

CERTIFIED RECORD OF TRIAL

(and accompanying papers)

of

Hickman

(Last Name)

William

(First Name)

K

MI

(DoD ID No.)

LCpl

(Rank)

2d Maintenance Bn, 2d MLG

(Unit/Command Name)

USMC

(Branch of Service)

20 December 2023, 15 February 2024

(Location)

By

Special Court-Martial (SPCM)

(GCM, SPCM, or SCM)

COURT-MARTIAL

Convened by

Commanding Officer

(Title of Convening Authority)

2d Maintenance Bn, 2d MLG

(Unit/Command of Convening Authority)

Tried at

Camp Lejeune, NC

(Place or Places of Trial)

On

20 December 2023, 15 February 2024

(Date or Dates of Trial)

Companion and other cases

None.

(Rank, Name, DOD ID No., (if applicable), or enter "None")

CONVENING ORDER



UNITED STATES MARINE CORPS

2D MAINTENANCE BATTALION
2D MARINE LOGISTICS GROUP, FMF
II MARINE EXPEDITIONARY FORCE
PSC BOX 20127
CAMP LEJEUNE NC 28542-0127

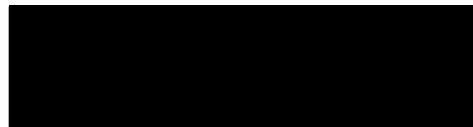
5800
SPCMCO 1-22
NOV 30 2022

SPECIAL COURT-MARTIAL CONVENING ORDER 1-22

I, Pursuant to the authority contained in Article 23, Uniform Code of Military Justice, Rules for Courts-Martial 504, and section 0120, Manual of the Judge Advocate General, a Special Court-Martial is hereby convened with the following members. It may proceed at Marine Corps Base Camp Lejeune, North Carolina, or any such place as directed. The court will be constituted as follows:

MEMBERS

Captain Rachel [REDACTED] U.S. Marine Corps
First Lieutenant [REDACTED] U.S. Marine Corps
Chief Warrant Officer 4 [REDACTED] U.S. Marine Corps
Chief Warrant Officer 2 [REDACTED], U.S. Marine Corps
Chief Warrant Officer 2 [REDACTED] U.S. Marine Corps



Lieutenant Colonel, U.S. Marine Corps
Commanding

CHARGE SHEET

DD Form 458, Charge Sheet, Page 1 of 2
U. S. v. LCpl HICKMAN, William K.

CHARGE SHEET			
I. PERSONAL DATA			
1. NAME OF ACCUSED (Last, First, MI) HICKMAN, William K.	2. EDIPI [REDACTED]	3. RANK/RATE LCpl	4. PAY GRADE E-3
5. UNIT OR ORGANIZATION 2d Maintenance Battalion, 2d Marine Logistics Group	EAS: 4 Oct 2024	6. CURRENT SERVICE a. INITIAL DATE 5 Oct 2020	b. TERM 4 Yrs
7. PAY PER MONTH a. BASIC \$2,680.20 \$2,914.80	b. SEA/FOREIGN DUTY [REDACTED]	c. TOTAL \$2,680.20 \$2,914.80	8. NATURE OF RESTRAINT OF ACCUSED N/A
9. DATE(S) IMPOSED N/A		10. Charge I: Violation of the UCMJ, Article 120c	
II. CHARGES AND SPECIFICATIONS			
<p>Specification (Indecent Recording): In that Lance Corporal William K. HICKMAN, on active duty, did, at or near Jacksonville, North Carolina, between on or about 5 August 2022 and on or about 13 August 2022, on divers occasions, without legal justification or lawful authorization knowingly make recordings of the private area of Ms. [REDACTED] without her consent and under circumstances in which she had a reasonable expectation of privacy.</p>			
III. PREFERRAL; SERVICE OF CHARGES			
11a. NAME OF ACCUSER (Last, First, MI) [REDACTED]	b. GRADE E-4	c. ORGANIZATION OF ACCUSER H&S Bn, MCIEAST, MCB, Camp Lejeune, NC	e. DATE 2023 10 26
<p>AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this <u>26</u> day of <u>October, 2023</u>, and signed the foregoing charges and specifications under oath that she is a person subject to the Uniform Code of Military Justice and that she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of her knowledge and belief.</p>			
<u>A. J. ZIMMERMAN II</u> <small>Typed Name of Officer</small> <u>Captain, U. S. Marine Corps</u> <small>Grade and Service</small> [REDACTED]		<u>HqSptBn, MCI-East, MCB, Camp Lejeune, NC</u> <small>Organization of Officer</small> <u>Judge Advocate</u> <small>Official Capacity to Administer Oaths (See R.C.M. 307(b)--must be commissioned officer)</small>	
<u>Signature</u> [REDACTED]			

