Neal A. Puckett, Esq. Lic: VA

Haytham Faraj, Esq. Lic: IL, MI, DC



Eric S. Montalvo, Esq. Lic: NJ, PA, DC

Debra A. D'Agostino, Esq. Lic: NY

## THE LAW FIRM OF PUCKETT AND FARAJ, PC

United American Patriots Inc. 7800 Airport Center Drive, Suite 401 Greensboro NC 27409

June 29, 2011

Re: Monthly case report in the matter of U.S. v. SSgt Frank D. Wuterich, USMC

Dear United American Patriots:

1. Case number and client's full name: FDW-3221 Frank D. Wuterich

2. Date of this report: 06/29/2011

3. Date of last report: 05/31/2011

- 4. Current status for the case being reported on: The Wuterich case is now under a stay issued by NMCCA. The scheduled trial date of 27 June 2011 has come and gone. We continue work with our appellate defense colleagues, who are preparing a petition for a Writ of Mandamus to order that the trial be abated pending the restoration of SSgt Wuterich's attorney client relationship with Mr. Colby Vokey. We recently proposed that the next trial date be tentatively set for 3 Oct 2011. As of today, we were notified that prosecutors are checking the availability of their witnesses for that date, and should be able to agree to it or propose a later date by the end of this week.
- 5. All activities since last monthly report: NMCCA issued a stay of the proceedings pending the production of the latest round of court hearings on our motion to abate the proceedings until Mr. Vokey is provided to us by the government. We are awaiting the availability of the transcripts of that hearing so that we may complete and file our petition for a Writ of Mandamus with the court.
- 6. Statement of activities/events planned for the forthcoming month: The Wuterich trial team will be involved in continuing to prepare for trial, now possibly starting in October. We plan to file the writ petition by early next month. If NMCCA denies our petition, we'll appeal to CAAF. If they think the petition has merit, they'll issue an order to the government to show cause why they should not grant the petition. The government will have 10 days to submit a brief and we'll have seven days to reply. Then they'll issue a ruling. We're still sure that regardless of the NMCCA ruling, the losing party will appeal to CAAF to seek to reverse that decision. Uncertainty is the watchword for this month.

- 7. Statement of all monies received from UAP with the latest receipt highlighted: The Wuterich defense team has received a total of 12 disbursements of funds totaling \$73,500.00. The latest amount received was \$2000.00.
- 8. All monies received from sources other than UAP: In the past month we received two private donations totaling \$85.00 and one donation from the Military Combat Defense Fund of \$1000.00
- 9. Current financial status of the case being reported on: No new information to provide.

Respectfully submitted,

Neal A. Puckett, Esq.