

Judge asked to dismiss Bradley Manning case

by Jane Cowan via stele - ABC (Oz) *Friday, Mar 16 2012, 12:44am*

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A United States military judge has been asked to throw out all charges against the soldier accused of aiding Al Qaeda by leaking state secrets to whistleblower website WikiLeaks.



Bradley Manning in Kangaroo Military Court today

Bradley Manning has not entered a plea yet, but his lawyers say his chances of a fair trial have been diminished by the prosecution's failure to hand over key documents.

Asking the judge to dismiss the case, Manning's defence team said the US government's actions have set back their ability to prepare a case.

Defence lawyer David Coombs accuses prosecutors of "so hopelessly messing up" that all the charges should be dismissed "with prejudice" - meaning the US government would be unable to retry the case.

He likened the situation to a "cake that's been baking for a long time, and you've only just realised you forgot to put the eggs in", saying the only thing to do is throw the case out.

The material in question includes damage assessments of how much harm was actually caused by the massive leak of sensitive cables.

The defence also wants a video it says was filmed at the Quantico marine base that shows how their client was treated while he was being held there.

It has also accused the prosecution of improperly impeding defence access to witnesses.

Prosecutors though interpret their obligations differently, and maintain they have complied.

They acknowledge some documents have been withheld but say that is because they are classified.

The judge is yet to make a decision.

Manning was indicted last month on charges of aiding the enemy and faces the possibility of life in prison if convicted.

He is accused of passing military reports from Iraq and Afghanistan, secret State Department telegrams and war videos to WikiLeaks between November 2009 and May 2010.

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<http://www.abc.net.au/news/2012-03-16/lawyers-seek-to-dismiss-bradley-manning-case/3893476>

Cleaves Alternative News. <http://cleaves.zapto.org/news/story-3081.html>