



UNITED STATES MARINE CORPS

OFFICE OF THE STAFF JUDGE ADVOCATE
DEFENSE BRANCH
MARINE CORPS BASE
QUANTICO, VA 22134-5001

5800
DEF/mnm
26 May 11

From: Major M. N. McConnell, USMC, Detailed Defense Counsel
To: Lieutenant Colonel R. G. Bracknell, USMC, Article 32 Investigating Officer
Via: Captain C. M. Hoover, USMC, Trial Counsel
Subj: REQUEST FOR PRODUCTION OF WITNESSES AT THE ARTICLE 32 INVESTIGATION
ICO UNITED STATES V. CAPTAIN J. M. ROWE 0267/0802 USMC
Ref: (a) Article 32, Uniform Code of Military Justice
(b) Rule for Courts-Martial 405

1. Pursuant to paragraph (g) of reference (b), the Defense respectfully requests that the Government produce the following witnesses at Captain Rowe's Article 32 Investigation:

a. Corporal Garrett Quinn, USMC - Corporal Quinn is a Marine stationed at Marine Corps Barracks 8th and I. He is a percipient witness on the morning of August 28, 2010. He was present during the period immediately preceding the alleged rape.

b. Captain Ben Klay - Husband of 1stLt Ariana Klay. Captain Klay will be important because the defense believes that he will contradict the testimony of the alleged victim related to the rape and the type of relationship she had with the accused.

c. Special Agent Janise A. Buckmon, NCIS - Agent Buckmon conducted the investigation. Agent Buckmon is a relevant witness because she conducted all interviews and created the Report of Investigation. Agent Buckmon can provide context to the conversations she had during interviews, particularly with regard to the conversations she had with the alleged victim, 1stLt Klay.

2. To the best of Defense Counsel's knowledge, all of these witnesses are physically located in greater Washington D.C. area. Therefore, it is requested that these witnesses be declared reasonably available pursuant to reference (b).

M. N. McCONNELL

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