

**DEPARTMENT OF THE AIR FORCE  
TRIAL JUDICIARY**

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UNITED STATES	)	OFFER FOR
	)	PLEA AGREEMENT
v.	)	
	)	
<b>RANK FIRST M.I. LASTNAME</b>	)	
<b>XXst Security Forces Squadron (MAJCOM)</b>	)	
<b>Basename AFB, State</b>	)	Dated: <b>6 May 2026</b>

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1. I, **Senior Airman First M.I. Lastname**, am presently the accused under court-martial charge(s) that were [(preferred) (referred)] against me on **XX Month 20XX** [and **XX Month 20XX**, if multiple preferral/referral of additional charges]. I have read the charge(s) and specification(s) alleged against me in violation of the Uniform Code of Military Justice (UCMJ) and they have been explained to me by my defense counsel, **Maj First Lastname and Capt First Lastname**. I understand the charge(s) and specification(s) and the evidence that may be offered for and against me, and I am aware that I have a legal and moral right to plead not guilty and to leave the prosecution with the burden of proving my guilt beyond a reasonable doubt by legal and competent evidence.

2. Understanding the above and under the conditions set forth below, I offer to:

a. Plead as follows:

[To all charges and specifications: Guilty]

[To Charge I and its specification(s): Guilty;]

[To Specification 1 of Charge II: Guilty;

To Specification 2 of Charge II: Not Guilty;

To Specification 3 of Charge II: Guilty, except the words: “pointing at her with an unloaded firearm”, and substituting therefor the words: “waiving an unloaded firearm in her direction”, of the excepted words: Not Guilty; of the substituted words: Guilty;

To Charge II: Guilty;]

[To the Additional Charge and its specification(s) identified in paragraph **XX.XX**. of this offer for plea agreement: Guilty]

b. [IF SOME SPECIFICATIONS ALLEGE OFFENSES PRIOR TO 28 DECEMBER 2023:  
Waive the right to trial by a court-martial composed of members and to elect to be tried by a

military judge alone, understanding that my waiver of the right to request trial by members also waives my right to elect to be sentenced by members;]

c. [IF ALL SPECIFICATIONS ALLEGE OFFENSES ON OR AFTER 28 DECEMBER 2023: Waive the right to trial by a court-martial composed of members and to elect to be tried by a military judge alone;]

d. [IF STRADDLING CASE, WHERE SPECIFICATIONS ALLEGE OFFENSES THAT OCCURRED BEFORE 1 JANUARY 2019 AND ON/AFTER 1 JANUARY 2019: Elect to be sentenced under the sentencing rules that went into effect on 1 January 2019;]

e. [IF THE ACCUSED IS WAIVING ALL WAIVABLE MOTIONS: Waive all waivable motions under the Rules for Courts-Martial;]

f. [IF THE ACCUSED IS WAIVING SOME BUT NOT ALL WAIVABLE MOTIONS AND THE MOTION IS NOT CASE-DISPOSITIVE OF A CHARGE/SPECIFICATION: Waive all waivable motions under the Rules for Courts-Martial, with the exception of the motion for (\_\_\_\_\_) (illegal pretrial punishment pursuant to Article 13 of the UCMJ), which has previously been filed by my defense counsel; the ruling on this motion may be reviewed by appellate courts;]

g. [Enter into a reasonable stipulation of fact with the Government that includes the facts and circumstances surrounding the offenses to which I am pleading guilty. Such stipulation will include the elements of the offenses, as well as the facts and circumstances directly relating to the offenses for which I am pleading guilty;]

h. Waive the opportunity to request the appointment of any expert to assist in my defense, as well as waive future and further services and travel by any experts previously appointed to assist in my defense. I understand that this waiver includes any experts appointed by a Defense Expert Authorizing Official (outlined in Department of the Air Force Instruction 51-207), and my counsel will immediately notify any such experts upon approval of this agreement;

i. Waive the opportunity to request, and withdraw any pending requests, for the Government to fund the travel of any witnesses in this case [except as to witnesses necessary for motions identified in para. 2(e) above];

j. [IF THE PLEA AGREEMENT REQUIRES THE PREFERRAL AND/OR REFERRAL OF AN ADDITIONAL CHARGE(S): Waive my right to a preliminary hearing pursuant to Article 32, UCMJ, concerning any Additional Charge(s) and its Specification(s); waive my right to the five-day waiting period pursuant to R.C.M. 602(b); and consent to joinder under R.C.M. 601 for the Additional Charge and its Specification(s) described in this instrument;]

k. [IF THE ACCUSED IS BOARD ENTITLED OR THE GOVERNMENT IS SEEKING A UOTHC, AND THE ACCUSED AGREES TO WAIVE THE RIGHT TO A DISCHARGE BOARD: If a punitive separation is not adjudged by the court-martial, I agree to unconditionally waive any right to an administrative discharge board hearing under Department of the Air Force

