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Tuesday, December 18, 2018

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TOPEKA, KANSAS – Attorneys for former U.S. Army 82nd Airborne Division First Lieutenant Clint Lorange, who was convicted by a military court-martial of two murders and an attempted murder after proactively thwarting an attempted ambush against his unit in Afghanistan on July 2, 2012, have asked a Kansas Federal district court to disapprove the convictions and the sentence.

In July 2012, Clint Lorange and his infantry platoon of paratroopers from the U.S. Army's 82nd Airborne Division, was operating in Zhari, Afghanistan, also known as the "*Heart of Darkness*" by U.S. Soldiers. It is where the Taliban, an Islamist terror organization, was established and where American Soldiers frequently came under attack. In the months preceding and following the thwarted ambush on Lorange's platoon, March to August of 2012, sixteen (16) U.S. Soldiers were Killed in Action (KIA) and dozens more were Wounded in Action (WIA). One of those WIA was Lorange's predecessor who was medically evacuated from the battlefield with severe wounds to his eyes, face, and abdomen.

During July 2, 2012, while on foot patrol with his paratroopers, a member of Lorange's platoon saw a fast-approaching motorcycle with three riders nearing the patrol. The paratrooper correctly identified them as a threat and, and testified that he fired to protect his Platoon consistent with the the Rules of Engagement (ROEs). He missed.

Based on his paratrooper's threat-assessment, Lorange, in a split-second decision, ordered his platoon to fire. Two of the riders were killed, and the third escaped.

Immediately, following this incident Lorange's platoon engaged and repelled other Taliban who were maneuvering toward the patrol. An official U.S. Army report, *which was not introduced at Lorange's court-martial*, stated Lorange's patrol at the time was being scouted for "an impending ambush/attack" and that one insurgent was confirmed killed.

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While patrolling back to the Strong Point, a Soldier claimed one of the deceased riders was a village elder, which caused reporting up the chain of a civilian casualty, or CIVCAS. Ordinarily, this situation would have received objective scrutiny. However, the presumption of guilt in this situation was overwhelming.

In the months leading up to this event, Americans conducted a Koran burning, a video was released of U.S. Marines urinating on dead terrorists, and, most troubling, there had been the report of a U.S. Soldier killing 16 Afghans, including women and children. Each of these events, along with Lorance's engagement, occurred amidst tense negotiations between the United States and Afghanistan on the terms of the long-term American presence in the country.

Despite Lorance asserting he ordered his paratrooper to fire to protect his Soldiers, the Army charged Lorance with changing the ROEs on his own to shoot any motorcycle on sight, regardless of whether it was a threat or not, and with two murders and attempted murder of "civilians."

Lorance was acquitted of changing the ROEs but convicted of two murders and attempted murder of the "civilians." He is now serving a 19-year sentence in the U.S. Disciplinary Barracks in Fort Leavenworth, Kansas. He has exhausted his military appeals and now seeks relief with the civilian Federal courts.

In a 78-page petition for writ of habeas corpus filed Tuesday with the U.S. District Court for the District of Kansas, Lorance's attorneys argue that the conviction and sentence should be thrown out.

They cite misconduct on the part of prosecutors, missteps, lack of preparation on the part of Lorance's civilian defense attorney, and an appeals process facilitated by military officials whose efforts to uphold the conviction at all costs resulted in Lorance's appeal process being biased and unfair, to the point that it deprived him of his Constitutional Due Process rights.

In the petition, Lorance's attorneys explain that the prosecutors failed to turn over DNA and fingerprint evidence that identifies the motorcycle riders as enemy combatants, i.e., known bomb-makers, rather than as "civilian casualties."

The petition also details public comments made by the Chief Judge of the Army Court of Criminal Appeals, *while Lorance's case was still being reviewed*, in which he accuses Lorance of giving his Soldiers false information about what the ROEs actually were, despite Lorance being acquitted of that offense.



The petition also describes similar comments made to a member of U.S. Congress by The Judge Advocate General, a three-star general who was the Army's top uniformed lawyer.

The petition describes an entire process geared toward creating the public impression of an Army that takes a hard line against Soldiers whose actions in combat result in civilian casualties, but meanwhile sacrifices principles of due process, fundamental fairness, and common sense, resulting in a Soldier convicted of two murders and an attempted murder for doing nothing more than protecting his troops in combat.

Even if the three riders were truly civilians, Lorance's order was based on one of his Soldier's threat assessments and issued with the mindset to protect the Platoon. The Army Court nowhere discussed or acknowledged that the riders were "collateral damage" under the international law of armed conflict.

A copy of the petition is a matter of public record and is available at in the U.S. District Court for the District of Kansas, Topeka Division.

Lorance is represented by: John N. Maher, of Maher Legal Services PC, Chicago, Illinois; and by Christopher Joseph and Diane Bellquist, of Joseph, Hollander & Craft LLC, Topeka, Kansas. Questions regarding the filing may be directed to Lorance's lead counsel, John N. Maher (phone: (708) 468-8155 / email: johnmaher@maherlegalservices.com).

Clint Lorance has received overwhelming public support for this and other efforts to secure his release, led in large part by United American Patriots (UAP), a non-profit organization which generates public awareness, funds legal representation, and provides reintegration support for America's Warriors. More information about UAP can be found at www.uap.org.

Additional information about Clint Lorance can be found at <https://www.uap.org/who-is-clint-lorance> and at <http://www.freeclintlorance.com/>.

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