

**THE PEOPLE FIGHT BACK:
PETITION TO DISMISS CHARGES AGAINST SGT JERMAINE NELSON USMC
DUE TO UNFAIR PROSECUTION BY CAPT NICK GANNON**

The undersigned seek to inform the Military Judge presiding over U.S. v. Sgt Jermaine Nelson, that the public has a loss of confidence in the military justice system due to the unfair manner in which the prosecutor, Capt Nick Gannon, has conducted this case. On several occasions, Capt Gannon intentionally disadvantaged and/or prejudiced Sgt Nelson's ability to defend himself against the criminal accusations of murder.

Sgt Jermaine Nelson is the last of three decorated combat Marines charged with killing jihadists during the 2004 battle for Fallujah, Iraq.

Sgt Nelson was a member of the 3/1 Marines from Camp Pendleton, a storied and highly decorated ground-fighting unit. A brand new Corporal at that time, Cpl Nelson's job was to search house to house, on foot, in a 'seek and destroy' mission against jihadists who had flooded the city specifically to kill and conduct a holy war against the Marines. During the battle on 9 November 2004, four military-aged jihadist males were found barricaded in a house, shooting at Cpl Nelson and his team. When the Marines finally gained access into the house, the four combatants attempted to elude them.

The command was consulted via radio and gave the order to kill the four jihadists. Accordingly, the squad leader, Sgt Nazario, ordered that the jihadists be killed. Now, Sgt Nelson is accused of murder and dereliction of duty for his alleged role in the incident, while his Platoon Commander, an Officer, has been given immunity.

Capt Nicholas Gannon, a young, inexperienced J.A.G. prosecutor, has attempted to disadvantage Sgt Nelson's defense by retaining experts to testify on behalf of the prosecution against Sgt Nelson, but refusing to allow Sgt Nelson to present similarly experienced and qualified experts.

On two separate occasions Capt Gannon denied Sgt Nelson's defense team a forensic expert, despite the fact that the prosecution was presenting their own experts. In addition, Capt Gannon attempted to retain an international expert on P.T.S.D. to testify for the prosecution, while refusing to provide the defense team's request for a qualified P.T.S.D. expert of their choice. The judge presiding over the case ruled that the prosecutor's actions did in fact prejudice Sgt Nelson's defense and ordered the prosecution to provide qualified experts to the defense. As a direct result of the prosecution's improper actions, Sgt Nelson's trial has been delayed twice, causing him additional undue emotional and psychological stress.

The signatories to this Petition believe that any reasonable member of the public, if made aware of all the facts of this case, would view the case against Sgt Nelson as unfair and a gross abuse of prosecutorial power. To continue prosecuting Sgt Nelson under these circumstances is unconscionable, and will erode the credibility of the military justice system.

Please sign the online petition before July 7th at: <http://www.ipetitions.com/petition/sgtnelson/index.html>

Or immediately email, fax, or mail this signed petition and any personal letters of support to:

THE LAW FIRM OF JOSEPH H. LOW IV

One World Trade Center, Suite 2320

Long Beach, CA 90831

Fax: 562/901-0841

E-mail: megant@jhlaw.com

NAME/SIGNATURE: _____

CITY, STATE: _____

COMMENTS: _____