Instruction (DAFI) 36-3211. I understand this includes, but is not limited to, a basis of misconduct under DAFI 36-3211, section 7G [section 18B]. I understand this may mean that I receive an Under Other Than Honorable Conditions (UOTHC) discharge service characterization, which would deprive me of substantially all benefits administered by the Department of the Air Force or Department of Veterans Affairs; I agree to request my enlistment be voluntarily extended, in accordance with DAFI 36-2606, for so long as necessary to allow the Government to process and execute an involuntary separation action;]

1. [IF A PUNITIVE DISCHARGE IS NOT MANDATORY AND THE GOVERNMENT WILL SEEK ANY TYPE OF ADMINISTRATIVE DISCHARGE IF A PUNITIVE DISCHARGE IS NOT ADJUDGED, ADD THIS TERM: If a punitive discharge is not adjudged by the court-martial, I agree to request my enlistment be voluntarily extended, in accordance with DAFI 36-2606, for so long as necessary to allow the Government to process and execute an involuntary separation action;]

3. In consideration for the above, the Government agrees to the following:

a. [IF THE PLEA AGREEMENT REQUIRES THE GOVERNMENT TO WITHDRAW AND DISMISS CHARGE(S) AND SPECIFICATION(S): At the time the military judge finds me guilty of the charge(s) and specification(s) to which I pleaded guilty, the Government will withdraw (Charge I and its specifications). After the military judge enters a sentence but prior to adjournment, the Government will dismiss (Charge I and its specifications) without prejudice. Upon completion of appellate review, prejudice will attach where the findings and sentence have been upheld (Charge I and its specifications);]

b. [IF THE PLEA AGREEMENT REQUIRES THE GOVERNMENT TO WITHDRAW SPECIFICATION(S) AND RE-REFER TO A NEW FORUM: The Government will withdraw (Charge I and its specifications) and the (convening authority) (Special Trial Counsel) will refer them to a (special court-martial) (summary court-martial);

b. [IF THE PLEA AGREEMENT REQUIRES THE PREFERRAL/REFERRAL OF NEW CHARGE(S): After the following charge and specification is preferred, the (convening authority) (Special Trial Counsel), will refer the following additional charge and specification(s) to a (general court-martial) (special court-martial):

ADDITIONAL CHARGE: Violation of UCMJ, Article XXX

Specification 1: In that SENIOR AIRMAN FIRST M.I. LASTNAME, United States Air Force, did, at or near \_\_\_\_\_, between on or about \_\_\_\_\_ and on or about \_\_\_\_\_, unlawfully \_\_\_\_\_.

Specification 2: In that SENIOR AIRMAN FIRST M.I. LASTNAME, United States Air Force, did, at or near \_\_\_\_\_, between on or about \_\_\_\_\_ and on or about \_\_\_\_\_, unlawfully \_\_\_\_\_.]

c. After the military judge announces a sentence, the Government agrees to not prefer any additional charges or specifications against me for any potential misconduct of which the Office of the Staff Judge Advocate, Special Trial Counsel or any military law enforcement agency within the Office of the Staff Judge Advocate's and/or Special Trial Counsel's jurisdiction is aware of, or reasonably should have been aware of, at the time this offer is signed by the (convening authority) (Special Trial Counsel).

d. [IF THE GOVERNMENT AGREES TO WAIVE AUTOMATIC FORFEITURES: After I submit a request and required documents, the convening authority will waive forfeitures of pay and allowances resulting by operation of law for six (6) months, for the duration of confinement, or until the expiration of my enlistment, whichever is shorter, pursuant to R.C.M. 1103(h) to support my (wife/husband and/or daughter/son).]

