



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
22 Sept 10

From: Detailed Defense Counsel
To: Investigating Officer
Via: Trial Counsel

Subj: SCHEDULING REQUEST FOR THE ARTICLE 32 IN U.S. V. MAJ
CARLOS ROWE, USMC

Ref: (a) R.C.M. 707, M.C.M., 2008
(b) Article 40
(c) R.C.M. 801, M.C.M., 2008
(d) R.C.M. 906, M.C.M., 2008
(e) United States v. Weisbeck, 50 MJ 461 (CAAF 1999)

1. Per the references, the defense respectfully requests that the Article 32 hearing in this case currently scheduled for 28 September 2010, be continued until 27 October 2010 at the headquarters of the convening authority, 9thMCD, in Kansas City, Missouri.

2. The purpose of this delay request is that the Government and the defense are involved in pretrial negotiations to resolve this case at a lower forum, which may make a 32 hearing unnecessary.

3. All delay will be excludable for speedy trial purposes on the defense. Thank you for your consideration.

/s/

C. P. HUR
Captain, USMC

cc
CDC
File