



UNITED STATES MARINE CORPS

THIRD MARINE AIRCRAFT WING
MARINE CORPS AIR STATION MIRAMAR
P. O. BOX 452038
SAN DIEGO CA 92145-2038

IN REPLY REFER TO:

5810

SJA

SEP 17 2010

SECOND ENDORSEMENT on Defense Counsel's ltr 5800 DEF dtd
23 Aug 10

From: Commanding General, Third Marine Aircraft Wing
To: Detailed Defense Counsel

Subj: REQUEST FOR EXPERT CONSULTANT (DNA ANALYST) IN THE CASE
OF UNITED STATES V. CAPTAIN DOUGLAS S. WACKER, XXX XX
3913, USMC

Ref: (d) JAGMAN

1. Returned. Your request for Dr. Lee as a defense expert-consultant is denied; however, the alternative expert offered by the Government, Mr. Dunoff is approved. While serving as an expert consultant, Mr. Dunoff's communications with the defense counsel and Captain Wacker will be protected by Military Rule of Evidence 502.

2. Per paragraph 0146(j)(2) of reference (d), Mr. Dunoff, who is a civilian witness in the employ of the San Diego County Sheriff's Lab, shall be paid only as authorized by Joint Travel Regulations. Expert fees are not authorized.


T. CONANT

Copy to:
SJA
TC