

NAVY-MARINE CORPS TRIAL JUDICIARY  
NORTHERN JUDICIAL CIRCUIT  
GENERAL COURT-MARTIAL

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UNITED STATES	)	GENERAL COURT-MARTIAL
	)	
v.	)	GOVERNMENT RESPONSE
	)	TO DEFENSE WITNESS
JAMES M. ROWE	)	REQUEST
CAPTAIN	)	
UNITES STATES MARINE CORPS	)	3 November 2011
	)	

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1. This responds to your Defense Witness Request dated 2 November 2011 (hereinafter "Request").

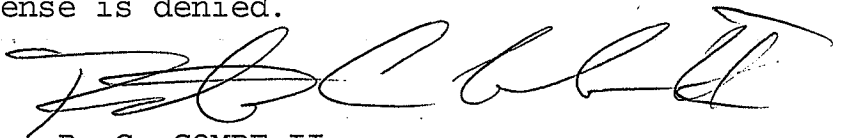
2. In response to paragraphs 1-14 of your request, your request is denied for one or all of the following reasons:

a. The request is untimely. Per the pretrial order in this case, which was signed by the military judge on 29 August 2011, defense requests for witnesses to be provided at government expense were due no later than 9 September 2011.

b. The requested witness is irrelevant under M.R.E. 401 and 402, as the witness is not a percipient witness and/or cannot testify to any fact in issue.

c. Your request fails to comply with the standards for a proper witness request as required by R.C.M. 703(c)(2).

3. For the proceeding reasons, the production of the requested witnesses at government expense is denied.

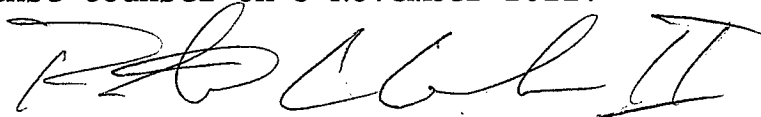


P. C. COMBE II  
Captain, U.S. Marine Corps  
Trial Counsel

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I hereby certify that a copy of this document was served,  
electronically and via hand delivery, to civilian defense  
counsel and/or detailed defense counsel on 3 November 2011.

A handwritten signature in black ink, appearing to read 'P. C. COMBE II'. The signature is stylized with large, sweeping letters and a prominent 'II' at the end.

P. C. COMBE II  
Captain, U.S. Marine Corps  
Trial Counsel

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