

UNITED STATES OF AMERICA

v.

Manning, Bradley E.
PFC, U.S. Army,
HHC, U.S. Army Garrison,
Joint Base Myer-Henderson Hall
Fort Myer, Virginia 22211


STIPULATION OF
EXPECTED TESTIMONY

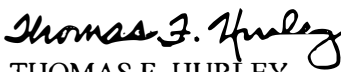
SA Mark Mander

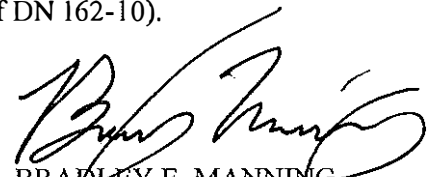
9 June 2013

It is hereby agreed by the Accused, Defense Counsel, and Trial Counsel, that if SA Mark Mander were present to testify during the merits and pre-sentencing phases of this court-martial, he would testify substantially as follows:

1. On 2 November 2010, SA John Wilbur and I visited Ms. Debra Van Alstyne at Ms. Van Alstyne's residence in Potomac, Maryland. We were searching for a box that had been sent to Ms. Van Alstyne's residence from the confinement facility in Kuwait where PFC Manning had been held. As procedure, the confinement facility collects personal items, like your wallet or clothing, and places them in a container. I thought those items may have some evidentiary value, but we were unable to obtain an authorization to search the container prior to PFC Manning's departure from Kuwait. Once PFC Manning left the confinement facility, the standard procedure is for the facility to ship the personal items to the confinee's home of record. I was able to determine that the box had been signed for by PFC Manning's father at Ms. Van Alstyne's residence, so we contacted Ms. Van Alstyne to see if she had received the box as well as to inquire into any other items of evidentiary value in the basement room where PFC Manning had stayed.
2. When we arrived on 2 November 2010, I noticed that many of PFC Manning's personal items that had been strewn about in June 2010, when I last visited Ms. Van Alstyne, were now organized into plastic containers. During the process of looking through the containers, we identified several items of digital media, including digital memory cards. With Ms. Van Alstyne's consent, we collected these items of digital media. One of the items we collected was an SD memory card, bearing the serial number BE0915514353G. Ms. Van Alstyne identified this SD memory card as the property of PFC Manning.
3. Using standard evidence collecting procedures, I collected this SD memory card by marking it with "2123, 2 Nov 10, MAM" for identification. I then recorded it as Item 2 on a DA Form 4137 marked as document number (DN) 162-10. Using the DA Form 4137, I properly released this piece of evidence to the CCIU evidence custodian, Ms. Tamara Mairena on 3 November 2010. While in possession of this item, I maintained control over it, stored it properly, and allowed no one else access to the SD card. I did not alter the evidence in any way. I have no reason to believe this evidence was damaged or contaminated in any way.
4. Prosecution Exhibit 92 for Identification is the SD card (Item 2 of DN 162-10).


JODEAN MORROW
CPT, JA
Assistant Trial Counsel


THOMAS F. HURLEY
MAJ, JA
Military Defense Counsel


BRADLEY E. MANNING
PFC, USA
Accused

PROSECUTION EXHIBIT 78 for identification
PAGE OFFERED: PAGE ADMITTED:
PAGE 1 OF 1 PAGES