



UNITED STATES MARINE CORPS
DEFENSE SECTION
OFFICE OF THE STAFF JUDGE ADVOCATE
MARINE CORPS RECRUIT DEPOT/WESTERN RECRUITING REGION
3700 CHOSIN AVENUE
SAN DIEGO, CALIFORNIA 92140-5197

IN REPLY REFER TO:

5801
DEF
18 Feb 11

From: Detailed Defense Counsel
To: Trial Counsel

Subj: 18 FEB 11 REQUEST FOR DISCOVERY IN U.S. V. CAPTAIN DOUGLAS WACKER,
USMC; PRODUCTION REQUEST AND WITNESS REQUEST

Ref: (a) R.C.M. 701, M.C.M., 2008
(b) R.C.M. 703, M.C.M., 2008
(c) R.C.M. 802, M.C.M., 2008

Encl: (1) Fee schedule and CV for Dr. Norah Rudin

1. Pursuant to the references, the Accused through counsel asks for the above referenced discovery.

2. **Production request:** Regarding discovery, as provided in the references, and as the defense believes was at least partially ordered by the military judge in the previous RCM 802 conference, the defense requests:

a. All statements taken in connection with any investigation into the allegations of the defense UCI motion and its attachments, including any HQMCIG investigation.

b. Complete answers to the defense written questions proposed to Jessica Brooder and Elizabeth Easley by the defense on 15 February 2011.

c. All emails to and from Col Smith concerning Capt Wacker, Jessica Brooder and/or Elizabeth Easley.

3. **Witness request for trial:** the following additional witnesses are requested at trial in US v. Wacker via subpoena from the trial counsel while using NCIS or the US Marshall service at its disposal:

Name: Joshua Haywood

Contact: 1804 N. Rampart, Apt. C, New Orleans, LA 70116. 731-614-5493

Subject: Night manger for Royal St. Charles Hotel on 4 April 2007.

Checked Wacker, Easley and Brooder into the hotel and observed the sobriety and alertness of all three persons shortly before the incident took place that results in this court martial.

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4. Please inform the defense counsel immediately if any of the evidence will be denied and provide the basis for denial. The Defense also requests that the Government continue to disclose information as it is obtained in accordance with this discovery request.

/s/

C. P. HUR
Captain, USMC