

CHARGE SHEET

I. PERSONAL DATA			
1. NAME OF ACCUSED (<i>Last, First, MI</i>) RAMOS, Paul A.	2. SSN [REDACTED]	3. RANK/RATE BM3	4. PAY GRADE E-4
5. UNIT OR ORGANIZATION Coast Guard Station San Diego		6. CURRENT SERVICE	
		a. INITIAL DATE 29JAN07	b. TERM 4 yrs
7. PAY PER MONTH		8. NATURE OF RESTRAINT OF ACCUSED	
a. BASIC [REDACTED]	b. SEA/FOREIGN DUTY [REDACTED]	c. TOTAL [REDACTED]	None
		9. DATE(S) IMPOSED N/A	

II. CHARGES AND SPECIFICATIONS


10. Charge I: Violation of the UCMJ, Article 92

Specification 1: In that BM3 Paul A. Ramos, U.S. Coast Guard, on active duty, who knew of his duties at or near U.S. Coast Guard Station San Diego, California, on or about 20 December 2009, was derelict in the performance of those duties in that he negligently failed to complete a risk assessment or designate lookouts, prior to getting underway as coxswain of the vessel CG 33118, as it was his duty to do.

Specification 2: In that BM3 Paul A. Ramos, U.S. Coast Guard, on active duty, who knew of his duties at or near San Diego Bay, California, on or about 20 December 2009, was derelict in the performance of those duties in that he negligently failed to maintain a safe speed as coxswain of the vessel CG 33118 in order to take proper and effective action to avoid collision and stop within a distance appropriate for the prevailing circumstances, as it was his duty to do.

(SEE SUPPLEMENTAL PAGES)

III. PREFERRAL

11a. NAME OF ACCUSER (<i>Last, First, MI</i>) ALEXANDER, Jonathan A.	b. GRADE LT	c. ORGANIZATION OF ACCUSER Coast Guard Force Readiness Command
d. SIGNATURE OF ACCUSER 	e. DATE 7/1/2010	

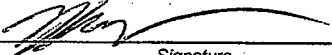
AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 1st day of July 2010, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

M. A. BRADEN
Typed Name of Officer

11th Coast Guard District
Organization of Officer

LCDR, U.S. Coast Guard
Grade and Service

Judge Advocate
Official Capacity to Administer Oaths
(See R.C.M. 307(b)—must be commissioned officer)


Signature

12. On 1 July 20 10, the accused was informed of the charges against him/her and of the name(s) of the accuser(s) known to me. (See R.C.M. 308(a)). (See R.C.M. 308 if notification cannot be made.)

J. R. Castillo
Typed Name of Immediate Commander

Eleventh Coast Guard District
Organization of Immediate Commander

RADM/O-8

J. R. Castillo
Signature

IV. RECEIPT BY SUMMARY COURT-MARTIAL CONVENING AUTHORITY

13. The sworn charges were received at 0800 hours, 14 July 20 10 at Eleventh Coast Guard District
Designation of Command or District
Officer Exercising Summary Court-Martial Jurisdiction (See R.C.M. 403)

J. R. Castillo
Typed Name of Officer

FOR THE¹

Commander
Official Capacity of Officer Signing

RADM/O-8

J. R. Castillo
Signature

V. REFERRAL; SERVICE OF CHARGES

14a. DESIGNATION OF COMMAND OF CONVENING AUTHORITY

b. PLACE

c. DATE

Eleventh Coast Guard District

Alameda, CA

OCT 05 2010

Referred for trial to the General court-martial convened by Order No. 1-10

Dated 1 October 20 10, subject to the following instructions:²

By //////////////////// of XX
Command or Order

J. R. Castillo
Typed Name of Officer

Commander, Eleventh Coast Guard District
Official Capacity of Officer Signing

RADM/O-8

J. R. Castillo
Signature

15. On _____ 20 _____, I (caused to be) served a copy hereof on (each of) the above named accused.

Typed Name of Trial Counsel

Grade or Rank of Trial Counsel

Signature

FOOTNOTES

- 1 - When an appropriate commander signs personally, inapplicable words are stricken.
- 2 - See R.C.M. 601(e) concerning instructions. If none, so state.