ORIGINAL

DD Form 458, Charge Sheet, Page 2 of 2
U. S. v. LCpl HICKMAN, William K.

12. On 15 November, 2023, the accused was informed of the charges against him and of the name of the accuser known to me. (See R.C.M. 308(a). (See R.C.M. 308 if notification cannot be made.)

██████████
Typed Name of Immediate Commander

2d Maintenance Battalion, 2d MLG
Organization of Immediate Commander

First Lieutenant, U.S. Marine Corps
██████████

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at 1125 hours, 20 November 2023 at 2d Maintenance Battalion, 2d MLG
Camp Lejeune, NC
Designation of Command or

Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

FOR THE COMMANDING OFFICER

██████████
Typed Name of Officer

Legal Officer

Official Capacity of Officer Signing

First Lieutenant, U.S. Marine Corps
Grade
██████████

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

2d Maintenance Battalion, 2d Marine Logistics Group

Camp Lejeune, North Carolina

NOV 20 2023

Referred for trial to the Special court-martial convened by this document,

1-22

dated 30 November 2022, subject to the following instructions:²

By XXXXXXXXXXXXXXXX of
Command or Order

██████████
Typed Name of Officer

COMMANDING OFFICER

Official Capacity of Officer Signing

Lieutenant Colonel, U.S. Marine Corps
Grade
██████████

Signature
██████████

15. On 21 November, 2023, I caused to be served a copy hereof on the above named accused.

A. J. ZIMMERMAN II

██████████

Captain, U. S. Marine Corps

Grade or Rank of Trial Counsel

FOOTNOTES

1 - When an appropriate commander signs personally, in absentia
2 - See R.C.M. 601(e) concerning instructions. If none, so

CERTIFIED TRUE COPY

ORIGINAL

*A. J. Zimmerman II
Captain, U.S. Marine Corps
Trial Counsel
20231010*

TRIAL COURT MOTIONS & RESPONSES

**THERE ARE NO TRIAL COURT MOTIONS
AND RESPONSES**

REQUESTS

THERE ARE NO REQUESTS

NOTICES

NAVY-MARINE CORPS TRIAL JUDICIARY
EASTERN JUDICIAL CIRCUIT

UNITED STATES v. William Hickman Lance Corporal/E3 U.S. MARINE CORPS	SPECIAL COURT-MARTIAL VICTIMS' LEGAL COUNSEL NOTICE OF APPEARANCE 13 Feb 24
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1. Pursuant to Rule 36.1 of the Uniform Rules of Practice for the Navy-Marine Corps Trial Judiciary, I, Captain Brad D. Woods, USMC, hereby provide notice to the Court of my appearance on behalf of Ms. [REDACTED] formerly LCpl [REDACTED] My office address, phone number, and e-mail address are: [REDACTED] and [REDACTED]

2. I have been detailed as the Victims' Legal Counsel for the above-named victim in this case by Major [REDACTED] Regional Victims' Legal Counsel, Eastern Region. I am qualified and certified under Article 27(b) and sworn under Article 42(a) of the Uniform Code of Military Justice. I have not acted in any disqualifying manner.

