



UNITED STATES MARINE CORPS
LEGAL SERVICES SUPPORT SECTION
1ST MARINE LOGISTICS GROUP, MARFORPAC
BOX 555607
CAMP PENDLETON, CALIFORNIA 92055-5607

5811
LSSTE/nlg
10 SEP 10

From: Trial Counsel
To: Defense Counsel, U.S. v. Staff Sergeant Frank D. Wuterich
Subj: GOVERNMENT RESPONSE TO DEFENSE DISCOVERY REQUEST OF 31 AUGUST 2010 AND
RECIPROCAL GOVERNMENT DISCOVERY REQUEST OF 10 SEP 10 ICO U.S. V.
WUTERICH

Ref: (a) R.C.M. 701, Manual for Courts-Martial (2008 Ed.)
(b) Defense Counsel ltr (Discovery Request) of 31AUG10

Encl: (1) Materials Related to LtCol Sean Sullivan's Retention on Active
Duty
(2) Materials Related to Maj Nick Gannon's Time on Station
(3) Retirement Documents, LtCol Vokey and Maj Faraj

1. Pursuant to reference (a), enclosures (1) through (3) are provided as
discovery.

2. In response to paragraph 1 of reference (b), the government provides the
following:

a. Your request is granted in part and denied in part. Responsive
records related to your request are provided at enclosure (1) for Lieutenant
Colonel Sullivan, and enclosure (2) for Major Gannon. Insofar as your
request relates to Major Donald Plowman, the trial counsel is not aware of
any responsive documents. Major Plowman retired in approximately May of
2010. Insofar as your request relates to Lieutenant Colonel Atterburry,
responsive records exist, however, your request is denied on relevancy
grounds. Lieutenant Colonel Atterburry is not detailed to the case of U.S. v.
Wuterich.

b. Your request for "any endorsement" associated with LtCol Sullivan and
LtCol Atterburry is denied as you have not demonstrated the relevance of the
requested materials. However, all responsive documents in the possession of
the trial counsel will be delivered to the Military Judge for an *in camera*
inspection.

c. Please see paragraph 2a above. Responsive records are contained at
enclosure (1).

d. Please see paragraph 2a above. Responsive records are contained at
enclosure (2).

3. In response to paragraph 2 of reference (b), the government provides the
following:

a. LtCol Sullivan is denied as a witness

b. Major Gannon is denied as a witness

Subj: GOVERNMENT RESPONSE TO DEFENSE DISCOVERY REQUEST OF 31 AUGUST 2010 AND
RECIPROCAL GOVERNMENT DISCOVERY REQUEST OF 10 SEP 10 ICO U.S. V.
WUTERICH

c. LtCol Yetter will be produced telephonically, on 13 September 2010. His window of availability is 1300PST to 1500PST. The government requests that the defense structures their presentation of evidence in such a way as to take his testimony during his period of availability. This officer will be on annual leave during our next 39a session (13-14 September 2010).

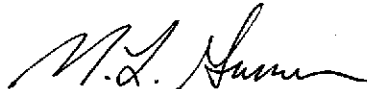
4. Pursuant to paragraph (b) of reference (a), consider this a request for the discovery of names of defense witnesses and their statements; disclosure of certain defenses, production of documents and tangible objects; and reports of examinations or tests. This includes the names, addresses and contact information (i.e., phone number, e-mail) of all witnesses, other than the accused, whom the defense intends to call during the case in chief or at presentencing proceedings, as well as the right to inspect any written material that will be presented by the defense at any presentencing proceeding.

 10 SEPT 2010

N. L. GANNON
Major, USMC

CERTIFICATE OF SERVICE

I hereby certify that I caused to be served a copy of this document upon Detailed Defense Counsel, on this 10 day of SEPTEMBER 2010.



N. L. GANNON
Major, USMC

Neal A. Puckett, Esq.
Lic: VA

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

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



THE LAW FIRM OF PUCKETT AND FARAJ, PC

August 31, 2010

From: Haytham Faraj, Esq. (Defense Counsel)
To: Trial Counsel

Subj: REQUEST FOR DISCOVERY SSGT WUTERICH, FRANK, XX XX 3221, USMC

Ref: (a) R.C.M. 701, MCM (2005 ed.)
(b) Article 46, UCMJ
(c) 18 U.S.C. § 3500
(d) Brady v. Maryland, 373 U.S. 83 (1963)
(e) United States v. Webster, 51 C.M.R. 76 (1975)

1. Pursuant to the above references and in light of the motion to dismiss for loss of counsel now before the court, the defense requests production of the following:
 - a. All correspondence produced or generated by trial counsel, senior trial counsel, supervisory trial counsel, Staff Judge Advocates, or other personnel seeking to extend the assignment period, active duty period, time on station period, or grant of permanent active duty status of any trial counsel, assistant trial counsel, legal clerk, or other associated personnel assigned to the Haditha trial counsel team including but not limited to Maj Nick Gannon, Maj Donald Plowman, LtCol Sean Sullivan and LtCol Paul Atterbury.
 - b. Any endorsement along with all justifying correspondence in support of any request listed in paragraph 1.b. above whether or not the request was ultimately approved.
 - c. All correspondence related to keeping LtCol Sean Sullivan and LtCol Paul Atterbury on active duty, including but not limited to emails, letters, faxes, electronic form, online forms, and the any justification provided in support of the request to keep these officers on active duty.
 - d. All correspondence related to keeping Maj Nick Gannon on station at Camp Pendleton and any justification in support of that request.
2. The defense requests the production of the following witnesses to testify on the motion:
 - a. LtCol Sean Sullivan.
 - b. Maj Nick Gannon.
 - c. Mr. Greg Yetter, Assistant requirements OIC, Manpower and reserve affairs. 703-432-9177. (Telephonically).
3. If the Government opposes production of any of the above evidence or witnesses, the defense requests immediate notification along with basis for the denial.

Respectfully submitted,



Waytham Faraj, Esq.