Charge II: Violation of the UCMJ, Article 110

Specification: In that BM3 Paul A. Ramos, U.S. Coast Guard, on active duty, while serving as coxswain of the vessel CG 33118 underway at or near San Diego Bay, California, on or about 20 December 2009, and well knowing that the San Diego Parade of Lights commenced at or about 1740 and after sunset, and well knowing numerous vessels were throughout San Diego Bay observing the Parade of Lights, and well knowing that background lighting in San Diego Bay made navigating and operating more demanding on the coxswain and crew, did then and there negligently hazard CG 33118 by failing and neglecting to designate lookouts or to maintain a safe speed, as a result of which neglect CG 33118, at or about 1745 hours on the day aforesaid, collided with the recreational vessel CF2607PZ, with resultant damage to both vessels.

Charge III: Violation of the UCMJ, Article 119

Specification: In that BM3 Paul A. Ramos, U.S. Coast Guard, on active duty, did, at or near San Diego Bay, California, on or about 20 December 2009, by culpable negligence unlawfully kill [REDACTED] by striking him on the head with the vessel CG 33118, which the said BM3 Ramos was operating as coxswain.

Charge IV: Violation of the UCMJ, Article 128

Specification 1: In that BM3 Paul A. Ramos, U.S. Coast Guard, on active duty, did, at or near San Diego Bay, California, on or about 20 December 2009, *commit an assault upon [REDACTED] by negligently striking at her with a means likely to produce death or grievous bodily harm, to wit: the vessel CG 33118, which the said BM3 Ramos was operating as coxswain. *by culpable negligence

DKD
6 Jul 10

Specification 2: In that BM3 Paul A. Ramos, U.S. Coast Guard, on active duty, did, at or near San Diego Bay, California, on or about 20 December 2009, *commit an assault upon [REDACTED] a child under the age of 16 years, by negligently striking at him with a means likely to produce death or grievous bodily harm, to wit: the vessel CG 33118, which the said BM3 Ramos was operating as coxswain. *by culpable negligence

DKD
6 Jul 10

Specification 3: In that BM3 Paul A. Ramos, U.S. Coast Guard, on active duty, did, at or near San Diego Bay, California, on or about 20 December 2009, *commit an assault upon [REDACTED] a child under the age of 16 years, by negligently striking at him with a means likely to produce death or grievous bodily harm, to wit: the vessel CG 33118, which the said BM3 Ramos was operating as coxswain. *by culpable negligence

DKD
6 Jul 10

Specification 4: In that BM3 Paul A. Ramos, U.S. Coast Guard, on active duty, did, at or near San Diego Bay, California, on or about 20 December 2009, *commit an assault upon [REDACTED] a child under the age of 16 years, by negligently striking at him with a means likely to produce death or grievous bodily harm, to wit: the vessel CG 33118, which the said BM3 Ramos was operating as coxswain. *by culpable negligence

DKD
6 Jul 10

Specification 5: In that BM3 Paul A. Ramos, U.S. Coast Guard, on active duty, did, at or near San Diego Bay, California, on or about 20 December 2009, *commit an assault upon [REDACTED] a child under the age of 16 years, by negligently striking at her with a means likely to produce death or grievous bodily harm, to wit: the vessel CG 33118, which the said BM3 Ramos was operating as coxswain. *by culpable negligence

DKD
6 Jul 10

(SEE SECOND SUPPLEMENTAL PAGE)

Charge IV: Violation of the UCMJ, Article 128 (continued)

Specification 6: In that BM3 Paul A. Ramos, U.S. Coast Guard, on active duty, did, at or near San Diego Bay, California, on or about 20 December 2009,* commit an assault upon [REDACTED], a child under the age of 16 years, by negligently striking at him with a means likely to produce death or grievous bodily harm, to wit: the vessel CG 33118, which the said BM3 Ramos was operating as coxswain. **by culpable negligence*

