



# TULLY RINCKEY PLLC

ATTORNEYS & COUNSELORS AT LAW

1800 K Street NW, Suite 1110  
Washington, DC 20006  
Phone: (202) 787-1900  
Fax: (202) 640-2059  
[www.fedattorney.com](http://www.fedattorney.com)

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Contact: Jessica Brociek, Marketing Associate  
[jbrociek@tullylegal.com](mailto:jbrociek@tullylegal.com), 202-787-1900

## **Possible Court-Martial for General McChrystal Due to Contemptuous Words Against President** *Article 88 Uniform Code of Military Justice Enforcement Possible*

**<June 23, 2010> – Washington, D.C.** – General Stanley McChrystal is facing possible court martial this morning by the Commander-in-Chief, President Barack Obama, due to his belittling remarks of many of the President's top officials including Vice President Joe Biden and the top U.S. civilian in Afghanistan, Ambassador Karl Eikenberry.

Article 88 of the Uniform Code of Military Justice (UCMJ) provides enforcement for this offense, stating that any commissioned officer who uses contemptuous words against the President as well as the Vice President may be punished by court-martial. The maximum allotted punishment for an Article 88 charge includes dismissal, forfeiture of all pay and allowances, and confinement up to one year. Due to the gravity of Gen. McChrystal's statements, coupled with the disparaging comments made by many officers and civilians in his staff, court-martial is likely.

"The severity and highly public nature of the comments serves as a complete disrespect for the chain of command and could lead to an Article 88 charge, or charge of contempt towards officials," said Capt. (Former) Michael W. Aniton, former Marine Corps Judge Advocate General Officer (JAG) and current Associate at Tully Rinckey PLLC. Mr. Aniton is a leading member of the firm's military law and national security legal practice and has experience charging members of the military under the UCMJ.

"It is well within the President's rights as Commander-in-Chief to enforce this Article and make Gen. McChrystal's statements an example of reprehensible actions to take at any time, especially during a time of heightened military action," said Mr. Aniton.

Michael Aniton as well as all members of the Tully Rinckey PLLC Military Law as well as Employment and Labor Law practices are available for commentary on the possible Court Martial of Gen. Stanley McChrystal. For more information or to speak with an experienced attorney, please contact Jessica Brociek at 202.787.1900 or via email at [jbrociek@tullylegal.com](mailto:jbrociek@tullylegal.com).

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Tully Rinckey PLLC is dedicated to providing legal service in the areas of federal employment, discrimination, and military law to federal employees and military personnel throughout the nation. The team of attorneys, paralegals, and professionals has pioneered many landmark decisions handed down from the Federal Circuit Court of Appeals involving USERRA and MSPB claims. The firm maintains a website at [www.fedattorney.com](http://www.fedattorney.com) with additional information about its attorneys, achievements, and news stories involving the firm's work.