITIAL ALL DELETIONS AND ALTERATIONS.

PROCEEDINGS REVIEWED
 J. J. Quinn
 28 Dec 44

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