UNCLASSIFIED//

Subject: REQUEST FOR THREE YEAR ORDERS AND SANCTUARY ICO LTCOL SEAN M. SULLIVAN 000 00 [REDACTED]/4402 USMCR
Originator: CMC WASHINGTON DC MRA MM MMFA(UC)
DTG: 031332Z Jun 09 **Precedence:** ROUTINE **DAC:** General
To: COMMARFORPAC G1(UC), COMUSMARCENT G1(MC)
Cc: CG I MEF G-1(UC)

UNCLASSIFIED//

REF/A/MSGID:DOC/CMC RA/02AUG04

REF/B/MSGID:DOC/CMC (RAP)/05APR07//

REF/C/MSGID:DOC/-/3APR09//

NARR/ REF A IS MARADMIN 335/05 POLICY FOR MANAGING RESERVISTS ACTIVATED IN SUPPORT OF THE GLOBAL WAR ON TERRORISM. //REF B IS MARADMIN 241/07 CH1 TO POLICY FOR MANAGING RESERVISTS ACTIVATED IN SUPPORT OF GLOBAL WAR ON TERRORISM. //REF C IS AA FORM FROM COL HOFFMAN REQUESTING ACTIVATION ORDERS.//

POC/JAY P. BENSON/MAJOR/CMC (MMFA)/ACTION OFFICER/

TEL: DSN 378-9177/EMAIL: JAY.BENSON@USMC.MIL//

GENTEXT/REMARKS/

1. PER REF A AND B, REF C WAS RECEIVED BY HQMC (MMFA).
2. SNO REQUEST WAS APPROVED BY DC M&RA. SNO WILL NEED TO TRANSFER FROM IMA TO IRR UPON ACCEPTANCE OF THESE ORDERS, FOR RTN 134518 HAS BEEN EXTENDED FOR THIS PURPOSE. MMFA WILL SOURCE SNO INTO RTN.
3. SNO NEW EAS IS 31 JULY 2011.
4. QUESTIONS REGARDING THIS REQUEST CAN BE DIRECTED TO THE POC ABOVE.BT//

ADMINISTRATIVE ACTION (5216)
 NAVMC 10274 (REV. 3-93) (EF)
 Previous editions will be used
 SN: 0109-LF-063-3200 U/I: PADS OF 100

1. ACTION NO.	2. BSIC/FILE NO. 1000
3. DATE 2009 03 04	

4. FROM (Grade, Name, SSN, MOS, or CO, Pers. O., etc.) LTCOL SEAN M. SULLIVAN [REDACTED]/4402 USMCR	5. ORGANIZATION AND STATION (Complete address) COMMANDER U.S. MARINE CORPS FORCES CENTRAL COMMAND 7115 SOUTH BOUNDARY BLVD MACDILL AIR FORCE BASE, FLORIDA 33621
6. VIA (As required) COMMANDER, MARCENT	

7. TO: Commandant of the Marine Corps (MMFA) Headquarters, U. S. Marine Corps 3280 Russell Road Quantico, VA 22134	8. NATURE OF ACTION/SUBJECT REQUEST FOR EXTENSION OF MOBILIZATION ORDERS AND SANCTUARY
	9. COPY TO (As required) N/A

10. REFERENCE OR AUTHORITY (if applicable)	11. ENCLOSURES (if any) (1) Ltr of Rec CDR, Joint Forces Command (2) Ltr of Rec SJA to CMC (3) Reserve Qualification Summary (4) Official Photo (5) Height/Weight Verification Form (6) DD 2807 Report of Medical History
--------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

12. SUPPLEMENTAL INFORMATION (Reduce to minimum wording - type name of originator and sign 3 lines below text)

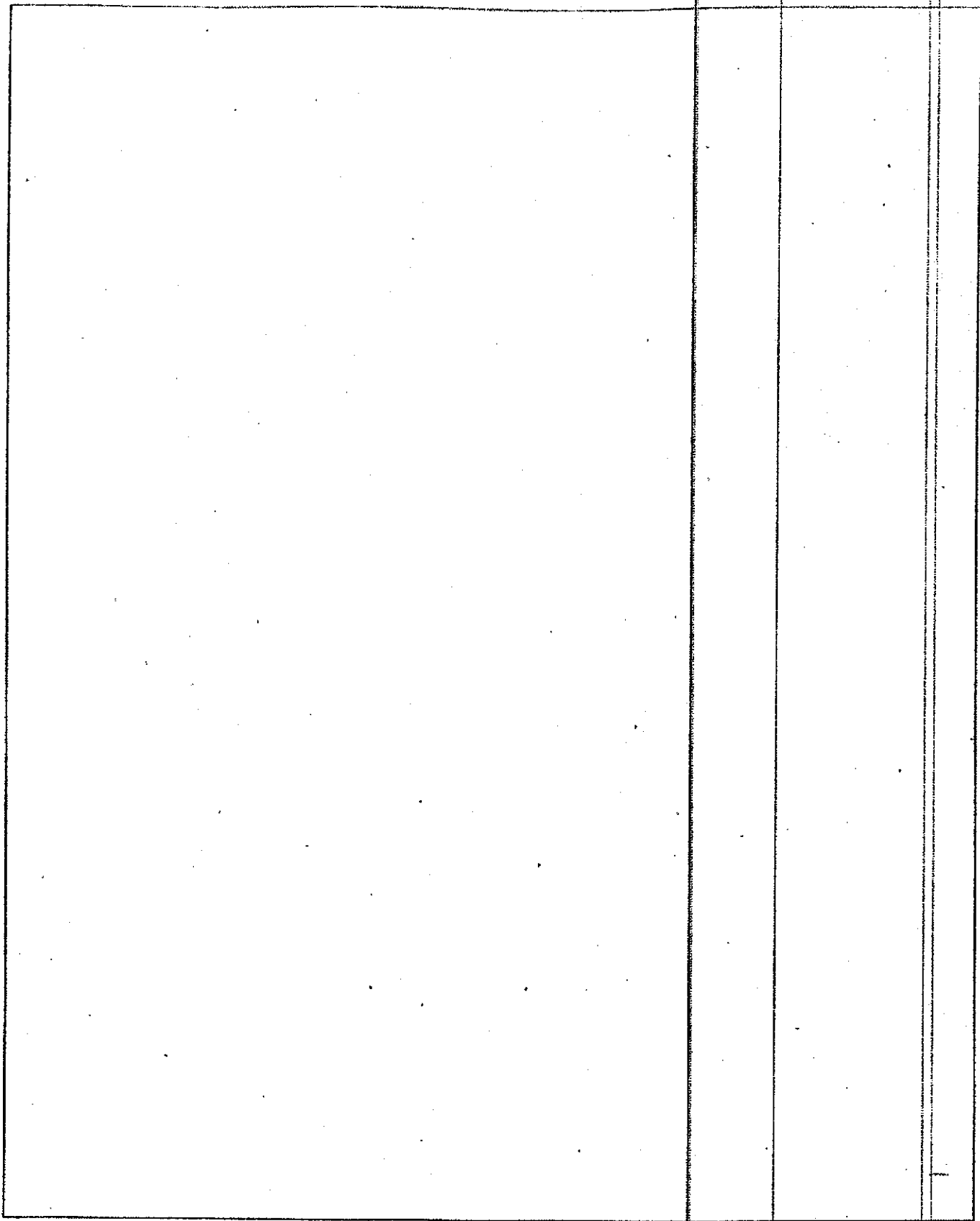
1. I volunteer to extend my current mobilization orders and am available for world wide service. I also volunteer to continue serving as Senior Prosecutor for the Haditha cases and ongoing Iraq Contracting/Bribery Investigation/Prosecution Team, Legal Team C, MARCENT from 1 Jul 09 to retirement date of 12 Jul 2012.

