

Maj Harry M. Schmidt

*The charges are merely accusations and the accused is presumed innocent until and unless proven guilty.

Charge I: Violation of the UCMJ, Article 92

Specification: In that Major Harry M. Schmidt, 170th Fighter Squadron (ANG), then-constituted as the 170th Expeditionary Fighter Squadron, 332nd Air Expeditionary Group, United States Air Force, then—deployed at a forward operating location, who knew or should have known of his duties as the wingman and an aircraft commander in a two-ship flight of F-16 aircraft, in the vicinity of Kandahar, Afghanistan, on or about 17 April 2002, was derelict in the performance of those duties in that he willfully failed to exercise appropriate flight discipline over his aircraft and failed to comply with the applicable rules of engagement and special instructions to airmen in effect on that date in that area of operations, as it was his duty to do.

Charge II: Violation of the UCMJ, Article 119

Specification 1: In that Major Harry M. Schmidt, 170th Fighter Squadron (ANG), then-constituted as the 170th Expeditionary Fighter Squadron, 332nd Air Expeditionary Group, United States Air Force, then-deployed at a forward operating location, did, in the vicinity of Kandahar, Afghanistan, on or about 17 April 2002, by culpable negligence, unlawfully kill Sergeant Marc Daniel Leger, “A” Company, 3rd Battalion, Princess Patricia’s Canadian Light Infantry, 1 Canadian Mechanized Brigade Group, Canadian Forces, by causing mortal injuries upon his person with a 500 pound laser guided bomb.

Specification 2: In that Major Harry M. Schmidt, 170th Fighter Squadron (ANG), then-constituted as the 170th Expeditionary Fighter Squadron, 332nd Air Expeditionary Group, United States Air Force, then—deployed at a forward operating location, did, in the vicinity of Kandahar, Afghanistan, on or about 17 April 2002, by culpable negligence, unlawfully kill Corporal Ainsworth Dyer, “A” Company, 3rd Battalion, Princess Patricia’s Canadian Light Infantry, 1 Canadian Mechanized Brigade Group, Canadian Forces, by causing mortal injuries upon his person with a 500 pound laser guided bomb.

Specification 3: In that Major Harry M. Schmidt, 170th Fighter Squadron (ANG), then-constituted as the 170th Expeditionary Fighter Squadron, 332nd Air Expeditionary Group, United States Air Force, then—deployed at a forward operating location, did, in the vicinity of Kandahar, Afghanistan, on or about 17 April 2002, by culpable negligence, unlawfully kill Private Richard Anthony Green, “A” Company, 3rd Battalion, Princess Patricia’s Canadian Light Infantry, 1 Canadian Mechanized Brigade Group, Canadian Forces, by causing mortal injuries upon his person with a 500 pound laser guide bomb.

Specification 4: In that Major Harry M. Schmidt, 170th Fighter Squadron (ANG), then—constituted as the 170th Expeditionary Fighter Squadron, 332nd Air Expeditionary Group, United States Air Force, then—deployed at a forward operating location, did, in the vicinity of Kandahar, Afghanistan, on or about 17 April 2002, by culpable negligence, unlawfully kill Private Nathan Lloyd Smith, “A” Company, 3rd Battalion, Princess Patricia’s Canadian Light Infantry, 1 Canadian Mechanized Brigade Group, Canadian Forces, by causing mortal injuries upon his person with a 500 lb laser guided bomb.

Charge III: Violation of the UCMJ, Article 128

Specification 1: In that Major Harry M. Schmidt, 170th Fighter Squadron (ANG), then—constituted as the 170th Expeditionary Fighter Squadron, 332nd Air Expeditionary Group, United States Air Force, then—deployed at a forward operating location, did, in the vicinity of Kandahar, Afghanistan, on or about 17 April 2002, commit an assault upon Sergeant Lorne Ford, “A” Company, 3rd Battalion, Princess Patricia’s Canadian Light Infantry, 1 Canadian Mechanized Brigade Group, Canadian Forces, by directing at or near him a means likely to produce death or grievous bodily harm, to wit: a 500 pound laser guided bomb.

