

United States District Court
WESTERN DISTRICT OF WASHINGTON

1LT. EHREN K. WATADA,

Petitioner,

v.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: C07-5549BHS

LT. COL. JOHN HEAD, Military Judge,
Army Trial Judiciary, Fourth Judicial
District; LT. GEN. CHARLES JACOBY,
Convening Authority, Ft. Lewis,
Washington,

Respondents,

■ **Decision by Court** This matter came before the Court on Petitioner's Second Amended Petition for Writ of Habeas Corpus. The issue has been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

Petitioner's Second Amended Petition for Writ of Habeas Corpus (Dkt. 25) is GRANTED in part and DENIED in part as follows:

Petitioner's claim that the military court is without jurisdiction to convene a court-martial on Charge I - Missing Movement and Charge II - Conduct Unbecoming an Officer and a Gentlemen, Specifications 1 and 4, is GRANTED and the military court may not convene a court-martial against Petitioner on these charges; and

The remainder of Petitioner's claims are DENIED without prejudice.

DATE: October 23, 2008

BRUCE RIFKIN
Clerk

/s/ Rhonda Miller
(By) Deputy Clerk