



FOR IMMEDIATE RELEASE

Tuesday, December 18, 2018

American Paratrooper, Convicted of “Murder” for Proactively Ordering his Soldiers to Thwart an Ambush, Requests Civilian Court to Toss Military Conviction

TOPEKA, KANSAS – Attorneys for former U.S. Army First Lieutenant Clint Lorange, who was convicted by a military court-martial of two murders and an attempted murder after proactively thwarting an attempted ambush against his unit in Afghanistan on July 2, 2012, have asked a Kansas federal district court to toss out the conviction.

In 2012, Clint Lorange and his infantry platoon of paratroopers from the U.S. Army’s 82nd Airborne Division, was operating in Zhari, Afghanistan, also known as the “*Heart of Darkness*” by U.S. Soldiers. It is where the Taliban, an Islamist terror organization, was established and where American Soldiers frequently came under attack. In the months preceding and following the thwarted ambush on Lorange’s platoon, March to August of 2012, sixteen (16) U.S. Soldiers were Killed in Action (KIA) and dozens more were Wounded in Action (WIA). One of those WIA was Lorange’s predecessor who was medically evacuated from the battlefield with severe wounds to his eyes, face, and abdomen.

During July 2, 2012, while on patrol with his paratroopers, a member of Lorange’s platoon saw a fast-approaching motorcycle with three riders nearing the patrol. The paratrooper correctly identified them as a threat and, consistent with the Rules of Engagement (ROEs), opened fire on the riders, but missed.

Lorange, in a split-second decision, ordered another member of his platoon, who was manning an automatic weapon with a better vantage point, to engage the threat. Two of the riders were killed, and the third escaped.

Immediately, following this incident Lorange’s platoon engaged and repelled other Taliban who were maneuvering toward the patrol. An official U.S. Army report, *which was not introduced at Lorange’s court martial*, stated Lorange’s patrol at the time was being scouted for “an impending ambush/attack”

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By the time the situation pacified enough for Lorance and his Soldier to conduct a Battle Damage Assessment (BDA), the motorcycle had been removed and there was no telling what else may have been taken – weapons, radios, detonators, etc... All that was left were two dead unarmed Afghan men. As such, a hasty determination was made that Lorance’s platoon had killed “civilians.”

Ordinarily, this situation would have received objective scrutiny. However, the presumption of guilt in this situation was overwhelming due to it occurring during a period of deepening public concern and political pressure caused by a sequence of unrelated but troubling events.

In the months leading up to this event, Americans conducted a Koran burning, a video was release of U.S. Marines urinating on dead terrorists, and, most troubling, there had been the report of a U.S. Soldier killing 16 Afghans, including women and children. Each of these events, along with Lorance’s engagement, occurred amidst tense negotiations between the United States and Afghanistan on the terms of the long-term American presence in the country.

Despite Lorance asserting he ordered his paratrooper to fire to protect his Soldiers, the Army charged Lorance with changing the ROEs on his own, and with murder and attempted murder of “civilians.”

Lorance was acquitted of changing the ROEs but convicted of murder and attempted murder of the “civilians.” He is now serving a 19-year sentence in the U.S. Disciplinary Barracks in Fort Leavenworth, Kansas. He has exhausted his military appeals and now seeks relief with the civilian federal courts.

In a 74-page petition for writ of habeas corpus filed Tuesday with the U.S. District Court for the District of Kansas, Lorance’s attorneys argue that the conviction and sentence should be thrown out.

They cite misconduct on the part of prosecutors, missteps, lack of preparation on the part of Lorance’s trial attorneys, and an appeals process facilitated by military officials whose efforts to uphold the conviction at all costs resulted in Lorance’s appeal process being biased and unfair, to the point that it deprived him of his Constitutional Due Process rights.

In the petition, Lorance’s attorneys explain that the prosecutors failed to turn over DNA and fingerprint evidence that identifies the motorcycle riders as enemy combatants, i.e., known bomb-makers, rather than as “civilian casualties.”

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The petition also details public comments made by the Chief Judge of the Army Court of Criminal Appeals, *while Lorange’s case was still being reviewed*, in which he accuses Lorange of giving his Soldiers false information about what the ROEs actually were, despite Lorange being acquitted of that offense.

The petition also describes similar comments made to a member of U.S. Congress by The Judge Advocate General, a three-star general who was the Army’s top lawyer.

The petition describes an entire process geared toward creating the public impression of an Army that takes a hard line against Soldiers whose actions in combat result in civilian casualties, but meanwhile sacrifices principles of due process, fundamental fairness, and common sense, resulting in a Soldier convicted of murder for doing nothing more than protecting his troops in combat.

A copy of the petition is a matter of public record and is available at in the U.S. District Court for the District of Kansas, Topeka Division.

Lorange is represented by: John N. Maher, of Maher Legal Services PC, Chicago, Illinois; and by Christopher Joseph and Diane Bellquist, of Joseph, Hollander & Craft LLC, Topeka, Kansas. Questions regarding the filing may be directed to Lorange’s lead counsel, John N. Maher (phone: (708) 468-8155 / email: johnmaher@maherlegalservices.com).

Clint Lorange has received overwhelming public support for this and other efforts to secure his release, led in large part by United American Patriots (UAP), a non-profit organization which generates public awareness, funds legal representation, and provides reintegration support for America's Warriors. More information about UAP can be found at www.uap.org. Questions regarding UAP or this release may be directed to David “Bull” Gurfein, UAP’s CEO (phone: (571) 366-1835 / email: bull@uap.org

Additional information about Clint Lorange can be found at <https://www.uap.org/copy-of-1lt-clint-lorange-faqs> and at <http://www.freeclintlorance.com/>.