2. The following information is provided:

- a. Current EAS: 1 July 2009
- b. RTN: 132569 Deputy SJA, IMEF
- c. Length of Extension Requested: 36 months
- d. Current Height/Weight: 72in. 202 lbs.
- e. Last PFT Date/Score/Class: 29 DEC 08 199/1st Class
- f. I have no pending disciplinary, medical, or administrative issues that may affect approval of this request.
- g. Date of last HIV of record: 4 Nov 2008
- h. My current location is: Camp Pendleton, CA

Sean M. Sullivan
S.M. SULLIVAN

13. PROCESSING ACTION. (Complete processing action in item 12 or on reverse. Endorse by rubber stamp where practicable.)



Gannon Maj Nicholas L

From: Forkin LtCol Keith A [keith.forkin@usmc.mil]
Sent: Friday, February 12, 2010 10:26 AM
To: Tyer-Witek Maj Hanorah E
Subject: LSSS, 1st MLG Personnel
Signed By: Forkinka@marines.usmc.mil

Nora,

I spoke with Col Ary and discussed my concerns with Maj Nick Gannon PCAing to a CAG billet at MCB CP and I requested that he be PCAd to MCB CP. My primary bases for this request are as follows:

1. So that Maj Gannon can remain the OIC, LSST-E through the summer as a bridge for the significant turnover of field grade personnel, 5 of 6 majors at the LSSS.
2. Maj Gannon is part of the two-man trial team for the U.S. v. Wuterich case, the last of the Haditha cases. This case is scheduled to go to trial in the July/August timeframe. The plan has been to have this case completed prior to Maj Gannon's PCA.
3. Maj Gannon is slated to deploy with 1st Bn, 1st Marines in the fall of 2010 after his PCA to base. This has been agreed upon by Col Jamison and LtCol Keith.

Based upon our conversation, it is my understanding that right now Capt Gruver and Capt Goode are the two Major selects slated to PCS to MCB CP. I would request for Capt Gruver to be moved to the CAG billet and for Maj Gannon to be placed in the MCB CP billet.

Also, FYSA, I talked about the issues Nick Martz has had with going to a CAG billet at 11th Marines (training requirements, billet responsibilities, etc.). Col Ary's comment was why are we sending a ELPer to a CAG billet for his second JA tour? I explained to him that you had been working with Maj Flynn on this issue. Col Ary also said that he was working on the LtCol slate and would look more closely at these issues once you had gotten through the LtCol piece.

Good luck with manpower, thank you again for letting me bend your ear, and let me know if you have any questions or concerns.

Semper Fidelis,

Keith
Lieutenant Colonel Keith A. Forkin USMC
Officer-In-Charge, Legal Services Support Section, 1st Marine Logistics Group
Telephone: (760) 725-9700
E-mail: Keith.Forkin@usmc.mil

Gannon Maj Nicholas L

From: Flynn Maj John P [john.p.flynn@usmc.mil]
Sent: Sunday, November 29, 2009 8:31 AM
To: Gannon Capt Nicholas L
Cc: Forkin LtCol Keith A
Subject: RE: Meeting with Capt Gannon
Signed By: john.p.flynn@usmc.mil

Thanks, Capt Gannon.

R/S,
Maj Flynn

-----Original Message-----

From: Gannon Capt Nicholas L
Sent: Wednesday, November 25, 2009 20:37
To: Flynn Maj John P
Cc: Forkin LtCol Keith A
Subject: RE: Meeting with Capt Gannon

Sir,

Good evening. Attached is my slating questionnaire. Thanks for your consideration. Happy Thanksgiving Sir.

Very respectfully submitted,
Capt Gannon

Cell: 610-846-7910

-----Original Message-----

From: Flynn Maj John P
Sent: Tuesday, November 24, 2009 6:19
To: Gannon Capt Nicholas L
Subject: RE: Meeting with Capt Gannon

Capt Gannon,

Plz email your slating questionnaire. Thanks.

R/S,

John P. Flynn
Major, USMC
CSS Majors Monitor, MMOA-1
DSN (312) 278-9276/7/8
Comm (703) 784-9276/7/8
email: john.p.flynn@usmc.mil
website:
https://www.manpower.usmc.mil/portal/page?_pageid=278,1932642&_dad=portal&_schema=PORTAL

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"Always ensure your official MMSB photo reflects your current rank and is

less than 1 year old."

