



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

5800  
DEF  
26 Oct 10

From: Defense Counsel  
To: Judge Advocate General of the Navy (Code 20), Washington Navy  
Yard, 716 Sicard Street SE, Suite 1000, Washington, DC 20374-  
5047  
Via: (1) Review Officer  
(2) Staff Judge Advocate, MCRD San Diego  
(3) Commanding Officer, 12<sup>th</sup> Marine Corps District, MCRD San  
Diego  
Subj: FIRST SUPPLEMENT TO APPLICATION FOR UCMJ ARTICLE 69(b) APPEAL OF  
SUMMARY COURT MARTIAL CONVICTION ICO JOSE BRITO, SGT, USMC DATED  
1 SEPTEMBER 2010  
Ref: (a) Article 69(b), UCMJ  
(b) JAGINST 5800.7C (JAGMAN), paragraphs 0104 and 0162  
(c) Rule for Court-Martial 1201(b)(3)  
(d) MCO P1050.3H  
(e) 69b Appeal dated 1 September 2010  
Encl: (1) Letter by LtCol William Turner, ret.

1. Pursuant to the references, Sgt Brito, through counsel supplements  
Reference (e) with Enclosure 1.

2. In Reference (e), Sgt Brito alleged that at a summary court martial,  
and after receiving advice from an unnamed Camp Pendleton Defense  
Counsel; Sgt Brito pled guilty to wearing a voluntary service medal  
(OVSM) that he allegedly had not earned. Enclosure (1), along with the  
enclosures attached to Reference (e), indicates that Sgt Brito actually  
received this award by his command in 2002, but due to an  
administrative error it was not entered into his OMPF. Thank you.

A handwritten signature in black ink, appearing to read "C. P. Hur", is located below the main text.

C. P. HUR

CDC  
FILE