CHARGE SHEET

I. PERSONAL DATA

1. NAME OF ACCUSED:
MOHAMMED HASHIM

2. ALIASES OF ACCUSED:

None reported

3. ISN NUMBER OF ACCUSED (LAST FOUR):
0850

II. CHARGES AND SPECIFICATIONS

4. CHARGE: **VIOLATION OF SECTION AND TITLE OF CRIME IN PART IV OF M.M.C.**

SPECIFICATION:

See Attached Charges and Specifications.

III. SWEARING OF CHARGES

5a. NAME OF ACCUSER (*LAST, FIRST, MI*)	5b. GRADE	5c. ORGANIZATION OF ACCUSER
MAHER, S.	O-6	OMC-PROSECUTION

5d. SIGNATURE OF ACCUSER	5e. DATE (YYYYMMDD)
	2008 05 30

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser the 30th day of MAY, 2008, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

JOSEPH V. TREANOR
Typed Name of Officer

OMC-PROSECUTION
Organization of Officer

COLONEL/O-6, United States Air Force
Grade

Judge Advocate - Article 136(a)(1)
Official Capacity to Administer Oath
(See R.M.C. 307(b) must be commissioned officer)

Joseph V. Treanor
Signature

MC FORM 458 JAN 2007

IV. NOTICE TO THE ACCUSED

6. On 31 MAY, 2008 the accused was notified of the charges against him/her (See R.M.C. 308).

COLONEL JOSEPH V. TREANOR
Typed Name and Grade of Person Who Caused Accused to Be Notified of Charges

OMC-PROSECUTION
Organization of the Person Who Caused Accused to Be Notified of Charges

Joseph V. Treanor
Signature

V. RECEIPT OF CHARGES BY CONVENING AUTHORITY

7. The sworn charges were received at 1645 hours, on 5 June 2008, at Arlington, VA.
Location

For the Convening Authority: Andrea Scott
Typed Name of Officer

SSG
Grade

ASCott
Signature

VI. REFERRAL

8a. DESIGNATION OF CONVENING AUTHORITY	8b. PLACE	8c. DATE (YYYYMMDD)
Convening Authority 10 USC §948h Appointed on 6 Feb 2007	Arlington, VA	20081020

Referred for trial to the (non)capital military commission convened by military commission convening order ~~07-02 dated~~ 8 March 2007.

~~_____~~ subject to the following instructions[1]: this case is referred non-capital.

~~By~~ ~~_____~~ ~~of~~ ~~_____~~
Command, Order, or Direction

Susan J. Crawford
Typed Name and Grade of Officer

Convening Authority 10 USC § 948h
Official Capacity of Officer Signing

Susan J. Crawford
Signature

VII. SERVICE OF CHARGES

9. On _____, 2008 I (caused to be) served a copy these charges on the above named accused.

JOSEPH V. TREANOR
Typed Name of Trial Counsel

COLONEL/O-6, United States Air Force
Grade of Trial Counsel

Signature of Trial Counsel

FOOTNOTES

[1]See R.M.C. 601 concerning instructions. If none, so state.

CHARGE SHEET
U.S. v. Hashim

CHARGE I: VIOLATION OF 10 U.S.C. § 950v(b)(25), PROVIDING MATERIAL SUPPORT FOR TERRORISM

Specification 1: In that Mohammed Hashim, a person subject to trial by military commission as an alien unlawful enemy combatant, did, at or near Kandahar Air Base, Afghanistan, and at or near Forward Operating Base Gecko, Afghanistan, between on or about 22 December 2001 and on or about 28 October 2002, intentionally provide material support and resources to Al Qaeda, an international terrorist organization engaged in hostilities against the United States, by making himself available to carry out acts of terrorism (having previously been schooled at terrorist training camps in the use of weapons, explosives, suicide bombings/attacks, assassination methods, and poisoning of water supplies), by conducting reconnaissance missions against U.S. and coalition forces, and by participating in a rocket attack venture on at least one occasion against U.S. forces for Al Qaeda, knowing that such organization has engaged or engages in terrorism, including targeting civilians, attacking civilians, and murdering civilians, said conduct taking place in the context of, and associated with, an armed conflict.

Specification 2: In that Mohammed Hashim, a person subject to trial by military commission as an alien unlawful enemy combatant, did, at or near Kandahar Air Base, Afghanistan, between on or about 22 December 2001 and on or about 28 October 2002, intentionally provide material support and resources, to wit: himself, to be used in preparation for, or in carrying out, an act of terrorism, namely, a rocket attack on at least one occasion against U.S. forces that evinced a wanton disregard for human life; the accused did so in a manner calculated to influence or affect the conduct of government or civilian population by intimidation or coercion, or to retaliate against government conduct; the accused knew or intended that he was to be used for those purposes; and the conduct took place in the context of, and was associated with, an armed conflict.

CHARGE II: VIOLATION OF 10 U.S.C. § 950v(b)(27), SPYING

Specification: In that Mohammed Hashim, an alien unlawful enemy combatant subject to trial by military commission did, on or about 28 October 2002, at or near Forward Operating Base Gecko, Afghanistan, in the context of and associated with an armed conflict, knowingly, intentionally, and wrongfully collect or attempt to collect information by clandestine means or while acting under false pretenses, for the purpose of conveying such information to an enemy of the United States, or to one of the co-belligerents of the enemy, while intending or having reason to believe the information collected would be used to injure the United States or to provide an advantage to a foreign power.

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