



DEPARTMENT OF THE AIR FORCE
TWELFTH AIR FORCE (AIR FORCES SOUTHERN)
DAVIS-MONTHAN AIR FORCE BASE, ARIZONA

SEP 9 2011

MEMORANDUM FOR COL DAVID M. BENEDEK

FROM: 12 AF/JA
2915 S. Twelfth AF Dr, Ste 157
Davis-Monthan AFB, AZ 85707-4100

SUBJECT: Employment of Expert Consultant – *U.S. v. 1st Lt Patrick T. Burke*,
9th Bomb Squadron, Dyess AFB, TX

1. 12 AF/CC has delegated to me the authority to employ expert consultants under the provisions of Rule for Courts-Martial 703(d), Manual for Courts-Martial. You are hereby appointed as an expert consultant for the defense in the case of *U.S. v. Burke*. Reimbursement is authorized for services performed as an expert consultant after this date for reasonable amounts based upon an itemized billing, showing the nature of each activity for such services. The following expenses have been approved.

Travel Expenses: Per Diem: 8 X \$46.00
Lodging: 7 X \$77.00
Commercial Airfare: \$1,103.40

2. Pursuant to M.R.E. 502(a) and (b)(3), communication between you and the defense are confidential and bound by the lawyer-client privilege. However, if you are called as a witness by the defense, the content of those communications may, subject to the military rules of evidence, lose confidential status.

3. You will not be paid any amount in excess of those stated above, unless you receive prior authorization from 12 AF/CC or his Staff Judge Advocate. You are authorized to travel to Dyess Air Force Base, Texas, on 8 Oct 11 to participate in the trial. Travel will be coordinated with the Dyess Legal Office and expenses are reimbursable. In order to coordinate the specifics of your travel, you must contact the Dyess Air Force Base Legal Office at (325) 696-2232.


JEFFREY J. SLAGLE, Colonel, USAF
Staff Judge Advocate

cc:
7 BW/JA
TC
DC

DB Only

Date Requested

19 JUL 11

12 AF/JA Witness Funding Worksheet

Section 1

Grade	Last Name	First Name	MI	SSAN	Phone
COL	Benedek	David	M.		301-319-4944
Address		City	State	Zip Code	Country
4301 Jones Bridge Rd		Bethesda	MD	20814-4799	USA
Witness Type (Check all that apply): <input checked="" type="checkbox"/> Defense <input type="checkbox"/> Prosecution <input type="checkbox"/> Findings <input type="checkbox"/> Sentencing <input checked="" type="checkbox"/> Expert <input checked="" type="checkbox"/> Consultant <input type="checkbox"/> Witness					

Section 2

Summary of Expected Testimony

COL Benedek will serve as a Defense expert consultant witness in the case of U.S. v. Burke.

Section 3

Court	Trial Date(s)	Base
U.S. v. Burke	8-11 Aug 11	Dyess Air Force Base
Trial Counsel's Remarks		
Trial counsel recommends approval of this request.		

I certify IAW 12 AF/JA, Military Justice Policy Letter, this witness has been contacted to confirm availability and relevancy of testimony at trial.

Ervin N. Harris
ERVIN N. HARRIS, Capt, USAF

Section 4

Dates of TDY (Including Travel days):	Depart: 8-Aug-11	Return: 12-Aug-11	Total TDY Days: 8
Mode of Travel (Check all that apply):	<input checked="" type="checkbox"/> Commercial Air	<input type="checkbox"/> Government Air	<input type="checkbox"/> Rental Vehicle
	<input type="checkbox"/> POV	<input type="checkbox"/> GOV	<input type="checkbox"/> Shuttle Bus <input type="checkbox"/> Train

Per Diem

(In the blocks below, if VALUE errors appear add zeros to empty blocks)

Per Diem Rate:	\$46.00	No. Days:	8	Total:	\$ 368 322.00		
Lodging Rate:	\$77.00	No. Days:	1	Total:	\$ 589 462.00		
Commercial Airfare	Rate: \$1,103.40			Total Per Diem:	\$ 907 784.00		
Witness Fees:	/Day	No. of Days:		Total:	\$0.00		
POV	Rate Per Mile: 0.510	No. of Miles:	0	Total POV:	\$ -		
Other Travel: Shuttles, Etc...	Type of Travel:	Rate:					
Parking Fees:	Taxi:	Toll Roads:	\$0.00	Total Other:	\$ -		
Rental Car	Rate: \$40.85	No. of Days:	8	Total Rental:	\$ 326.80 286.00		
Expert Fees				Total Travel:	\$ 2,337.20 2,173.40		
Travel	Per Day	Hour:	No. Days/Hours:	0	Total:	\$ -	
Consultation	Per Day	Hour:	No. Days/Hours:	0	Total:		
Testimony	Per Day	Hour:	\$0.00	No. Days/Hours:	0	Total:	0
Doc Review	Per Day	Hour:	No. Days/Hours:	0	Total:		
Sitting in Court	Per Day	Hour:	No. Days/Hours:	0	Total:		

Section 5

Approved Disapproved by GCMCA/SPCMCA on SEP 9 2011

Tiffany J. Williams
TIFFANY J. WILLIAMS, CAPT, USAF
Assistant Staff Judge Advocate

Grand Total Witness Cost
\$ 2,173.40

\$2,337.20