

issue. The statements made are relevant to explain the evidence in (8) above and are admissible aggravation evidence under RCM 1001(b)(4).

10. This evidence is directly related to and resulting from PFC Manning's offenses. It is admissible aggravation evidence under RCM 1001(b)(4).

11. The statements are admissible as a hearsay exception under MRE 803(3).

12. The documents at issue were required after incident 2. This evidence is not directly related to or resulting from PFC Manning's offenses and is not admissible under RCM 1001(b)(4). The Court will not consider this evidence.

13. This evidence is directly related to and resulting from PFC Manning's offenses. It is admissible aggravation evidence under RCM 1001(b)(4).

14. This evidence is directly related to and resulting from PFC Manning's offenses. It is admissible aggravation evidence under RCM 1001(b)(4).

MRE 403 analysis.

The probative value of those portions of the testimony and evidence ruled admissible as aggravation evidence under RCM 1001(b)(4) is not substantially outweighed by the danger of unfair prejudice under MRE 403. The Court has limited the scope of the testimony and evidence to periods directly related to or resulting from PFC Manning's offenses.

So **ORDERED** this 7th day of August 2013.



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