

MEMORANDUM THRU Staff Judge Advocate, 82d Airborne Division

10 January 2015

FOR Commanding General, Headquarters, 82nd Airborne Division

SUBJECT: Rule for Courts-Martial (RCM) 1106/1107 Request for Clarification, *United States v. Lorance*

1. PURPOSE. To seek clarification of unclear language used in the 31 December 2014 Staff Judge Advocate's (SJA) Addendum, the Convening Authority's "Action on Petition," and the "Action."

2. CONVENING AUTHORITY ACTION.

a. Paragraph 10 of the SJA's Addendum states in relevant part that "I now recommend that you approve only so much of the sentence extending to forfeiture of all pay and allowances, confinement for 19 years 6 months...."

b. The "Action on Petition" states in relevant part "[t]he recommendation of the Staff Judge Advocate is approved." Accordingly, Major General Clarke approved confinement for 19 years 6 months.

c. However, in penmanship, Major General Clarke then wrote on the "Action on Petition" the following: "with 12 months clemency granted."

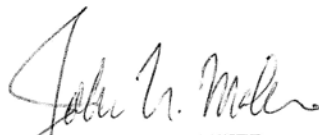
d. A fair reading shows that Major General Clarke intended to approve the SJA's recommendation and then reduce the sentence to confinement via 12 months clemency granted resulting in an approved sentence to confinement of 18 years 6 months.

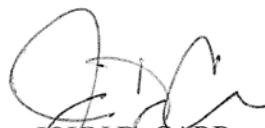
e. However, the "Action" states an approved sentence to confinement of 19 years.

3. REQUEST. We respectfully request that you amend the Action to reflect an approved sentence to confinement of 18 years 6 months.

4. ENCLOSURE. In the SJA's Addendum, it was noted that 1LT Lorance's 22 December 2014 submission referred to a "Roll Call Release" which alerted personnel about the use of motorcycles in suicide attacks in Afghanistan. The SJA noted that the document was not received. Attached please find the document entitled "Roll Call Release." We respectfully request that it be made a part of the 22 December 2014 filing.

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