-----Original Message-----

From: Gannon Capt Nicholas L
Sent: Wednesday, October 21, 2009 14:24
To: Flynn Maj John P
Cc: Garibay CWO4 Julian A; Kent Maj Matthew J
Subject: RE: Meeting with Capt Gannon

Sir,

Good morning. CWO4 Garibay has set my appointment for 1015 on 23 Oct 2009 at the MCAS Classroom in Building 23166. I look forward to meeting you Sir. Take care.

Very respectfully,
Capt Gannon

-----Original Message-----

From: Flynn Maj John P
Sent: Tuesday, October 20, 2009 21:09
To: Gannon Capt Nicholas L
Subject: RE: Meeting with Capt Gannon

Capt Gannon,

You can contact CWO Garibay and sched an appt with me at 1415 on 22 Oct.

R/S,
Maj Flynn

-----Original Message-----

From: Gannon Capt Nicholas L
Sent: Tuesday, October 20, 2009 21:38
To: Flynn Maj John P
Cc: Kent Maj Matthew J
Subject: Meeting with Capt Gannon

Sir,

Good evening. Major Kent advised that I might be able to set up a meeting with you despite my failure to meet the deadline for setting appointments. I have significant flexibility. If you can meet Sir, just let me know and I will be there.

Very respectfully,
Capt Gannon

Cell: 760-468-8065
Desk: 760-725-4821

Gannon Maj Nicholas L

From: Gannon Capt Nicholas L [nicholas.gannon@usmc.mil]
Sent: Wednesday, November 25, 2009 5:37 PM
To: Flynn Maj John P
Cc: Forkin LtCol Keith A
Subject: RE: Meeting with Capt Gannon
Signed By: There are problems with the signature. Click the signature button for details.

Attachments: Slating Questionnaire - Majors GANNON.doc



Slating
Questionnaire - Majors

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https://www.manpower.usmc.mil/portal/page?_pageid=278,1932642&_dad=portal&_schema=PORTAL

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Very respectfully,
Capt Gannon

Cell: 760-468-8065
Desk: 760-725-4821

Today's Date (DAY, MONTH, YEAR):

THE "██████" PLACEMENT QUESTIONNAIRE (UPDATED 11 AUG 2009)

1. Name: Gannon, Nicholas L. / Rank: Captain (Maj Sel) 2. In-zone for Maj or LtCol? If so, which?
3. MOS (Primary & Alt): 4402 4. Clearance: TS/CI
5. Are you a Mover during FY-2010? Yes
- 6a. Current Billet/Unit (MCC & Unit Title): Senior Trial Counsel, Legal Team E (169) 6b. Maj billet? Yes
7. Dates of last FMF tour: Summer 2007 to present
8. Dates of most recent overseas deployment (months & years): March 2004 to September 2004
9. Top 3 geographic area preferences (e.g. Okinawa, Hawaii, 29 Palms, East Coast, in descending priority):
 - 1) Southern California
 - 2) 29 Palms
 - 3) East Coast
10. Top 10 "Wish List" (MCC) & Unit Title, in descending priority, keeping in mind that you may not get any of these choices):
 - 1) MCB Camp Pendleton (014)
 - 2) MCAS Miramar (023)
 - 3) Marine Corps Recruit Depot, San Diego (017)
 - 4) Defense Legal Services Agency (Office of Military Commissions) (TSP)
 - 5) HQ US AFRICOM JT BIL, Kelley Barracks, Germany (NGW)
 - 6) Naval Justice School (k26)
 - 7) MCB Camp Lejeune (013)
 - 8) HQ 31st MEU Okinawa Japan (1EP)
 - 9) MCAS Cherry Point (022)
 - 10) MCB Quantico (012)
11. The one place that you would like to avoid and your reason, in the fewest amount of words: The Pentagon/ HQMC. Lack of job satisfaction-limited ability to work in MOS and area too expensive to live in.
12. Recruiting experience [prior OpsO/XO/OSO duty as a Capt] (Y/N)? No
13. MISCELLANEOUS - Any info to help us assign you - best guess retirement timeframe, family situation (EFMP, etc.):
Command supports PCA to MCB Camp Pendleton.
14. Best way to contact you at work: 619-846-7910 At home: 619-846-7910
15. Deployed email account: None
16. Are you willing to volunteer for Okinawa (Volunteers receive top duty preference) (Y/N)? No
- 17a. Are you PME Complete? No 17b. Desire screening for Resident ILS? Yes Top 3 ILS choices are:

Command and Staff, TJAGSA Options are listed in ILS MARADMIN. Answering here does not negate requirement to submit choices per instructions in MARADMIN):):

Assignments are governed by MCO P1300.8R Marine Corps Personnel Assignment Policy IAT many dynamics inherent to the slating process. Assignments are subject to change, so we ask for your patience and understanding during slating.

WHEN COMPLETED, THIS FORM IS //FOUO//UNCLASS//PRIVACY SENSITIVE//

ENCL 2 P.6

Today's Date (DAY, MONTH, YEAR):

18. When do you anticipate being PME complete? Unknown

19. Are you interested in a joint assignment (you must be ILS complete)? Am not ILS Complete

Assignments are governed by MCO P1300.8R Marine Corps Personnel Assignment Policy IAT many dynamics inherent to the slating process. Assignments are subject to change, so we ask for your patience and understanding during slating.

WHEN COMPLETED, THIS FORM IS //FOUO//UNCLASS//PRIVACY SENSITIVE/

ENCL 2

P.7

Gannon Maj Nicholas L

From: Gannon Capt Nicholas L [nicholas.gannon@usmc.mil]
Sent: Wednesday, November 25, 2009 4:48 PM
To: Forkin LtCol Keith A
Subject: RE: Wish List
Signed By: There are problems with the signature. Click the signature button for details.

