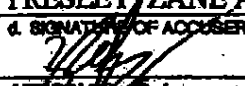
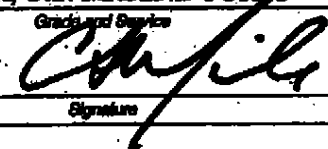


CHARGE SHEET				
I. PERSONAL DATA				
1. NAME OF ACCUSED (Last, First, MI) BUDWAH, DAVID W.		2. BSN (G)(6)	3. RANK/RATE SGT	4. PAY GRADE E-5
5. UNIT OR ORGANIZATION HEADQUARTERS AND SERVICE BATTALION, MARINE CORPS BASE, QUANTICO, VIRGINIA		DOB: (G)(6)	6. CURRENT SERVICE a. INITIAL DATE 20031002 b. TERM 4 YRS 23 MOS	
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED	
a. BASIC \$2,670.90	b. SEA/FOREIGN DUTY N/A	c. TOTAL \$2,670.90	NONE	
			9. DATE(S) IMPOSED N/A	
II. CHARGES AND SPECIFICATIONS				
10. CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 80				
Specification: In that Sergeant David E. Budwah, U.S. Marine Corps, on active duty, did at or near National Naval Medical Center, Bethesda, Maryland, on or about July 2008 attempt, by means of knowingly false representations that he suffered from post-traumatic stress disorder resulting from service in support of the tsunami relief and combat action in Afghanistan and Iraq, when in fact he never directly participated in said activities, to procure himself to be separated from active duty with the United States Marine Corps.				
CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 107				
Specification 1: In that Sergeant David B. Budwah, U.S. Marine Corps, on active duty, did, at or near Sabillasville, Maryland, on or about 23 July 2008, with intent to deceive, make to Josh Shaw, a reporter with The Herald-Mail, official statements, to wit: "I have served two tours in Iraq and I was on my second tour in Afghanistan when I was hit by a hand grenade filled with glass, nails, and other debris," and "I dove on a buddy to shield him from the blast, and the blast damaged half my face," or words to that effect, which statements were totally false, and were then known by Sergeant Budwah to be so false. (SEE SUPPLEMENTAL PAGE)				
III. PREFERRAL				
11a. NAME OF ACCUSER (Last, First, MI) PRESLEY ZANE A.		b. GRADE CPL	c. ORGANIZATION OF ACCUSER HQSVCBN, MCB, QUANTICO, VA	
d. SIGNATURE OF ACCUSER 			e. DATE 090306	
AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this <u>6th</u> day of <u>March</u> , 20 <u>09</u> , and signed the foregoing charges and specifications under oath that he is a person subject to the Uniform Code of Military Justice and that he either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his knowledge and belief.				
<u>C. A. MIRACLE</u> Typed Name of Officer MAJOR, U.S. MARINE CORPS Grade and Service  Signature		<u>HQSVCBN, MCB, QUANTICO, VA</u> Organization of Officer JUDGE ADVOCATE Official Capacity to Administer Oaths (See R.C.M. 307(b)—must be commissioned officer)		

ORIGINAL

12. On 10 March 20 09, the accused was informed of the charges against him/her and of the name(s) of the accuser(s) known to me. (See R.C.M. 308(a)). (See R.C.M. 308 if notification cannot be made.)

L. N. SPAIN
Typed Name of Immediate Commander

HQSVCBN, MCB, QUANTICO, VA
Organization of Immediate Commander

CHIEF WARRANT OFFICER - 3
Grade

L.N. Spain
Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at 0959 hours, 9 March 20 09 at HQSVCBN, MCB, QUANTICO, VA
Designation of Command or Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

L. N. SPAIN
Typed Name of Officer

CHIEF WARRANT OFFICER - 3
Grade

L.N. Spain
Signature

FOR THE: COMMANDING OFFICER
LEGAL OFFICER
Official Capacity of Officer Signing

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY	b. PLACE	c. DATE
<u>MARINE CORPS BASE</u>	<u>QUANTICO, VIRGINIA</u>	