Specification 2: In that Major Harry M. Schmidt, 170th Fighter Squadron (ANG), then—constituted as the 170th Expeditionary Fighter Squadron, 332 Air Expeditionary Group, United States Air Force, then—deployed at a forward operating location, did, in the vicinity of Kandahar, Afghanistan, on or about 17 April 2002, commit an assault upon Corporal Rene Paquette, “A” Company, 3rd Battalion, Princess Patricia’s Canadian Light Infantry, 1 Canadian Mechanized Brigade Group, Canadian Forces, by directing at or near him a means likely to produce death or grievous bodily harm, to wit: a 500 pound laser guided bomb.

Specification 3: In that Major Harry M. Schmidt, 170th Fighter Squadron (ANG), then—constituted as the 170th Expeditionary Fighter Squadron, 332 Air Expeditionary Group, United States Air Force, then—deployed at a forward operating location, did, in the vicinity of Kandahar, Afghanistan, on or about 17 April 2002, commit an assault upon Corporal Brett Perry, “A” Company, 3rd Battalion, Princess Patricia’s Canadian Light Infantry, 1 Canadian Mechanized Brigade Group, Canadian Forces, by directing at or near him a means likely to produce death or grievous bodily harm, to wit: a 500 pound laser guided bomb.

Specification 4: In that Major Harry M. Schmidt, 170th Fighter Squadron (ANG), then—constituted as the 170th Expeditionary Fighter Squadron, 332 Air Expeditionary Group, United States Air Force, then—deployed at a forward operating location, did, in the vicinity of Kandahar, Afghanistan, on or about 17 April 2002, commit an assault upon Private Norman Link, “A” Company, 3rd Battalion, Princess Patricia’s Canadian Light Infantry, 1 Canadian Mechanized Brigade Group, Canadian Forces, by directing at or

near him a means likely to produce death or grievous bodily harm, to wit: a 500 pound laser guided bomb.

Specification 5: In that Major Harry M. Schmidt, 170th Fighter Squadron (ANG), then—constituted as the 170th Expeditionary Fighter Squadron, 332 Air Expeditionary Group, United States Air Force, then—deployed at a forward operating location, did, in the vicinity of Kandahar, Afghanistan, on or about 17 April 2002, commit an assault upon Corporal Brian Decaire, “A” Company, 3rd Battalion, Princess Patricia’s Canadian Light Infantry, 1 Canadian Mechanized Brigade Group, Canadian Forces, by directing at or near him a means likely to produce death or grievous bodily harm, to wit: a 500 pound laser guided bomb.

Specification 6: In that Major Harry M. Schmidt, 170th Fighter Squadron (ANG), then—constituted as the 170th Expeditionary Fighter Squadron, 332 Air Expeditionary Group, United States Air Force, then—deployed at a forward operating location, did, in the vicinity of Kandahar, Afghanistan, on or about 17 April 2002, commit an assault upon Master Corporal Curtis Hollister, “A” Company, 3rd Battalion, Princess Patricia’s Canadian Light Infantry, 1 Canadian Mechanized Brigade Group, Canadian Forces, by directing at or near him a means likely to produce death or grievous bodily harm, to wit: a 500 pound laser guided bomb.

Specification 7: In that Major Harry M. Schmidt, 170th Fighter Squadron (ANG), then—constituted as the 170th Expeditionary Fighter Squadron, 332 Air Expeditionary Group, United States Air Force, then—deployed at a forward operating location, did, in the vicinity of Kandahar, Afghanistan, on or about 17 April 2002, commit an assault upon Master Corporal Stanley P. Clarke, “A” Company, 3rd Battalion, Princess Patricia’s Canadian Light Infantry, 1 Canadian Mechanized Brigade Group, Canadian Forces, by directing at or near him a means likely to produce death or grievous bodily harm, to wit: a 500 pound laser guided bomb.

Specification 8: In that Major Harry M. Schmidt, 170th Fighter Squadron (ANG), then—constituted as the 170th Expeditionary Fighter Squadron, 332 Air Expeditionary Group, United States Air Force, then—deployed at a forward operating location, did, in the vicinity of Kandahar, Afghanistan, on or about 17 April 2002, commit an assault upon Corporal Shane Brennan, “A” Company, 3rd Battalion, Princess Patricia’s Canadian Light Infantry, 1 Canadian Mechanized Brigade Group, Canadian Forces, by directing at or near him a means likely to produce death or grievous bodily harm, to wit: a 500 pound laser guided bomb.