Sir,

Thanks very much. Have a great holiday Sir.

Very respectfully,
Nick

-----Original Message-----

From: Forkin LtCol Keith A
Sent: Wednesday, November 25, 2009 16:48
To: Gannon Capt Nicholas L
Subject: Wish List

Nick,

Attached is the CSS Major monitor's 80% solution on available billets as of 1 Nov 09.

Please let me know if you need anything else.

Semper Fidelis,

KAF
Lieutenant Colonel Keith A. Forkin USMC
Officer-In-Charge, Legal Services Support Section, 1st Marine Logistics Group
Telephone: (760) 725-9700
E-mail: Keith.Forkin@usmc.mil

Brower Capt Matthew R

From: Sokoff 2ndLt Crystal J
Sent: Friday, September 10, 2010 2:49 PM
To: Brower Capt Matthew R
Subject: FW: Retirement Information - LtCol Vokey
Signed By: crystal.sokoff@usmc.mil

Attachments: LtCol Vokey (Original Retirement Request).pdf; LtCol Vokey (1st Mod).pdf; LtCol Vokey (2nd Mod).pdf; LtCol Vokey (3rd Mod).pdf; LtCol Vokey (Database Screen).pdf



LtCol Vokey
(Original Retirement Request).pdf



LtCol Vokey (1st
Mod).pdf



LtCol Vokey (2nd
Mod).pdf



LtCol Vokey (3rd
Mod).pdf



LtCol Vokey
(Database Screen).pdf

-----Original Message-----

From: Hanscom CIV Steven M
Sent: Friday, September 10, 2010 9:43
To: Gannon Maj Nicholas L; Sokoff 2ndLt Crystal J
Cc: Steidl Capt Kirsten L; Arritt CIV Sheila A; Gordon CIV Maurice C; Wilson Maj Andrew B; Yetter LtCol Gregg A; Tate CIV Vincent P
Subject: Retirement Information - LtCol Vokey

Retirement information on LtCol Vokey. Not mandatory, so no retire/retain issues.

R/Steven M. Hanscom
Head, Separation and Retirement Branch
Manpower Management Division, HQMC

(703) 784-9304/05; DSN 278
steven.hanscom@usmc.mil

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-----Original Message-----

From: Arritt CIV Sheila A
Sent: Friday, September 10, 2010 11:58 AM
To: Hanscom CIV Steven M
Cc: Gordon CIV Maurice C; Steidl Capt Kirsten L
Subject: LtCol Vokey

Mr. Hanscom,

Per your request. No PII.

Mrs. Sheila Arritt
Asst Supervisor
Active Duty Officer Retirement Section
MMSR HQMC
Comm (703) 784-9324/5/6
DSN 278-9324/5/6
email: sheila.arritt@usmc.mil

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or recycling containers.

Andrew L Solgere/MM/MANPOWER - 02/12/2007 07:22:15 AM-MMOA Col Grnd Sect Head - Approved -

Robert Baczkowski/MP/MANPOWER - 02/08/2007 01:45:40 PM - MP - Recommend Approval - MPP-30: Recommend approval. SNO is not under LSEDS obligation.

Desiree K Butts/MR/MANPOWER - 02/08/2007 01:42:01 PM - MR - Forward for Action - No TA repayment due.

Ethlyn J Quass/MM/MANPOWER - 02/08/2007 06:20:39 AM - MMSR - 20 Supervisor - Recommend Approval - SNO meets TIG and TOS requirements for retirement. SNO has 57.5 days leave as of Jan 2007 and never sold any leave back in his career. SNO is not on JAM's 5 Jan 2007 legal list.

Richard A DeGise/MM/MANPOWER - 02/07/2007 10:09:30 AM - New Action - Lv Bal 2007 Jan - 57.5 No Lv sold.

Eric M Mellinger/MM/MANPOWER - 02/11/2007 09:37:24 AM - MMOA LtCol Grnd Sect Head - Recommend Approval - SNO is currently on a 1 year extension at Def Counsel West-Camp Pendleton. This was approved per a request made in 2006 IOT support a Summer '07 retirement. SNO's current requested PRR will place him into FY08. Unfortunately, there is no valid rationale to deny this request as SNO has met all TOS/TIG requirements. I had forecasted this S/G as being open this year. I will now wait until late CY07 or early CY08 to satisfy it. HQXC-JA will be advised. Rec'd approval.

RETIREMENT-FMCR WORKSHEET

Application Date: 2/1/2007

Ltcol Vokey C C /4402

Component: 11

PRR Date: 4/1/2008

PGRD: 05

TR OB DT:

PMOS:

Future MCC :

FUT EDA:

REF FLAG: 5

DU LIM CD: 0

PDD: 1/15/2008

DOB:

HI GRADE:

DOR COMM: 12/12/1987

SEL GRD STAT CODE DOR: 10/1/2003

PEBD: 12/12/1987

OFF SVC:

AFABED: 3/31/1988

INACT SVC: 0

DOEAF: 12/12/1987

ECC:

ACT SVC: 200000

EAS:

ACT CON SVC: 0

RTD:

TOTAL MIL SVC: 200319

DCTB: 5/29/2003

Former MCC: K95

GLCDCTB: 200305

MO EXT ENL: 0

DUPREF1: Y00

DEFENSE COUNCEL WESTERN
HQSP TBN MCB BOX 555031
CAMP PENDLETON CA
92055

505 drawered

APPROVAL

RECOMMENDATIONS
DISAPPROVAL

REMARKS

MMSR-2

MMSR-2

ENCL 3 P. 5

History Comments

Patrick L Redmon/MM/MANPOWER - 02/12/2008 09:48:53 AM-MMOA Col Grnd Sect Head - Approved - OK, but not looking forward to multiple extensions as we've seen from some other West Coast officers.

Sheila Arritt/MX/MANPOWER - 02/04/2008 10:15:11 AM - MMSR - 20 Supervisor - Recommend Approval - SNO is a LtCol requesting to mod approved retirement of 1 May 08 to 1 Jun 08. SNO is a lawyer currently involed in a court case due to end 1 May 08.

