

## **Criminal Pentagon Withholding Crucial Information in Manning Case**

by judd *Sunday, Jun 24 2012, 11:37pm*

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Defense lawyers for Bradley Manning are outraged that a clearly BIASED military court has ruled against full discovery; particularly, allowing defense lawyers access to an internal report covering 'damage assessment,' if any, resulting directly from leaked material. The world's leading civilian killing, therefore terrorist nation, seems concerned that leaked material had very little negative impact on national security, a situation that clearly favors Manning -- so, we can't have that material made available to Manning's lawyers!



***Pfc Bradley Manning***

This case already makes a mockery of military 'justice' and will no doubt go down in history as one of the most outrageous miscarriages of justice in American legal history -- unfortunately for prosecutors and the suckers presiding over this case, who either got the short straw or were clearly selected for the fall, their already odorous names will go down in INFAMY!

So take heart WORLD and prisoner of conscience Bradley Manning; exposing war crimes is every soldier's DUTY and Bradley Manning is a hero in every sense of that word.

The MORAL case is ALREADY won and as each day passes the criminal charade masquerading as a military trial (farce) further compromises an already corrupt and PROVEN criminal, US military and Washington Executive. [How many innocent children and civilians have we Drone-killed today, Mr president?]

Unfortunately for some, the case has an international profile and cannot be easily manipulated by corrupt powers -- reputations are on the line and all irregularities and compromises are painstakingly encoded in the HISTORICAL record!

Take heart Bradley Manning and fight hard, Mr Coombs, it is a fight worthy of humanity's best efforts!

[Misleading and Vague] Guardian (UK) report follows:

**Bradley Manning lawyers accuse prosecutors of misleading judge**

by Ed Pilkington

The US government is deliberately attempting to prevent Bradley Manning, the alleged source of the massive WikiLeaks trove of state secrets, from receiving a fair trial, the soldier's lawyer alleges in new court documents.

David Coombs, Manning's civilian lawyer, has made his strongest accusations yet about the conduct of the military prosecutors. In motions filed with the military court ahead of a pre-trial hearing at Fort Meade, Maryland, on Monday, he goes so far as to accuse the government in essence of lying to the court.

Coombs charges the prosecutors with making "an outright misrepresentation" to the court over evidence the defence has been trying for months to gain access to through disclosure.

The dispute relates to an investigation by the Office of the National Counterintelligence Executive, Oncix, into the damage caused by the WikiLeaks disclosures of hundreds of thousands of confidential documents.

Reports by the Associated Press, Reuters and other news outlets have suggested that official inquiries into the impact of WikiLeaks concluded that the leaks caused some "pockets" of short-term damage around the world, but that generally its impact had been embarrassing rather than harmful.

Such a finding could prove invaluable to the defence in fighting some of the charges facing Manning or, should he be found guilty, reducing his sentence.

Yet Coombs says the army prosecutors have consistently kept him, and the court, in the dark, thwarting his legal rights to see the evidence.

"It was abundantly clear that Oncix had some form of inquiry into the harm from the leaks - but the government switched definitions around arbitrarily so as to avoid disclosing this discovery to the defence."

On 21 March, the prosecutors told the court that "Oncix has not produced any interim or final damage assessment" into WikiLeaks.

Coombs alleges that this statement was inaccurate - and the government knew it to be inaccurate at the time it made it.

"The defense submits [this] was an outright misrepresentation," he writes.

On 20 April, the government told the court that "Oncix does not have any forensic results or investigative files". Yet a week before that, the prosecutors had handed to the defence documents that clearly showed Oncix had begun to investigate WikiLeaks almost 18 months previously.

"Oncix was collecting information from various agencies in late 2010 to assess what damage, if any, was occasioned by the leaks. So how could it be that Oncix neither had an investigation nor a damage assessment?" Coombs writes.

The alleged efforts by the US government to avoid fulfilling its obligations to hand over evidence, Coombs says, has had the effect of rendering it impossible for the defence to prepare for the trial which is scheduled to begin in September.

Without access to the information, they cannot identify witnesses, develop questions for those witnesses, prepare a cross-examination strategy and so on.

"There is no way that the defense can adequately prepare its case," Coombs complains.

Most damningly, he alleges that is precisely the army's intention. "The government should not be able to circumvent its discovery obligations for two years, then dump discovery on the defense last-minute, and expect that there will be a fair battle," he says.

"Indeed, the defense believes that this was the intention of the government - to defeat its adversary by adopting untenable litigation positions designed to frustrate discovery."

Manning will make his fourth court appearance at Fort Meade on Monday. If convicted of the 22 counts, which include "aiding the enemy", he could be sentenced to spend the rest of his life in military custody.

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Cleaves Alternative News. <http://cleaves.lingama.net/news/story-3331.html>