IN THE UNITED STATES ARMY
FIRST JUDICIAL CIRCUIT

UNITED STATES	)	
	)	**PRETRIAL PUBLICITY ORDER**
v.	)	**TO: COURT-MARTIAL**
	)	**MEMBERS**
MANNING, Bradley E., PFC	)	
HHC, U.S. Army Garrison	)	
Joint Base Myer-Henderson Hall	)	
Fort Myer, Virginia 22211	)	**26 February 2013**

TO: All prospective court members for the above captioned court-martial.

1. This case has been referred to trial by general court-martial, and is scheduled for trial on 3 June 2013 until complete. The trial is expected to last approximately 12 weeks. You will be contacted by the Office of the Staff Judge Advocate, U.S. Army Military District of Washington, if you are detailed to be a member for this case. This order is being provided to all persons who are presently identifiable as potential court members.

2. The Court finds that there has been pretrial publicity in the above-captioned court-martial to an extent that the following ORDER is necessary and proper in aid of its jurisdiction and in the interests of the fair administration of justice and due process of law for all parties.

3. **All prospective court members are ordered as follows:**

a. Due to prior publicity, and the probability for more publicity in the news media (newspapers, magazines, radio coverage, television coverage, internet news and editorial sources, including the "Early Bird," email etc.) about this case, you are **ORDERED** not to listen to, look at, or read any accounts of any incident involving the above-named accused or concerning allegations of compromise of classified information, or the ongoing issues involving the publication of alleged classified information by WikiLeaks. You may not consult any source, written or otherwise, involving the alleged incident. Should anyone attempt to discuss the case with you, or talk to you about your potential or actual participation as a court-martial member in this case, other than in open court, you must immediately forbid them from doing so, and then you must report the occurrence to me in court at your first opportunity.

b. A trial by court-martial includes the right of the accused to be tried by a court composed of members. Court members fulfill duties similar to those of civilian jurors. As a prospective court member of the court-martial that will try this case, it will be your duty to determine the guilt or innocence of the accused as to the charges upon which he is arraigned. Under the law, the accused is presumed to be innocent of the charges against him. Neither the fact that charges have been preferred against the accused nor the fact that charges have been referred to a court-martial for trial warrants any inference of guilt. Your determination of the guilt or innocence of the accused must be based solely upon the evidence and my instructions in the case as presented in open court. So, you must not read or otherwise expose yourself to information about the facts or issues in this case from sources outside of the court room. As a potential court member, you must keep an open mind and not form or express any opinion on the case

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until all the evidence and the instructions on the applicable law are presented to you. You must not entertain or reach a conclusion as to the guilt or innocence of the accused until after all the evidence and instructions have been received in open court and you are in your closed session deliberations with other members.

c. The accused and the government are each entitled to a panel of court members who approach the case with an open mind and who are able to keep that open mind until they deliberate on the verdict. You should be as free as humanly possible from any preconceived ideas about the outcome of this case. Therefore, you are **ORDERED** that, from the date of receipt of this order until the trial is concluded (or until you are specifically advised by this court that this order no longer applies to you), you will not discuss the facts of this case, or any publicity concerning this case, with anyone, military or civilian. You may not discuss your prospective detailing to this court-martial with anyone, other than as required to inform your superiors of your duty status.

d. In the event you have already read, seen, or listened to any media accounts, publicity or other accounts concerning this case, or you inadvertently do so before the conclusion of this court-martial, you are advised that you have a legal duty to disclose that matter to me when asked to do so in open court. Also, in the event that you have already discussed (or listened to anyone else discuss) any matter related to this case, or inadvertently do so before the conclusion of the court-martial, you have the duty to disclose that to me in open court. You are advised that it is not an adverse reflection on you to be excused from duty as a court member; however, as a member of the military, you are required to follow the instructions in this order and not intentionally do anything contrary to the requirements of this order.

4. This order is not intended to limit or restrict any official purpose for remaining informed regarding matters related to this case or involving the publication of alleged classified information by WikiLeaks. If you are presently assigned to a position that requires your ongoing access to such information and you cannot reasonably remove yourself from that portion of your duties without adversely impacting you or your mission, then you shall obtain a memorandum from your supervisor documenting your continued requirement for access. Provide that memorandum to the Office of the Staff Judge Advocate, U.S. Army Military District of Washington and you are authorized continued access to this information for the limited purpose of performing your official military duties.

5. Trial counsel shall cause a copy of this order to be served through the Office of the Staff Judge Advocate, Military District of Washington, on each prospective primary and alternate member of the court. If the convening authority selects any additional primary or alternate member after the date of this order, the trial counsel shall immediately cause a copy of this order to be served on the new primary or alternate member. Trial counsel shall obtain and maintain a written receipt for such service, using the form provided along with this order, showing the date and time this order was served on each prospective member. A copy of the service shall be given to the defense. Trial counsel will attach the receipts for service to the record as an appellate exhibit.

ORDERED, this the 26th day of February 2013.

DENISE R. LIND
COL, JA
Chief Judge, 1st Judicial Circuit

_____2013

MEMORANDUM THRU Staff Judge Advocate, U.S. Army Military District of Washington, 210 A Street, Fort Lesley J. McNair, DC 20319-5013

FOR Chief Judge, 1st Judicial Circuit, U.S. Army Legal Services Agency (trial Judiciary), 9275 Gunston Road, Fort Belvoir, VA 22060

SUBJECT: Acknowledgement of Receipt of Court Order – United States v. PFC Bradley Manning

1. At _____hours, on _____2013, I received a copy of the Court Order entitled "Pretrial Publicity Order to Court-Martial, dated ___ February 2013.

2. I, _____, acknowledge that I have read and understood the Pretrial Publicity Court Order.

Signed: _____

Printed Name: _____

Rank: _____