3. I am aware of the standards of professional conduct required of counsel practicing in Navy-Marine Corps court-martials as contained in JAG Instruction 5803.1E. I certify that I am not now, nor have I ever been, de-certified or suspended from practice in Navy-Marine Corps courts-martial by the Judge Advocate General of the Navy.

4. I have reviewed and am familiar with the Uniform Rules of Practice for the Navy-Marine Corps Trial Judiciary and the Eastern Judicial Circuit Rules of Practice.

5. My client has limited standing as a named victim in this court-martial, and she reserves the right to exercise those rights through counsel as needed.

[REDACTED]
B. D. WOODS
Captain, U.S. Marine Corps
Victims' Legal Counsel

AE 11
Pg 1 of 2

Certificate of Service

I hereby attest that a copy of the foregoing notice of appearance was served on the court and opposing counsel via email on 13 February 2024.

[REDACTED]

B. D. WOODS
Captain, U.S. Marine Corps
Victims' Legal Counsel

COURT RULINGS & ORDERS

**THERE ARE NO COURT RULINGS
AND ORDERS**

STATEMENT OF TRIAL RESULTS

STATEMENT OF TRIAL RESULTS

SECTION A - ADMINISTRATIVE

1. NAME OF ACCUSED (last, first, MI)	2. BRANCH	3. PAYGRADE	4. DoD ID NUMBER
Hickman, William K.	Marine Corps	E-3	
5. CONVENING COMMAND	6. TYPE OF COURT-MARTIAL	7. COMPOSITION	8. DATE SENTENCE ADJUDGED
2d Maintenance Battalion, 2d MLG	Special	Judge Alone - MJA16	Feb 15, 2024

SECTION B - FINDINGS

SEE FINDINGS PAGE

SECTION C - TOTAL ADJUDGED SENTENCE

9. DISCHARGE OR DISMISSAL	10. CONFINEMENT	11. FORFEITURES	12. FINES	13. FINE PENALTY	
Not adjudged	Three months	None	None	None	
14. REDUCTION	15. DEATH	16. REPRIMAND	17. HARD LABOR	18. RESTRICTION	19. HARD LABOR PERIOD
E-1	Yes <input type="radio"/> No <input checked="" type="radio"/>	N/A			

20. PERIOD AND LIMITS OF RESTRICTION

N/A

SECTION D - CONFINEMENT CREDIT

21. DAYS OF PRETRIAL CONFINEMENT CREDIT	22. DAYS OF JUDICIALLY ORDERED CREDIT	23. TOTAL DAYS OF CREDIT
0	0	0 days

SECTION E - PLEA AGREEMENT OR PRE-TRIAL AGREEMENT

24. LIMITATIONS ON PUNISHMENT CONTAINED IN THE PLEA AGREEMENT OR PRE-TRIAL AGREEMENT

Punitive discharge: A bad conduct discharge may be adjudged. Confinement: Shall be adjudged between 1-3 months. Reduction: Reduction to E-1 shall be adjudged. Forfeiture: No forfeitures shall be adjudged. Fines: No fines shall be adjudged. Other lawful punishments: no other lawful punishments shall be adjudged.

SECTION F - SUSPENSION OR CLEMENCY RECOMMENDATION

25. DID THE MILITARY JUDGE RECOMMEND SUSPENSION OF THE SENTENCE OR CLEMENCY?	Yes <input type="radio"/> No <input checked="" type="radio"/>	26. PORTION TO WHICH IT APPLIES
27. RECOMMENDED DURATION		

28. FACTS SUPPORTING THE SUSPENSION OR CLEMENCY RECOMMENDATION

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SECTION G - NOTIFICATIONS

29. Is sex offender registration required in accordance with appendix 4 to enclosure 2 of DoDI 1325.07?	Yes <input checked="" type="radio"/> No <input type="radio"/>
30. Is DNA collection and submission required in accordance with 10 U.S.C. § 1565 and DoDI 5505.14?	Yes <input checked="" type="radio"/> No <input type="radio"/>
31. Did this case involve a crime of domestic violence as defined in enclosure 2 of DoDI 6400.06?	Yes <input type="radio"/> No <input checked="" type="radio"/>
32. Does this case trigger a firearm possession prohibition in accordance with 18 U.S.C. § 922?	Yes <input type="radio"/> No <input checked="" type="radio"/>