Richard A DeGise/MM/MANPOWER - 01/31/2008 08:55:58 AM - New Action - Lv Bal 2008 Jan- 58 no leave sold

Eric M Mellinger/MM/MANPOWER - 02/11/2008 09:49:18 PM - MMOA LtCol Grnd Sect Head - Recommend Approval - No negative impact to this request. SNO's replacement will be slated during the FY08 moving season. Rec'd approval.

Robert E James/MM/MANPOWER - 02/11/2008 08:13:04 AM - MMOA LtCol Grnd Asst Sect Head - Recommend Approval - SNO requesting to modify retirement date from 1 May 08 to 1 Jun 08. SNO meets TIG/TOS requirements for this request. SNO assigned to DoF Counsel West, Camp Pendleton, CA (MCC TEJ). FY 08 Staffing requirement is for 1 X 4402 LtCol. SNO's retirement will require backfill during Spring/Summer 2008.

Arroyo GS06 Tammy C

From: ACC Quantico Va DMDS One [Quantico.DMDS.One@dms.quantico.usmc.mil]
Posted At: Wednesday, January 23, 2008 12:17 PM
Conversation: MODIFICATION OF RETIREMENT DATE CASE OF LTCOL VOKEY C C 4402
Posted To: CMC WASHINGTON DC MMSR
Subject: MODIFICATION OF RETIREMENT DATE CASE OF LTCOL VOKEY C C 4402
Importance: Low



Dis_Adde.txt (415 B) ProHit.txt (251 B)

UNCLASSIFIED//

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ZNR UUUUU
R 231717Z JAN 08
FM HQSPTBN CAMPEN(uc)
TO CMC WASHINGTON DC MRA MM MMSR(uc)
INFO HQSPTBN CAMPEN(uc)
CO MCB CAMP PENDLETON CA(uc)
BT

UNCLAS
FM CO MCB PENDLETON //CPAC//
TO CMC WASHINGTON DC//MMSR-2//
INFO CO MCB CAMP PENDLETON//
HQSPTBN MCB CAMPEN//
UNCLAS

MSGID/GENADMIN/CO MCB PENDLETON
SUBJ/MODIFICATION OF RETIREMENT DATE CASE OF LTCOL VOKEY C C
/4402

REF/MCO P1900.16F/PHONE CON WITH MRS ARMITT OFFICER RETIREMENTS BRANCH POC MR. A.
ROBINSON/SEPS CHIEF/CPAC MCB OPEN/--TEL DSN 365-2930// RMKS/1. REQUEST MODIFICATION OF
RETIREMENT DATE CASE OF LTCOL COLBY C VOLKEY . /4402. PER THE REFERENCE REQUEST
THE RETIREMENT DATE OF

080501 BE MODIFIED TO REFLECT 080601. SNO IS CURRENTLY INVOLVED IN A COURT CASE SCHEDULED
TO END 080501, MODIFICATION WILL ALLOW SNO TRANSITION TIME AFTER COMPLETION DATE.// BT
#0001

NNNN

<DmdsSubject>
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EWCL 3 P. 8

Arritt GS09 Sheila A

From: Arritt GS09 Sheila A
Sent: Monday, May 19, 2008 7:21 AM
To: Vokey LtCol Colby C; Redmon Col Patrick L
Cc: Robinson GS06 Andre A
Subject: RE: Request for modification of retirement

Col Redmon,

Based on our conversation on Friday and below email I will run LtCol Vokey mod approval for 1 Aug 08 vice 1 Jul 08.

Sheila

-----Original Message-----

From: Vokey LtCol Colby C
Sent: Saturday, May 17, 2008 2:16
To: Arritt GS09 Sheila A; Redmon Col Patrick L
Cc: Robinson GS06 Andre A
Subject: RE: Request for modification of retirement

Mrs. Arritt,

Thank you for taking the time to speak with me today and letting me know that my retirement extension was granted. As you know, I am delaying my retirement so that I may complete my Haditha court-martial as a defense counsel. While it is still uncertain as to when the trial will begin, it seems likely that it won't begin until at least mid-June. As such, I believe that a 1 July retirement date is no longer sufficient.

As a result, I request that my retirement date be moved to 1 August instead. Given the current situation, I believe that a 1 August retirement date will allow sufficient time for me to complete the case prior to departing.

Thank you for your patience and understanding regarding my situation.

V/R
LtCol Vokey

Lieutenant Colonel Colby C. Vokey, U.S. Marine Corps
Regional Defense Counsel, Western Region
P.O. Box 555240
Camp Pendleton, CA 92055-5240
(760) 725-3744
(760) 725-4162 (fax)
(760) 213-4982 (cell)
colby.vokey@usmc.mil

-----Original Message-----

From: Arritt GS09 Sheila A
Sent: Friday, May 16, 2008 11:03
To: Vokey LtCol Colby C
Subject: Request for modification of retirement

LtCol Vokey

At your convenience can you give me a call to discuss your retirement date.

Mrs. Sheila Arritt
Asst Supervisor
Officer Retirement Branch, HQMC

Comm (703) 784-9324/5/6
DSN 278-9324/5/6
email: sheila.arrytt@usmc.mil

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History Comments

Patrick L Redmon/MM/MANPOWER - 05/15/2008 07:51:51 AM-MMOA Col Grnd Sect Head - Approved - I just hope that we (USMC collectively) do not continue to get "nickle and dimed" each month as the summer goes on - and this legal case continues to fester.

Maurice C Gordon/MM/MANPOWER - 05/07/2008 06:04:31 PM - MMSR - 20 Supervisor - Recommend Approval - SNO is a LtCol requesting mod PRR to Jul 08 vice 1 Jun 08. SNO is lawyer currently involved in court case that has been appealed. Mod will allow time for transition.