DKD
6 Jul 10

Specification 7: In that BM3 Paul A. Ramos, U.S. Coast Guard, on active duty, did, at or near San Diego Bay, California, on or about 20 December 2009,* commit an assault upon [REDACTED], a child under the age of 16 years, by negligently striking at her with a means likely to produce death or grievous bodily harm, to wit: the vessel CG 33118, which the said BM3 Ramos was operating as coxswain. **by culpable negligence*

DKD
6 Jul 10

Specification 8: In that BM3 Paul A. Ramos, U.S. Coast Guard, on active duty, did, at or near San Diego Bay, California, on or about 20 December 2009,* commit an assault upon [REDACTED] by negligently striking at him with a means likely to produce death or grievous bodily harm, to wit: the vessel CG 33118, which the said BM3 Ramos was operating as coxswain. **by culpable negligence*

DKD
6 Jul 10

Specification 9: In that BM3 Paul A. Ramos, U.S. Coast Guard, on active duty, did, at or near San Diego Bay, California, on or about 20 December 2009,* commit an assault upon [REDACTED] by negligently striking at her with a means likely to produce death or grievous bodily harm, to wit: the vessel CG 33118, which the said BM3 Ramos was operating as coxswain. **by culpable negligence*

DKD
6 Jul 10

Specification 10: In that BM3 Paul A. Ramos, U.S. Coast Guard, on active duty, did, at or near San Diego Bay, California, on or about 20 December 2009,* commit an assault upon [REDACTED] by negligently striking at him with a means likely to produce death or grievous bodily harm, to wit: the vessel CG 33118, which the said BM3 Ramos was operating as coxswain. **by culpable negligence*

DKD
6 Jul 10

Specification 11: In that BM3 Paul A. Ramos, U.S. Coast Guard, on active duty, did, at or near San Diego Bay, California, on or about 20 December 2009,* commit an assault upon [REDACTED] by negligently striking at her with a means likely to produce death or grievous bodily harm, to wit: the vessel CG 33118, which the said BM3 Ramos was operating as coxswain. **by culpable negligence*

DKD
6 Jul 10

Specification 12: In that BM3 Paul A. Ramos, U.S. Coast Guard, on active duty, did, at or near San Diego Bay, California, on or about 20 December 2009,* commit an assault upon [REDACTED] by negligently striking at him with a means likely to produce death or grievous bodily harm, to wit: the vessel CG 33118, which the said BM3 Ramos was operating as coxswain. **by culpable negligence*

DKD
6 Jul 10

CHARGE SHEET


I. PERSONAL DATA			
1. NAME OF ACCUSED (<i>Last, First, MI</i>) RAMOS, Paul A.	2. SSN [REDACTED]	3. RANK/RATE BM3	4. PAY GRADE E-4
5. UNIT OR ORGANIZATION Coast Guard Station San Diego		6. CURRENT SERVICE	
		a. INITIAL DATE 29JAN07	b. TERM 4 yrs
7. PAY PER MONTH		8. NATURE OF RESTRAINT OF ACCUSED	
a. BASIC	b. SEA/FOREIGN DUTY	None	
[REDACTED]	[REDACTED]		
c. TOTAL		9. DATE(S) IMPOSED	
[REDACTED]	[REDACTED]	N/A	

II. CHARGES AND SPECIFICATIONS

10. Additional Charge: Violation of the UCMJ, Article 134

Specification: In that BM3 Paul A. Ramos, U.S. Coast Guard, on active duty, did at or near San Diego Bay, California, on or about 20 December 2009, unlawfully kill [REDACTED] by negligently striking him on the head with the vessel CG 33118, which the said BM3 Ramos was operating as coxswain.

III. PREFERRAL

11a. NAME OF ACCUSER (<i>Last, First, MI</i>) LeCato, Maria	b. GRADE CWO	c. ORGANIZATION OF ACCUSER Coast Guard Legal Service Command
d. SIGNATURE OF ACCUSER 		e. DATE 2010 10 04


AFFIDAVIT: Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above named accuser this 4th day of October 2010, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

M. A. BRADEN
Typed Name of Officer

LCDR, U.S. Coast Guard
Grade and Service

11th Coast Guard District
Organization of Officer

Judge Advocate
Official Capacity to Administer Oaths
(See R.C.M. 307(b)—must be commissioned officer)


Signature

ORIGINAL

