

SCHEDULE.

PART I. PLEA(S), FINDING(S) AND SENTENCE.

Accused: P. 15056 S/Sgt Robert William Beverly SIMON - 1 Cdn Base Wesp RCNME

Charge.	Plea.	Finding.	(Space for use as required for further charges, accused charged jointly, special findings, etc.)
(Insert "alternative" where applicable.) 1st AA Sec 15(1)	(See Instrs p 2.) Guilty	(See note below.) Guilty	
2nd			
3rd			
4th			
5th			
6th			

(Note: As to findings for lesser offences see AA 56, RP 44; findings on alternative charges see MML p 403 (n 4 para 2, RP 44; special findings see RP 44 and MML p 733, and in loss of kit see RP 44 (n 6).)

At present under sentence for NOT beginning on (date) 16 May 45 (1)
(Insert sentence being served, or delete, if not applicable. See RP 46(A). Information should be found on MF 8355 or AF 8296.)
Time in confinement awaiting present trial—a total of 10 days, of which 10 days were spent in hospital. (2)
(See RP 46(A) n 2. Information should be found on MF 8355 or AF 8296 admitted in evidence under E2.)
Sentence Awarded by the Court
to forfeit all or density pay for ten (10) days.
(Sgd) 16 May 45 (Sgd) [Signature]
Judge-Advocate, if any. Date awarded. President. (RP 45, 50)
(See back of Convening Order as to assembly and disposal of record after trial.)

PART II. MINUTE WHERE CONFIRMATION RESERVED. (AA 54(5), RP 120(F), MML p 760.)

Date (Sgd) _____ Commanding _____

PART III. DECISION OF CONFIRMING OFFR ON FINDING(S) AND SENTENCE.

(For duties and powers see AA 54, 57, RP 37(D) (n 6, 46(A)), 51-56, 120; MML pp 739-761; KR Can 567-577. Acquittal requires no confirmation and cannot be revised: AA 54(3). Sending back finding or sentence for revision by Court: AA 54(2), RP 120(G). If not confirmed, accused may be tried again: AA 57, MML p 84. Minute of confirmation or non-confirmation may be altered before promulgation: RP 33, MML p 63. Quashing after promulgation: KR Can 573. Duties and powers of reviewing offrs: AA 57, 57A, RP 53A, 54. The Confirming Offr must sign here personally. AA 172 (n 1).)

My decision on the finding(s) and sentence set forth in Part I is:

Confirmed

I direct that the accused be not committed to prison or detention barracks until further orders. (1)
(AA 57A - Detainee of our 2002.)

Date 17 May 45 (Sgd) [Signature]
Commanding [Signature]
Confirming Offr.

PART IV. PROMULGATED AND EXTRACTS TAKEN. (RP 33, KR Can 576, 577.)

Accused. Date. Signature of Offr.
P35056 4/5/7 17 May 45 [Signature]
Robert William Beverly Simon 1 Cdn Base Wesp RCNME

ALL DELETIONS AND ALTERATIONS WILL BE INITIALLED.



FIELD GENERAL COURT-MARTIAL

RECORDED AT CMHQ IN AB 160. 5-1-78. 4/388

Convicted by Quinn Brigadier J.E. Sager Comd F Op CRU dated 14 May 45

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) appt, A/rank or A/appt, if any, see AA 182, 183, fns. KR Can 308, 328, 330.)

Number. (a) Prmt B. (b) Appt, A/R or A/Appt. Full Christian Names. Surname. Unit.
P. 35056 S/Sgt Robert William Beverly SIMON 1 Cdn Base Wesp RCNME

PROCEEDINGS REVIEWED
REVIEWING OFFICER, JAG BR CMHQ.
England on (date(s)) 16 May 45

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 GCM in MML pp 747 to 759. 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 493 for rules and instrs on how to record addresses, evidence, etc, which instrs use hereafter called "Notes". As to general provisions for conducting the trial see AA 53, RP 36, 43-70, 73, 74, 94, 101, 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, accused is (a) fit to undergo trial by court-martial, and each charge discloses an offence. (2)
(1. As to use of Summary of Evidence see RP 17 (n 6). 2. AA 45, 50, RP 105-107. 3. RP 11-13, 23, 24.)
- A3. The Court is opened. The accused is (a) brought before the Court. At 1030 hours trial commences.
- A4. The Prosecutor produces a Medical Certificate that accused is (a) 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 537. 2. AA 46(B), RP 60 (n 1). For effect see KR Can 563(c). Delete, if not applicable.)
- A5. President to accused: Do you object to _____ as interpreter? Ans _____
The interpreter is sworn. (1) Do you object to _____ 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. Th. Mear EDKE N.D. CRU
Member Capt F.C. Peters 2 CDR
Member Lieut B. Osquith 1 CDR
Judge-Advocate _____
Prosecutor Lieut G.D. King 1 CDR
Defending Offr Major 22. Blackbridge 1 CDR
- Questions by President: Is the Prosecutor a lawyer? Ans No. Is the Defending Offr a lawyer? Ans No.
(1. RP 26, 27, 109, 111. List of offrs under instr will be returned separately with proceedings for information of Comd Offr.)
(2. If Pres a lawyer and Def Offr not, accused is entitled to an adjournment when RP 89 (B) and (n 2) were not followed. See (n 2) p 2.)
- A8. The accused: _____ before arraignment makes (a) (no) plea.
(1. If a special plea is made for separate trial on one or more charges (RP 42(E), 106), or as to the jurisdiction of the Court (RP 34, 35(A), 113), or as to bar of trial (RP 36), or as to accused's mental fitness to stand trial (AA 130, RP 27), or evidence, if any, and finding on recorded per Notes. For forms of record see references in fn to RP cited. Insert in A8 rank and name of the accused making the plea.)
- A9. The accused is (a) arraigned (separately) on all charges in the charge sheet. (1) The accused does (a) not object to any charge. (2) There is no amendment to be made to the Charge Sheet. (3) The President reads the plea in Part I of the Schedule.
(1. RP 31, 112. See Instrs 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 496 to record proceedings. 2. RP 22, RP 33. If otherwise, delete and make appropriate record per Notes.)
- A10. The Court (reasoned and) considers the Instrs on Procedure after Arraignment at top of p 2. The proceedings are continued on Record Form B
PRESIDENT OR JA WILL INITIAL ALL DELETIONS AND ALTERATIONS.