Joshua R Holland/MM/MANPOWER - 05/07/2008 01:24:45 PM - New Action - SNO has 65.5 days of Lv and 0 sold

Eric M Mellinger/MM/MANPOWER - 05/13/2008 03:28:56 PM - MMOA LtCol Grnd Sect Head - Recommend Approval - No negative impact to this approval as SNO's replacement is inbound this Summer. This is mirror image of several Major/4402 requests related to the same Haditha case. Rec'd approval.

Robert E James/MM/MANPOWER - 05/09/2008 02:31:20 PM - MMOA LtCol Grnd Asst Sect Head - Recommend Approval - SNO requesting additional extension of retirement date to complete current case load. SNO's current case has been appealed by the Govt, creating an additional delay. SNO is requesting 1 Jul 08 retirement date vice 1 Jun 08.



UNITED STATES MARINE CORPS
MARINE CORPS BASE
BOX 555010
CAMP PENDLETON, CALIFORNIA 92055-5010

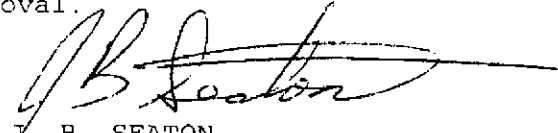
1900
CO
APR 30 2008

SECOND ENDORSEMENT on LtCol Vokey's ltr 1000 RDC/WR of 16 Apr 08

From: Commanding Officer
To: Commandant of the Marine Corps, Headquarters U.S. Marine
Corps (MMSR-2), 3280 Russell Road, Quantico, VA 22134-5103

Subj: REQUEST FOR THE MODIFICATION OF THE RETIREMENT DATE OF
LIEUTENANT COLONEL C. VOKEY 4402 USMC

1. Forwarded, recommending approval.


J. B. SEATON

Copy to:
Files



UNITED STATES MARINE CORPS
HEADQUARTERS AND SUPPORT BATTALION
MARINE CORPS BASE
BOX 555031
CAMP PENDLETON, CALIFORNIA 92055-5031

IN REPLY REFER TO
1900
HADJ
16 Apr 08

FIRST ENDORSEMENT on Lt Col Vokey's ltr 1000 RDC/WR of 16 Apr 08

From: Commanding Officer, Headquarters and Support Battalion
To: Commandant of the Marine Corps (MMSR-2)
Via: Commanding Officer, Marine Corps Base, Camp Pendleton,
California

Subj: REQUEST FOR THE MODIFICATION OF THE RETIREMENT DATE OF
LIEUTENANT COLONEL C. VOKEY XXX XX /4402 USMC

1. Forwarded, recommending approval.

ALVAH E. INGERSOLL III



UNITED STATES MARINE CORPS
REGIONAL DEFENSE COUNSEL, WESTERN REGION
Marine Corps Base, Camp Pendleton
BOX 565240
CAMP PENDLETON, CALIFORNIA 92055-5240

IN REPLY REFER TO

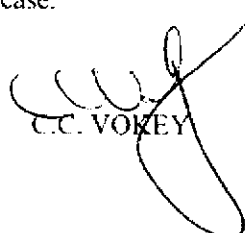
1000
RDC
16 April 2008

From: Lieutenant Colonel C C. Vokey XXX XX USMC
To: Commandant of the Marine Corps (MMSR-2)
Via: (1) Commanding Officer, Headquarters and Support Battalion, Marine Corps Base Camp Pendleton
(2) Commanding Officer, Marine Corps Base, Camp Pendleton

Subj: REQUEST FOR THE MODIFICATION OF THE RETIREMENT DATE OF
LIEUTENANT COLONEL C C. VOKEY XXX XX USMC

Ref: (a) MCO P1900.16F Marine Corps Separations and Retirement Manual

1. Per chapter 2 of the reference, I request a modification of my retirement date from 1 June 2008 to 1 July 2008.
2. I am a military defense counsel assigned to the Regional Defense Counsel, Headquarters and Service Battalion, Camp Pendleton, California. I am currently detailed to the case of *U.S. v. SSgt Frank Wuterich*. SSgt Wuterich is one of the Marines accused in the deaths of civilians in what has come to be known as the Haditha incident.
3. In February of 2007 I requested, and was approved for, a retirement date of 1 May 2008. I am not under any mandatory retirement provisions. In February and March of this year it became clear that the case of *U.S. v. SSgt Wuterich* would not be completed before 1 May 2008. I, therefore, requested a 1 month extension of my retirement date. My request was approved in early March of this year with a new retirement date set for 1 June 2008.
4. An appeal by the Government of a military judge's ruling has resulted in further delays of the case prompting the necessity of extending my time on active duty to avoid severing the attorney-client relationship and the appointing of new counsel. The appointment of new counsel would cause substantial delays because of the depth of preparation necessary to try this case.
5. A denial of this request would result in substantial delays in this very important case, a denial of SSgt Wuterich's right to counsel, and would harm the military justice process.
6. I am prepared to consider alternatives to modification of the retirement date, such as recall to active duty after retirement for the purpose of trying the case.


C.C. VOKEY

EWCL 3 P. 15

History Comments

Stephen G Nitzschke/MM/MANPOWER - 07/24/2008 03:59:39 PM-MMOA Branch Head
- Approved -

Maurice C Gordon/MM/MANPOWER - 07/23/2008 02:51:34 PM - MMSR - 20
Supervisor - Recommend Approval - SNO is a LtCol requesting mod PRR to 1
Nov 2008 vice 1 Aug 2008. SNO is lawyer currently involved in court case
that has been appealed. Mod will allow for turnover time with his
replacement on upcoming trials corense.

Richard A DeGise/MM/MANPOWER - 07/23/2008 02:13:15 PM - New Comment -

Richard A DeGise/MM/MANPOWER - 07/23/2008 02:12:48 PM - New Comment -

Joshua R Holland/MM/MANPOWER - 07/23/2008 02:11:56 PM - New Action - SNO
has 59.5 days of Lv and has sold C.O.

