



John N. Maher
LEGAL SERVICES

March 25, 2016

The Honorable Patrick J. Murphy
Secretary of the Army
101 Army Pentagon
Washington, DC 20310-0101

Re: First Lieutenant Clint A. Lorange, 82nd Airborne Division

Dear Mr. Secretary:

Sir, I write as a fellow Army Judge Advocate to respectfully request your personal attention to a matter of constitutional law importance within the Army concerning an officer you met in the barber shop at the USDB yesterday.

In July 2013, the Office of the Staff Judge Advocate, 82nd Airborne Division withheld exculpatory and mitigating evidence from the convening authority, the military judge, the defense, and the panel members in the above-reference court-martial. Clint ordered fire on three military-aged-males riding on a single motorcycle while his platoon was crossing a mine-laden road in the height of the fighting season in Kandahar, Afghanistan. The platoon had recently sustained four serious casualties before Clint assumed command of the platoon.

At trial, the prosecution maintained that the persons killed were innocent civilians. However, they were not. After trial but before clemency, the defense discovered that the military aged males were linked to improvised explosive device networks, common Grid coordinates for detonations, and were linked to 82nd Airborne Division casualties, to include KIAs.

Notwithstanding, the convening authority approved a 19-year sentence to confinement, and, Clint's Petition for a New Trial has been pending for some time now before the US Army Court of Criminal Appeals. The government has responded, but not challenged the validity of the defense's newly-discovered evidence. Still, however, no decision has been forthcoming and each day, this young man is deprived of life and liberty.

As you surely know, this is a violation of the *Brady v. Maryland* doctrine which all but certainly deprived 1LT Lorange of the full measure of due process the 5th Amendment affords; in violation of the Constitution we all took oaths to support and defend.

As a veteran of *Operation Enduring Freedom*, the Defense Intelligence Agency, the Balkans, the 1st Infantry Division, US Army War College graduate, and former Agency General Counsel as well as a firm believer that our soldiers who walk into combat should receive the most pristine of trials, would you please review 1LT Lorange's Petition for a New Trial and afford us an opportunity to meet with you briefly in your office?

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Of course we understand that publicly elected and appointed officials are often reluctant to become involved in matters processing through the judicial system. However, in this instance, given your service as a Judge Advocate and with the 82nd ABN DIV, not to mention your service as a Professor of Constitutional Law at the United States Military Academy at West Point and the vast clemency powers of your current office, this may very well be a case that you will look back upon and be proud that you exercised your authority to right a wrong and reflect well upon the Army and the Nation.

Respectfully,

// original signed //

John N. Maher
MAHER LEGAL SERVICES, P.C.

