

**DEPARTMENT OF THE NAVY
NAVY AND MARINE CORPS TRIAL JUDICIARY
PROFFER OF EXPECTED TESTIMONY**

I, Captain Ross A. Myers, U.S. Navy, if called to testify in a motion for production of a defense witness would testify substantially as follows:

1. I am Commander, Carrier Air Wing FIVE (CVW 5). Strike Fighter Squadron TWO SEVEN (VFA 27) is a squadron under my command.
2. I have been informed that Aviation Electrician's Mate Senior Chief Petty Officer (Aviation Warfare) Bobby Campbell, U.S. Navy has been requested as defense witness in a court-martial scheduled in Great Lakes, Illinois docketed for 26 April 2010.
3. On 22 April 2010, Commanding Officer, VFA 27, was notified that AECS(AW) Campbell was requested as a defense witness and must testify in person for the court-martial.
4. AECS(AW) Campbell is currently assigned as the Quality Assurance (QA) Leading Chief Petty Officer (LCPO) in the VFA 27 Maintenance Department.
5. VFA 27 is scheduled to undergo their Commander, U.S. Naval Air Forces Aviation Maintenance Inspection (AMI) from 25-28 May 2010. AMT is an annual inspection to evaluate the competence and capability of squadron maintenance personnel to perform operational maintenance procedures on combat naval aircraft.
6. CVW 5, including VFA 27, is scheduled to deploy immediately after the completion of the scheduled AMT.
7. If an operational squadron does not achieve a satisfactory evaluation in the AMT, they will not be able to deploy.
8. AECS(AW) Campbell, as the QA LCPO, is absolutely essential to VFA 27 achieving a satisfactory evaluation for the AMT. As the QA LCPO, he is responsible for quality assurance for all maintenance and related programs, a critical area tested and evaluated in the AMT. There are no other personnel with the experience, training and requisite background to prepare the last critical phase of the AMT.
9. Ordering AECS(AW) Campbell to testify in person for a court-martial on 26 April 2010 will significantly interfere with the squadron's ability to prepare for a critical maintenance inspection and will jeopardize the squadron's combat capability for an imminent deployment. As such, I cannot comply with an order of production for AECS(AW) Campbell for testimony for the week of 26 April 2010 due to operational necessity.

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10. CVW 5 and VFA 27 can support remote testimony by either telephone or video teleconferencing during the week of 26 April 2010. Alternatively, VFA 27 can support AECS(AW) Campbell's travel for in person testimony after 30 May 2010.

22 APR10

Date

R. A. MYERS, CAPT, USN

