



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

IN REPLY REFER TO:
5800
DEF
27AUG10

From: Detailed Defense Counsel
To: Trial Counsel

Subj: DEFENSE ANSWER TO RECIPROCAL DISCOVERY REQUEST DATED 1 JULY
2010 IN U.S. V. CAPTAIN DOUGLAS WACKER, USMC

Ref: (a) R.C.M. 701, M.C.M., 2008
(b) R.C.M. 703, M.C.M., 2008
(c) R.C.M. 707, M.C.M., 2008

1. Pursuant to the references, the Accused through counsel responds as follows to the Government's request, while reserving the right to respond further in accordance with the trial milestones as well as the continuing nature of discovery.

- a. The names and addresses of all witnesses the defense intends to call during the defense case-in-chief and pre-sentencing proceedings:

The names and addresses of Military witnesses requested are in the possession of the government. Contact information for witnesses that testified at the Article 32 are in the possession of the government. Otherwise, the defense has provided the best contact information currently in the counsel's possession.

- b. Copies of any sworn or signed statements known by the defense to have been made by any such witnesses;

At this time, the defense does not intend to introduce at trial on the merits any statements in its possession that have not already been turned over to the trial counsel.

- c. Copies of, or access to, any written material that will be presented by the defense at the pre-sentencing proceedings;

This has already been complied with as of the date of this letter. Defense exhibits were introduced at the Article 32 hearing in this

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USMC; PRODUCTION REQUEST, BILL OF PARTICULARS, AND WITNESS
REQUEST

case. If more exhibits are identified, they will be turned over
to the trial counsel.

d. Copies of, or access to, any books, papers, documents,
photographs, tangible objects, which the defense intends to
introduce as evidence in the case-in-chief at trial; and

This has already been complied with as of the date of this letter.
Defense exhibits were introduced at the Article 32 hearing in this
case. If more exhibits are identified, they will be turned over
to the trial counsel.

e. Copies of, or access to, any reports of examination and tests
conducted pursuant to the reference, if applicable.

This has already been complied with as of the date of this letter.
Defense exhibits were introduced at the Article 32 hearing in this
case. If more exhibits are identified, they will be turned over
to the trial counsel.

/s/

C. P. HUR
Captain, USMC