Referred for trial to the GENERAL. Court-martial convened by COURT-MARTIAL CONVENING ORDER 1-08

DATED 15 JANUARY 20 08, subject to the following instructions:²

By _____ of _____
Command or Order

D. J. CHOIKE
Typed Name of Officer

COMMANDER
Official Capacity of Officer Signing

COLONEL
Grade

[Signature]
Signature

15. On 23 July 20 09, I caused to be served a copy hereof on (each of) the above named accused.

G. J. BROADSTON
Typed Name of Trial Counsel

MAJOR
Grade of Trial Counsel

[Signature]
Signature

FOOTNOTES

1 - When an appropriate commander signs personally, inapplicable words are strikethrough.
 2 - See R.C.M. 601(e) concerning instructions. If none, so state.

SUPPLEMENTAL BLOCK 10**L Name: BUDWAH****SSN:** (6)(6)**PAGE 1 OF 2****CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 107**

Specification 2: In that Sergeant David E. Budwah, U.S. Marine Corps, on active duty, did, at or near Annapolis, Maryland, on or about 14 October 2008, with intent to deceive, make to a reporter for The Washington Times, an official statement, to wit: "I am a patient at the National Naval Medical Center in Bethesda because of physical and psychological damage I received during my tours in Iraq and Afghanistan," or words to that effect, which statement was false in that Sergeant Budwah was never deployed to Afghanistan or Iraq.

Specification 3: In that Sergeant David E. Budwah, U.S. Marine Corps, on active duty, did, at or near Sabillasville, Maryland, on or about 23 July 2008, with intent to deceive, make to Justin M. Palk, a reporter for the Frederick NewsPost, official statements, to wit: "I served two tours in Iraq and two in Afghanistan," and "I was wounded in the face by an improvised hand grenade in Afghanistan" or words to that effect, which statements were totally false and were then known by Sergeant Budwah to be so false.

CHARGE III: VIOLATION OF THE UCMJ, ARTICLE 115

Specification: In that Sergeant David E. Budwah, U.S. Marine Corps, on active duty, did, at or near Marine Corps Base Quantico and National Naval Medical Center, Bethesda, Maryland, between on or about July 2008 and on or about November 2008, for the purpose of avoiding service as an enlisted person, feign illness and physical disablement, to wit: stomach cancer, physical wounds, and post traumatic stress disorder sustained while in support of OPERATION UNIFIED ASSISTANCE, OPERATION IRAQI FREEDOM, AND OPERATION ENDURING FREEDOM.

CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 134

Specification 1: In that Sergeant David E. Budwah, U.S. Marine Corps, on active duty, did, at or near Bethesda, Maryland, between on or about July 2008 and on or about November 2008, wrongfully and without authority wear upon his uniform:

- Navy and Marine Corps Achievement Medal, gold star in lieu of third award
- Combat Action Ribbon
- Afghanistan Campaign Medal with one bronze campaign star
- Iraqi Campaign Medal with one bronze campaign star
- Global War on Terrorism Expeditionary Medal
- Humanitarian Service Medal
- Coast Guard Arctic Service Medal
- Philippine Presidential Unit Citation.

Specification 2: In that Sergeant David W. Budwah, U.S. Marine Corps, on active duty, did, at or near National Naval Medical Center, Bethesda, Maryland, from on or about July 2008 to on or about November 2008, with intent to defraud, falsely pretend to have sustained wounds and Post Traumatic Stress Disorder while in support of OPERATION UNIFIED ASSISTANCE, OPERATION IRAQI FREEDOM, and OPERATION ENDURING FREEDOM, then knowing that the pretenses were false, and by means thereof did wrongfully obtain from the Wounded Warrior Regiment services, of a value of more than \$500.00, to wit: attendance at the following events:

