

IN THE UNITED STATES ARMY  
FIRST JUDICIAL CIRCUIT

UNITED STATES

v.

MANNING, Bradley E., PFC  
U.S. Army, (b) (6)  
Headquarters and Headquarters Company,  
U.S. Army Garrison, Joint Base Myer-  
Henderson Hall, Fort Myer, VA 22211

)  
)  
) **RULING: REQUEST FOR**  
) **PUBLIC ACCESS; OR, IN THE**  
) **ALTERNATIVE, MOTION TO**  
) **INTERVENE TO VINDICATE**  
) **RIGHT TO PUBLIC ACCESS**

) DATED: 10 June 2013  
)

On 3 June 2013, the Court has received AE 558, a proposed motion to intervene under RCM 806(a) (b) and (c) by three individuals who are not parties to the trial. Neither the Government nor the Defense have moved to file AE 558 as a motion with the Court.

**Findings**

1. The proceedings have been open to the public since the start of the trial. The Court has made particularized findings as required by RCM 806(b)(2) with respect to those portions of the trial that must be closed to protect classified national security information (AE 550).
2. Neither the Court nor anyone acting pursuant to an order of the Court has specifically excluded any person from observing the proceedings either in-court or in a designated overflow area.
3. Reasonable policies and procedures for media registration and credentialing have been established and published by the Military District of Washington as set forth in AE 561.
4. RCM 806(c) prohibits photography and broadcasting to include video and audio recording, the taking of photographs, and radio, and televised broadcasting of the trial.
5. The two parties to this trial are the United States and PFC Manning. Unless authorized by the rules for courts-martial or in special circumstances recognized by the Court of Appeals for the Armed Forces, only the parties to the trial have standing to file motions to be considered by the Court. *ABC Inc. v. Powell*, 47 M.J. 363 (C.A.A.F. 1997).

**Ruling:** The Court declines to consider AE 558 as it is from 3 individuals who are not parties to the trial and who, under the circumstances, lack standing to file a motion with the Court.

  
DENISE R. LIND

COL, JA  
Chief Judge, 1<sup>st</sup> Judicial Circuit

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