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## DEFEND OUR MARINES EXCLUSIVE

# Government Drops Contempt Charges Against Sergeants Weemer and Nelson

Defend Our Marines | Nathaniel R. Helms | Tuesday, September 23, 2008 | pdf

The US Attorney for Central California has dropped criminal contempt charges against two Marine sergeants who refused to testify against their former squad leader last month while he was on trial for executing enemy prisoners in Fallujah.

Assistant US Attorney Jerry A. Behnke Monday asked the US District Court for Central California to remove the scheduled contempt hearing from its docket, effectively dismissing the case against sergeants Ryan Weemer and Jermaine Nelson. The hearing had been scheduled for September 29.

The two Marines refused to testify against former sergeant Jose L. Nazario, acquitted by a civilian jury last August of killing two enemy combatants and ordering Weemer and Nelson to execute two others his squad captured.

Weemer and Nelson currently face murder and related charges at Camp Pendleton for their alleged role in the same incident.

Nazario, 28, was the first former military service member brought to trial under the Military Extraterritorial Jurisdiction Act, which was written in 2000 and amended in 2004 primarily to allow prosecution of civilian contractors who commit crimes while working for the U.S. overseas. It also allows the prosecution of military dependents and former military service members accused of committing crimes outside the United States.

The jury unanimously acquitted the former Marine infantryman on August 28 in Riverside, Calif following a ten day trial.

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**Nathaniel R. Helms**  
**Defend Our Marines**  
**23 September 2008**



**Former Sgt.  
Jose Nazario**



**Sgt.  
Jermaine Nelson**





**Nat Helms** is a Contributing Editor to **Defend Our Marines**. He is a Vietnam veteran, former police officer, war correspondent, and, most recently, author of [My Men Are My Heroes: The Brad Kasal Story](#) (Meredith Books, 2007).



**Sgt.  
Ryan Weemer**

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