4. In exchange for my plea of guilty to the aforementioned charge(s) and specification(s), and pursuant to the terms and conditions set forth below, I agree that the military judge must, upon acceptance of my guilty plea, enter a sentence as follows:

a. For Specification 1 of Charge I: minimum confinement of \_\_\_\_\_ and maximum confinement of \_\_\_\_\_;

b. For Specification 2 of Charge I: minimum confinement of \_\_\_\_\_ and maximum confinement of \_\_\_\_\_;

c. For the Specification of Charge II: minimum confinement of \_\_\_\_\_ and maximum confinement of \_\_\_\_\_;

d. All periods of confinement as specified above shall run (consecutively) (concurrently) --- OR A COMBINATION OF CONSECUTIVE AND CONCURRENT CONFINEMENT, such as "the periods of confinement for Specifications 1 and 2 of Charge I shall run concurrently with one another and the period of confinement for the Specification of Charge II shall run concurrently with the periods of confinement for Specifications 1 and 2 of Charge I;"

e. [IF THERE IS A LIMITATION ON A PUNITIVE DISCHARGE: (No dishonorable discharge/dismissal may be adjudged) (No punitive discharge may be adjudged)];

f. Other than the stipulations referenced above, there are no (additional) restrictions to the sentence the Military Judge may enter.

5. I understand that this offer, when accepted by the (convening authority) (Special Trial Counsel), constitutes a binding agreement. I assert that I am, in fact, guilty of the offense to which I am offering to plead guilty, and I understand that this agreement permits the government to avoid presentation in court of sufficient evidence to prove my guilt. I offer to plead guilty because it will be in my best interest in accordance with the conditions stated herein. I understand that I waive my right to a trial of the facts on the specifications for which I am offering to plead guilty, and to be confronted by the witnesses against me, and my right to avoid self-incrimination insofar as a plea of guilty will incriminate me.

6. In making this offer, I state that:

a. I am satisfied with my defense counsel, **Rank First Lastname and Rank First Lastname**, who have advised me with respect to this offer and I consider them competent to represent me in this court-martial.

b. No person or persons made any attempt to force or coerce me into making this offer or to plead guilty.

c. My counsel fully advised me of the nature of the charge against me, the possibility of my defending against them, any defense which might apply, and the effect of the guilty plea which I am offering to make, and I fully understand their advice and the meaning, effect, and consequences of this plea.

7. I understand the signature of the [(convening authority) (Special Trial Counsel)] to this offer, or to any modified version which I also sign, will transform this offer into an agreement binding upon me and the Government and that the military judge must sentence me in accordance with the limitations set forth above.

8. I understand that I may withdraw my plea of guilty at any time before sentence but not after sentence is announced and that, if I do so, this agreement is canceled and of no effect. This agreement will also be canceled and of no effect, if any of the following occurs:

a. Refusal of the court to accept my plea of guilty, as set forth above, or modification of the plea by anyone during the trial to not guilty or to a lesser degree of guilt.

b. Withdrawal by either party to the agreement before the trial.

c. My failure to agree with the trial counsel on reasonable stipulations concerning facts and circumstances surrounding the offenses which I agree to plead guilty to.

9. I understand that if this agreement is canceled for any reason stated above, under Military Rule of Evidence 410, this offer for an agreement cannot be used against me in any way or at any time to establish my guilt of the offenses, and the limitations upon disposition of my case set forth in this agreement will have no effect.

10. I understand this agreement may be canceled, after a hearing following the guidelines in Rule for Courts-Martial 1108, if I commit any offense chargeable under the UCMJ between the announcement of sentence and the Entry of Judgment.

11. This document includes all the terms of this plea agreement, and no other inducements have been made by the (convening authority) (Special Trial Counsel) or any other person which affect my offer to plead guilty.

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Date

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**FIRST M.I. LASTNAME, Rank, USAF**

Accused

The undersigned counsel certify that we gave the accused the advice referred to above and explained to him the elements of the offenses and witnessed his voluntary signature to this Plea Agreement. The undersigned counsel are both judge advocates qualified and certified under Article 27(b), and sworn under Article 42(a), Uniform Code of Military Justice.

\_\_\_\_\_  
Date

\_\_\_\_\_  
FIRST M.I. LASTNAME, Capt, USAF  
Defense Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_  
FIRST M.I. LASTNAME, Capt, USAF  
Defense Counsel

I recommend (acceptance) (rejection) of this offer.

\_\_\_\_\_  
Date

\_\_\_\_\_  
FIRST M.I. LASTNAME, Rank, USAF  
Staff Judge Advocate

The foregoing instrument, dated XX Month 2025, is (approved) (disapproved).

\_\_\_\_\_  
Date

\_\_\_\_\_  
FIRST M.I. LASTNAME, Rank, USAF  
(Commander) (Special Trial Counsel)