

Court - Was alone while work - met White on way back. Left alone. I was battling for an offer & I had no confidence in him. I had been in with him once & wouldn't go back in with him - did not mention this to any one. I did not try to get a transfer.

RP 23 (B) complied with Pros in closing - nothing Def offer in closing - Pros has not proven a case knew going into action. J.A. seems up:- Functions of court, credibility of witnesses, no rigid presumption of innocence, burden on pros, reasonable doubt, desertion, AA56 & RP 44(D).

Def offer in mitigation:- Aesd in Pl since then - high strung and nervous. I made him my batman to steady him down. This was proven in action. He did job as batman for me. In last action was badly shaken by near hit. Had sore back & was treated & returned to duty. Pl found a rplmn. Aesd became confused & went absent when had been away realized had done wrong & started back. Due to actions etc had much difficulty in getting back. Finally met someone from Pl & he gave himself up to Cdr Gpl. Aesd willing to return as batman. Always been faithful to me. Give him consideration & leniency.

W.M.W. Shaw
Capt