SECTION H - NOTES AND SIGNATURE

33. NAME OF JUDGE (last, first, MI)	34. BRANCH	35. PAYGRADE	36. DATE SIGNED	38. JUDGE'S SIGNATURE
LIPTON, RYAN C.	Marine Corps	O-4	Feb 15, 2024	LIPTON.R C. Digitally signed by LIPTON.RYAN.C. [REDACTED]
37. NOTES				

Date: 2024.02.15

16:57:44 -05'00'

STATEMENT OF TRIAL RESULTS - FINDINGS

SECTION I - LIST OF FINDINGS

CHARGE	ARTICLE	SPECIFICATION	PLEA	FINDING	ORDER OR REGULATION VIOLATED	LIO OR INCHOATE OFFENSE ARTICLE	DIBRS
Charge I:	120c	Specification:	Guilty	Guilty			120CA2
Plea: Guilty		Offense description	Indecent recording				
Finding: Guilty							

CONVENING AUTHORITY'S ACTIONS

POST-TRIAL ACTION

SECTION A - STAFF JUDGE ADVOCATE REVIEW

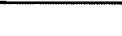
1. NAME OF ACCUSED (LAST, FIRST, MI) Hickman, William K.	2. PAYGRADE/RANK E3	3. DoD ID NUMBER [REDACTED]	
4. UNIT OR ORGANIZATION 2d MaintBn, 2d MLG	5. CURRENT ENLISTMENT 5 October 2020	6. TERM 4 Yrs	
7. CONVENING AUTHORITY (UNIT/ORGANIZATION) 2d MaintBn, 2d MLG	8. COURT- MARTIAL TYPE Special	9. COMPOSITION Judge Alone - MJA16	10. DATE SENTENCE ADJUDGED 15 February 2024

Post-Trial Matters to Consider

11. Has the accused made a request for deferment of reduction in grade?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
12. Has the accused made a request for deferment of confinement?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
13. Has the accused made a request for deferment of adjudged forfeitures?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
14. Has the accused made a request for deferment of automatic forfeitures?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
15. Has the accused made a request for waiver of automatic forfeitures?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
16. Has the accused submitted necessary information for transferring forfeitures for benefit of dependents?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
17. Has the accused submitted matters for convening authority's review?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
18. Has the victim(s) submitted matters for convening authority's review?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
19. Has the accused submitted any rebuttal matters?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
20. Has the military judge made a suspension or clemency recommendation?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
21. Has the trial counsel made a recommendation to suspend any part of the sentence?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
22. Did the court-martial sentence the accused to a reprimand issued by the convening authority?	<input type="radio"/> Yes	<input checked="" type="radio"/> No

23. Summary of Clemency/Deferment Requested by Accused and/or Crime Victim, if applicable.

I have advised the Convening Authority of clemency authority based on the earliest findings of guilty for an offense committed on or after 1 January 2019 pursuant to R.C.M. 1109, MCM (2024 Ed.)

24. Convening Authority Name/Title	25. SJA Name
 Commanding Officer	
26. SJA signature	27. Date
	Mar 27, 2024

Convening Authority's Action -

Hickman, William K.

SECTION B: CONVENING AUTHORITY ACTION

28. Having reviewed all matters submitted by the accused and the victim(s) pursuant to R.C.M. 1106/1106A, and after being advised by the staff judge advocate or legal officer, I take the following action in this case: [If deferring or waiving any punishment, indicate the date the deferment/waiver will end. Attach signed reprimand if applicable. Indicate what action, if any, taken on suspension recommendation(s) or clemency recommendations from the judge.]

Special Court-Martial Order No. G24-01.

Action.

In the Special Court-Martial case of United States v. Lance Corporal William K. Hickman, U.S. Marine Corps, the sentence is approved and will be executed. The Marine Corps Installations East Regional Brig, Camp Lejeune, North Carolina is designated as the initial place of confinement.

