

CAROLYN MARTIN

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29 July 2010

Colonel J. R. Snider, USMC
Commanding Officer
Marine Corps Air Station
Beaufort, South Carolina 29904-5001

Re: Debarment letter
Dated July 22, 2010

Dear Sir,

On 24 July 2010 I was served with a copy of a letter barring (hereafter, debarment letter) me from entering the MCAS Beaufort enclave and the housing area at Laurel Bay, SC dated 22 July 2010 issued by you. I hereby challenge the legality and propriety of that letter. There is neither a factual grounding nor legal basis for issuance of this letter. It should be rescinded immediately.

Further, the letter was issued without according me any due process right to offer evidence to refute the allegations upon which the letter seems to be based. It is difficult to ascertain the specifics of the behavior upon which the letter was based. The language found in the challenged letter is vague, indeed puzzling; the letter cited that my alleged actions "left the distinct impression of an attempt to interfere with a witness's participation" in a pending court-martial. I am left to wonder what prompts that amorphous conclusion.

In this latter regard, I note that I have not been provided any documents or materials which form the basis for the issuance of the challenged debarment letter. Thus, I am at a loss to effectively and fully challenge the propriety of the letter. With that in mind, I request that I be provided a statement of the alleged misconduct that I committed. I wish to be informed of the specific witness who was interfered with and be provided a copy of all documents constituting evidence in support of same. These documents should include a copy of the transcript of the pre-trial hearing testimony of the witness rumored to be the subject of the allegation. My information indicates that testimony gives the lie to the allegations upon which the debarment letter is supposedly based.

While I am at a loss to fully understand the basis for the letter being issued, it appears that it involves allegations that I advised a prospective witness not to participate in a court-martial proceeding. I categorically deny any such action. Indeed, I understand the witness in question stated under oath that that never happened. The above requested transcript of her testimony should put that unfounded accusation to rest. It should demonstrate that there is no factual basis for the debarment letter.

My hope is that you will review and reconsider the propriety of the debarment letter and thereafter rescind it. I ask that in doing so you take into account my denial of any misconduct, the transcript which supports that denial and my long history as a professional investigator who has over my long career, which began in our Corps, scrupulously adhered to the rule of law and the strictures of ethical conduct.

It should be understood that the debarment letter threatens my ability to earn a living. If it continues in place, I will be unable to practice my profession. The fight for me is one of survival.

If you are unwilling to rescind the letter, then I ask that I be given an opportunity to be formally heard at a due process procedure conducted by an unbiased third party that will allow me to state my case. Such to be held after receipt of all relevant evidence which prompted the issuance of the letter.

My only wish is to continue to ply my craft, as I have done for these past many years. My plea is that you act so as to allow me to do so.

Respectfully,

A handwritten signature in cursive script that reads "Carolyn Martin". The signature is written in black ink and is positioned above the printed name.

Carolyn Martin

Copy to:
MCAS SJA
David M. Brahms, Esq.
Kevin Barry McDermott, Esq.
David Blair-Loy, Esq.



UNITED STATES MARINE CORPS

MARINE CORPS AIR STATION
BEAUFORT, SOUTH CAROLINA 29904-5001

IN REPLY REFER TO
5510
SJA/SAUSA
22 JUL 2010

Ms. Carolyn Martin
447 Tamarack Avenue
Carlsbad, CA 92008

Dear Ms. Martin:

I have determined you attempted to interfere, or left the distinct impression of an attempt to interfere, with a witness's participation in the pending court-martial of United States v. Corporal J. W. Sims. Given your conduct, and the effect that your presence can have on this and other witnesses, I consider your presence aboard this Air Station to be detrimental to the good order and discipline required aboard this installation.

As a result thereof, upon receipt of this letter, you are hereby **ORDERED** not to return to or reenter Marine Corps Air Station, Beaufort, South Carolina, to include the Laurel Bay Housing Area, unless this order is withdrawn by me or my successors in writing.

You are hereby given **NOTICE** that any reentry or attempt to reenter the Marine Corps Air Station, Beaufort, South Carolina, or the Laurel Bay Housing Area, will constitute a violation of the Title 18, United States Code, Section 1382, which is quoted in its entirety for your information.


TITLE 18 U.S. Code Section 1382 - *Entering Military, Naval, or Coast Guard property:*

Whoever, within the jurisdiction of the United States, goes upon any military, Naval, or Coast Guard reservation, post, fort, arsenal, yard, station, or installation, for any purpose prohibited by law or lawful regulation: or

Whoever, reenters or is found within any such reservation, post, fort, arsenal, yard, station or installation, after having been removed therefrom or ordered not to reenter by any officer or person in command or charge thereof shall be fined under this title or imprisoned not more than six months, or both. (As amended Sept. 13, 1994, Pub.L. 103-322, Title XXXIII, Section 330016(1)(G), 108 Stat. 2147.)

You are further informed that should you reenter or be found within the limits of Marine Corps Air Station, Beaufort, South Carolina, or the Laurel Bay Housing Area, in violation of this order, you will be subject to apprehension and detention by the military for prompt delivery to Federal Marshals or other appropriate civil authorities.

This **ORDER** remains in effect permanently unless you receive written notification from me or my successors to the contrary. You may request reconsideration of this action in writing within ten days from your receipt of this **ORDER** and **NOTICE**. Please direct your correspondence to the attention of the Staff Judge Advocate, Joint Law Center, P.O. Box 55001, Marine Corps Air Station, Beaufort, SC 29904.


J. R. SNIDER
Colonel, USMC
U.S. Marine Corps

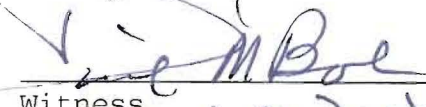
Copy to:
MCAS PMO
MCAS SJA
IPAC

CERTIFICATION OF RECEIPT

I hereby acknowledge that I have read the foregoing ORDER and NOTICE and I understand that contents thereof and I am subject to prosecution in the U.S. District Court if I violate Title 18, U.S. Code, Section 1382. I understand that if I desire to appeal this action, such appeal must be submitted in writing within ten days.


CAROLYN MARTIN

29 July 2010
Date


Witness
David M. Brahm
B. Gen USMC (mt)

29 July 2010
Date