ORIGINAL


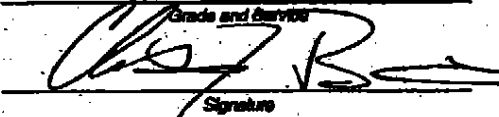
SUPPLEMENTAL BLOCK 10**L Name: BUDWAH****SSN:****PAGE 2 OF 2**

(6)(6)

CHARGE IV: VIOLATION OF THE UCMJ, ARTICLE 134

28 July 2008 – WWE Monday Night RAW
01 August 2008 – Presidential Seats at Washington Nationals Game
02 August 2008 – Marine Corps League Crab Feast
05 August 2008 – Collective Soul Concert
06 August 2008 – Red Cross Comfort Dog Training Center
08 August 2008 – Sunset Parade at Iwo Jima Memorial
10 August 2008 – Virgin Mobile Fest
13 August 2008 – Boston Concert
16 August 2008 – Counting Crows Concert
22 August 2008 – Chesapeake Bay Harbor Tour
27 August 2008 – Journey Concert
30 August 2008 – Jimmy Buffett Concert
07 September 2008 – Dinner at Ruth's Chris Restaurant
12 September 2008 – Quantico Rifle Range Event
14 September 2008 – Washington Redskins vs. New Orleans Saints NFL Game
18 – 20 September 2008 – Goose and Duck Hunting Trip in Southern Maryland
21 September 2008 – Essex Day and Fair in Essex, Maryland
24 September 2008 – Soldiers Angel's Military Appreciation Washington Nationals Game
25 September 2008 – Ballroom Boxing in Glen Burnie, Maryland
27 September 2008 – Trip to Busch Gardens
06 October 2008 – Paralympics Luncheon
09 October 2008 – Trip to Prospect Bay Country Club for Fishing
17 October 2008 – Trip to National Air and Space Museum
21 October 2008 – Veterans for Valor Dave and Busters Dinner and Games
22 October 2008 – Red Cross Comfort Dog Training Center Event
24 October 2008 – Vietnam Veterans Association Dinner
08 November 2008 – Trip Quantico Rifle Range
12 November 2008 – Paralympic Sneak Peak
13 November 2008 – MEA Breakfast
13 November 2008 – Paralympic Sneak Peak
18 November 2008 – AFF Thanksgiving Dinner
19 November 2008 – DIA Job Fair
20 November 2008 – VVA Dinner at Pooks Hill Marriott

ORIGINAL

CHARGE SHEET				
I. PERSONAL DATA				
1. NAME OF ACCUSED (Last, First, MI) BUDWAH, DAVID W.		2. SSN (b)(6)	3. RANK/RATE SGT	4. PAY GRADE E-5
5. UNIT OR ORGANIZATION HEADQUARTERS AND SERVICE BATTALION, MARINE CORPS BASE, QUANTICO, VIRGINIA		DOB: (b)(6)	6. CURRENT SERVICE	
			a. INITIAL DATE 20031002	b. TERM 4 YRS 23 MOS
7. PAY PER MONTH			8. NATURE OF RESTRAINT OF ACCUSED	
a. BASIC \$2,670.90	b. SEA/FOREIGN DUTY N/A	c. TOTAL \$2,670.90	NONE	
			9. DATE(S) IMPOSED N/A	
II. CHARGES AND SPECIFICATIONS				
10. ADDITIONAL CHARGE I: VIOLATION OF THE UCMJ, ARTICLE 121				
<p>Specification 1: In that Sergeant David E. Budwah, U.S. Marine Corps, on active duty, did at or near National Naval Medical Center, Bethesda, Maryland, between on or about July 2008 and on or about November 2008, steal an iPod, a Personal Digital Assistant, a laptop computer, and computer softwares, of a value of more than \$500.00, the property of Soldiers' Angels.</p> <p>Specification 2: In that Sergeant David E. Budwah, U.S. Marine Corps, on active duty, did at or near National Naval Medical Center, Bethesda, Maryland, between on or about July 2008 and on or about December 2008, wrongfully appropriate \$1,000.00, the property of Soldiers' Angels.</p> <p style="text-align: right;"><small>WITHHELD & DECLASSIFIED WITHOUT PREJUDICE TTL 2009 07123</small></p>				
(SEE SUPPLEMENTAL PAGE)				
III. PREFERRAL				
11a. NAME OF ACCUSER (Last, First, MI) PRESLEY, ZANE A		b. GRADE CPL	c. ORGANIZATION OF ACCUSER HQSVCBN, MCB, QUANTICO, VA	
d. SIGNATURE OF ACCUSER 			e. DATE 09-07-08	
<p>AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this <u>8th</u> day of <u>July</u>, 20<u>09</u>, and signed the foregoing charges and specifications under oath that he is a person subject to the Uniform Code of Military Justice and that he either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his knowledge and belief.</p>				
C. J. BROADSTON <small>Typed Name of Officer</small> MAJOR, U.S. MARINE CORPS <small>Grade and Service</small>  <small>Signature</small>		HQSVCBN, MCB, QUANTICO, VA <small>Organization of Officer</small> JUDGE ADVOCATE <small>Official Capacity to Administer Oaths (See R.C.M. 307(b)—must be commissioned officer)</small>		