Disposition.

Pursuant to Article 65, Uniform Code of Military Justice, the record of trial will be forwarded to the Navy-Marine Corps Appellate Review Activity (Code 40), Office of the Judge Advocate General, Washington Navy Yard, Washington, D.C. 20374 for review.

29. Convening authority's written explanation of the reasons for taking action on offenses with mandatory minimum punishments or offenses for which the maximum sentence to confinement that may be adjudged exceeds two years, or offenses where the adjudged sentence includes a punitive discharge (Dismissal, DD, BCD) or confinement for more than six months, or a violation of Art. 120(a) or 120(b) or 120b:

N/A.

30. Convening Authority's signature

31. Date

Mar 28, 2024

32. Date convening authority action was forwarded to PTPD or Review Shop.

14 May 24

Convening Authority's Action -

Hickman, William K.

ENTRY OF JUDGMENT

ENTRY OF JUDGMENT

SECTION A - ADMINISTRATIVE

1. NAME OF ACCUSED (LAST, FIRST, MI)	2. PAYGRADE/RANK	3. DoD ID NUMBER	
Hickman, William K.	E3		
4. UNIT OR ORGANIZATION	5. CURRENT ENLISTMENT	6. TERM	
2d MaintBn, 2d MLG	5 October 2020	4 Yrs	
7. CONVENING AUTHORITY (UNIT/ORGANIZATION)	8. COURT-MARTIAL TYPE	9. COMPOSITION	10. DATE COURT-MARTIAL ADJOURNED
2d MaintBn, 2d MLG	Special	Judge Alone - MJA16	15 February 2024

SECTION B - ENTRY OF JUDGMENT

****MUST be signed by the Military Judge (or Circuit Military Judge) within 20 days of receipt****

11. **Findings of each charge and specification referred to trial.** [Summary of each charge and specification (include at a minimum the gravamen of the offense), the plea of the accused, the findings or other disposition accounting for any exceptions and substitutions, any modifications made by the convening authority or any post-trial ruling, order, or other determination by the military judge. R.C.M. 1111(b)(1)]

Charge: Violation of Article 120c.

Plea: Guilty. Finding: Guilty.

Specification: Did, between on or about 5 August 2022 and on or about 13 August 2022, on divers occasions, without legal justification or lawful authorization knowingly make recordings of the private area of Ms. [REDACTED] without her consent and under circumstances in which she had a reasonable expectation of privacy. Plea: Guilty. Finding: Guilty.

12. Sentence to be Entered. Account for any modifications made by reason of any post-trial action by the convening authority (including any action taken based on a suspension recommendation), confinement credit, or any post-trial rule, order, or other determination by the military judge. R.C.M. 1111(b)(2). If the sentence was determined by a military judge, ensure confinement and fines are segmented as well as if a sentence shall run concurrently or consecutively.

Military Judge: Reduction to pay grade E-1, and:

Charge: Violation of Article 120c, UCMJ.

Specification: 3 months confinement.

13. Deferment and Waiver. Include the nature of the request, the CA's Action, the effective date of the deferment, and date the deferment ended. For waivers, include the effective date and the length of the waiver. RCM 1111(b)(3)

N/A.

14. Action convening authority took on any suspension recommendation from the military judge:

N/A.

15. Judge's signature:

LIPTON.RYAN.C.1

Digitally signed by

LIPTON.RYAN.C.

Date: 2024.06.02 23:52:17 -04'00'

16. Date judgment entered:

Jun 2, 2024

17. In accordance with RCM 1111(c)(1), the military judge who entered a judgment may modify the judgment to correct computational or clerical errors within 14 days after the judgment was initially entered. Include any modifications here and resign the Entry of Judgment.

18. Judge's signature:

19. Date judgment entered:

APPELLATE INFORMATION

**THERE IS NO APPELLATE
INFORMATION AT THIS TIME**

REMAND

THERE WERE NO REMANDS

**NOTICE OF COMPLETION OF
APPELLATE REVIEW**