

**DEPARTMENT OF THE AIR FORCE
UNITED STATES AIR FORCE TRIAL JUDICIARY**

UNITED STATES)	
)	
v.)	
)	GOVERNMENT’S M.R.E. 304(d)
MSgt Jeffery K. Andersen)	SUPPLEMENTAL NOTICE
(PACAF))	
Joint Base Elmendorf-Richardson, Alaska)	29 September 2021

COMES NOW the United States and gives this notice to the Defense pursuant to Military Rules of Evidence (M.R.E.) 304(d).

1. M.R.E. 304(d): Pursuant to M.R.E. 304 (d), the United States discloses the following statements, oral or written, made by Master Sergeant Jeffery K. Andersen that are relevant to the case, known to trial counsel, and within the control of the armed forces that it may seek to introduce during all portions of the trial to include findings, rebuttal, and sentencing. This supplemental notice is intended to clarify our previous notice submitted on 13 September 2021:

a. All statements attributable to MSgt Andersen from Master Sergeant _____’s Commander Directed Report of Investigation (CDROI), dated 26 March 2021. These statements (or words to their effect) include, but are not limited to:

i. Statements made as annotated in _____’s sworn statements of the CDROI including, but not limited to: “idiot,” “shut the fuck up,” calling him “Jimothy,” “fucking stupid,” “I’ll cut you,” and “you’re dumb.”

ii. Statements made as annotated in _____’s sworn statement of the CDROI including, but not limited to: “kids” and “retard” (when referring to subordinate Airmen).

iii. Statements made as annotated in _____’ his sworn statement of the CDROI including, but not limited to: telling _____ to remove tags from a piece of equipment, circumstances of his Letter of Reprimand being issued, telling subordinate airmen not to listen to _____, “stinks,” “smells bad,” _____’s “dirty,” _____’s “uniform is always dirty and smells bad,” “fucking retarded,” “piece of shit,” “dumbass,” “you’re _____] a dirtbag for not studying,” “worthless,” “fucking idiot,” “I’ll cut you,” “you’re [_____] the most worthless _____ he ever met,” “worthless,” “I’ll stab you,” and “I will gut you.”

iv. Statements made as annotated in [redacted]’s sworn statement of the CDROI including, but not limited to, what [redacted] wrote was garbage and telling him to get better.

v. Statements made as annotated in Technical Sergeant [redacted]’s sworn statement of the CDROI including, but not limited to: “old-school” mentality, being harsh to Airmen, “Jimmothy, why are you fuckin up,” “we call him Jimothy because he fucks up all the time,” telling [redacted] “you need to make better life decisions.”

vi. Statements made as annotated in Technical Sergeant [redacted]’ sworn statement of the CDROI including, but not limited to: “I would tell you [redacted] good morning, but you’re stupid and you suck and I didn’t have a chance to tell you that enough last week,” referring to a copper pipe as an “Airmen beater” or “Airmen beating stick,” and the use of disparaging words towards airmen to include “moron” and “I don’t know how you got into the military due to your intelligence.”

vii. Statements made as annotated in Master Sergeant [redacted]’s sworn statement of the CDROI including, but not limited to: MSgt Andersen’s threats of more paperwork and bad Enlisted Performance Reports to [redacted].

viii. Statements made as annotated in Master Sergeant [redacted]’ sworn statement of the CDROI including, but not limited to: MSgt Andersen’s threats of paperwork to [redacted], Airmen don’t know how to do their job, won’t learn, and won’t do the training.

ix. The phrase “I Hate Airmen” on the sign located in his office as shown in pictures located in Tab G(9) of the CDROI.

x. Statements made as annotated in Master Sergeant Andersen’s response to his Letter of Reprimand, dated 28 September 2020, including, but not limited to: telling [redacted] to run the engine before the operational checkout was complete.

b. Statements made as annotated in Master Sergeant Andersen’s Letter of Reprimand, dated 15 October 2020, including, but not limited to: MSgt Andersen telling [redacted] he was not instructed to remove the warning tags.

2. If the Government becomes aware of any other such evidence, the Government will advise the Defense as soon as practicable.

3. To the extent that any statement previously noticed in the Government’s M.R.E. 304(d) Notice amounts to uncharged misconduct, the Government hereby formally notices the Defense of its intent, pursuant to M.R.E. 404(b), to use such evidence as direct facts surrounding the

events, for purposes other than proving the character of a person in order to show action in conformity therewith.

4. The Government reserves the right to offer any evidence, including, but not limited to, evidence regarding the matters enumerated above in the pre-sentencing phase of the trial pursuant to R.C.M. 1001.

5. The Government respectfully reserves the right to supplement this notice as necessary. Please contact me at _____ with any questions or if I may be of any assistance to you.

MORGAN L. TAYLOR, Capt, USAF
Trial Counsel

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing M.R.E. 304(d) Notice, dated 29 September 2021 to Defense Counsel via electronic mail on 29 September 2021.

MORGAN L. TAYLOR, Capt, USAF
Trial Counsel