ORIGINAL

12. On 89 July, 20 09, the accused was informed of the charges against him/her and of the name(s) of The accuser(s) known to me. (See R.C.M. 308(a)). (See R.C.M. 308 if notification cannot be made.)

R. W. HESSER


Typed Name of Immediate Commander

HQSVCBN, MCB, QUANTICO, VA

Organization of Immediate Commander

LIEUTENANT COLONEL

Grade



Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at 1100 hours, 9 JUL, 20 09 at HQSVCBN, MCB, QUANTICO, VA
Designation of Command or

Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

FOR THE COMMANDING OFFICER

R. W. HESSER

Typed Name of Officer

EXECUTIVE OFFICER

Official Capacity of Officer Signing

LIEUTENANT COLONEL

Grade



Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

MARINE CORPS BASE

b. PLACE

QUANTICO, VIRGINIA

c. DATE

Referred for trial to the GENERAL Court-martial convened by

COURT-MARTIAL CONVENING ORDER 1-08

DATED 15, JANUARY 20 08, subject to the following instructions:² TO BE TRIED IN CONJUNCTION WITH THE CHARGES PREFERRED ON 6 MARCH 2009.

By _____ of _____
Command or Order

D. J. CHOIKE

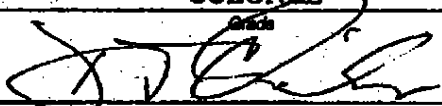
Typed Name of Officer

COMMANDER

Official Capacity of Officer Signing

COLONEL

Grade



Signature

15. On 23 July, 20 09, I caused to be served a copy hereof on (each of) the above named accused.

C.J. BROADSTON

Typed Name of Trial Counsel

MAJOR

Grade or Rank of Trial Counsel



Signature

FOOTNOTES

- 1 - When an appropriate commander signs personally, inapplicable words are stricken.
- 2 - See R.C.M. 601(e) concerning instructions. If none, so state.

SUPPLEMENTAL BLOCK 10

L Name: BUDWAH

SSN:

PAGE 1 OF 1

(b)(6)

ADDITIONAL CHARGE II: VIOLATION OF THE UCMJ, ARTICLE 134

Specification: In that Sergeant David E. Budwah, U.S. Marine Corps, on active duty, did at or near National Naval Medical Center, Bethesda, Maryland, between on or about July 2008 and on or about November 2008, with intent to defraud, falsely pretend to have sustained wounds and Post Traumatic Stress Disorder while in support of OPERATION UNIFIED ASSISTANCE, OPERATION IRAQI FREEDOM, and OPERATION ENDURING FREEDOM, then knowing that the pretenses were false, and by means thereof did wrongfully obtain from the Soldiers' Angels services, of a value of more than \$500.00, to wit: a loan of \$1,000.00.

APPROVED & FORWARDED BY: [Signature] PRESIDENT
TEL 2009 07 23

ORIGINAL