NO MMOA Comments w/this file
ENCLOSURE 16

RETIREMENT WORKSHEET

VOKEY, C C

LTCOL
MOS: 4402

MSR DATE: 1 Jun 2016 COMPONENT: 11 USMC
CSB ELECT: 5

PRR DATE: 1 Aug 2008 MOD 1 Nov 2008

APPLICATION DATE: 1 Feb 2007

RER FLAG: 7

DATE ACCEPT 1ST 19871212

PDD: 1 Jul 2008

COMM SVC: 20

DOR: 20031001

TOTAL MIL 200719

PEBD: 19871212

ACTIVE SVC: 200400

AFADBD: 19880331

INACT 319

DOEAF: 19871212

FUTURE MCC:

DOB: AGE: 43

FUTURE EDA:

EAS: 20080731

FORMER MCC: K95

ECC: 20080731

FORMER 09

DCTB: 20030529

GLCDCTB: 200305

LEAVE BALANCE: 59.5 LEAVE SOLD: 0.0

UNIT DIARY ACTION	
PENDING UD# <u>200</u>	DTD <u>22 Jul 08</u>
APPROVAL UD# _____	DTD _____

___ TIG: 4 YRS ___ TOS: 5 YRS

___ MMSR-2

___ SARSS

___ SOS

___ JAMO

___ Legal/IG E-Mail

UNIT ADDRESS: MCC: TEJ

DEFENSE COUNCEL WESTERN
HQSPTBN MCB BOX 555031
CAMP PENDLETON CA 92055

___ PACKAGE MAILED

HOME ADDRESS:

REMARKS: _____

FOR OFFICIAL USE ONLY

ENCL 3 P. 17

UNCLASSIFIED//

Subject: REQ FOR MOD OF RET DATE ICO LTCOL C. C. VOKEY 4402/
Originator: ACS MANPOWER(UC)
DTG: 212106Z Jul 08 **Precedence:** ROUTINE **DAC:** General
To: CMC WASHINGTON DC MRA MM MMSR2(UC)
Cc: CO MCB CAMP PENDLETON CA(UC)

UNCLASSIFIED//

FM CO MCB PENDLETON//IPAC//

TO CMC WASHINGTON DC//MMSR-82//

INFO CO MCB CAMP PENDLETON//

ACS MANPOWER MCB CAMPEN//MILPERS//

HQSPBN MCB CAMPEN//

UNCLAS

MSGID/GENADMIN/CO MCB PENDLETON//

SUBJ/REQ FOR MOD OF RET DATE ICO LTCOL C. C. VOKEY

4402//

REF/MCO P1900.16F//

POC/SSGT W. WOZNIAK/SEPS CHIEF/IPAC MCB CPEN/-/TEL DSN: 361-1063//

RMKS/1. REQUEST FOR MODIFICATION OF RETIREMENT DATE CASE OF LTCOL

COLBY C. VOKEY 000 00 0110/4402 USMC. REQUESTED DATE 20081101 VICE

20080801. SNO REQUIRES TURNOVER TIME WITH HIS REPLACEMENT ON UPCOMING

TRIALS DEFENSE.

2. FORWARD WITH COMMAND APPROVAL//



MMSR MASTER²

Home Promotions Retirements Separations Locator Help Logout

Welcome regulesna

View Marine's Record

Security Level Section Head

[Retirements Main](#)

[Separations Main](#)

Retirement View

Name	Date of Rank	PMOS	Grade	SSN		
VOKEY, C C	03-10-01	4402	O5			
Date Received	08-07-23	YY-MM-DD	Passover			0
Ret Pkg Out	08-08-07		TOS Waiver	1=Yes		0
Int Man Sep Ret Date			TIG Waiver	0=No		0
Caselocate	completed		ECFC Waiver			0
Ret/Sep Status	R		TERA			0
			Promotion Considered			0
			SOS			1

Search By SSN

Search

LAST NAME

Search

LOCATE SSN

Verify

Service Info.

Retirement Info.

Unit Info.

Other Info.

Service Information

Pay Entry Base Date	87-12-12	Armed Forces Active Duty Base Date	
Date Originally Entered Armed Forces	87-12-12	Expiration of Current Contract	08-10-31
Expiration of Active Service	08-10-31	ECC/EAS Flag	0

REMARKS

Modified By: arroyotc
Modified Date: 16-FEB-07

Remark ID **56590**

PKT MAILED ONO 2-20-07 TO DEFENSE COUNCEL WESTERN HQSPTBN MCB BOX 555031 CAMP PENDLETON CA 92055

Modified By: arroyotc
Modified Date: 27-MAR-07

Remark ID **57800**

PKT CORRECTED AND MAILED 3-27-2007 TO DEFENSE COUNCEL WESTERN HQSPTBN MCB BOX 555031 CAMP PENDLETON CA 92055

Modified By: degisera
Modified Date: 31-JAN-08

Remark ID **65054**

Req Mod of ret date

Modified By: arroyotc
Modified Date: 05-MAR-08

Remark ID **68613**

PKT MAILED 3-4-08 TO DEFENSE COUNCEL WESTERN HQSPTBN MCB BOX 555031 CAMP PENDLETON CA 92055

Brower Capt Matthew R

From: Sokoff 2ndLt Crystal J
Sent: Friday, September 10, 2010 2:50 PM
To: Brower Capt Matthew R
Subject: FW: Retirement Information - Maj Faraj
Signed By: crystal.sokoff@usmc.mil

Attachments: Maj Faraj (Original Retirement Request).pdf; Maj Faraj (1st Mod).pdf; Maj Faraj (2nd Mod).pdf; Maj Faraj (Database Screen).pdf



Maj Faraj (Original Retirement...



Maj Faraj (1st Mod).pdf



Maj Faraj (2nd Mod).pdf



Maj Faraj (Database Screen).p..

-----Original Message-----

From: Hanscom CIV Steven M
Sent: Friday, September 10, 2010 9:38
To: Gannon Maj Nicholas L; Sokoff 2ndLt Crystal J
Cc: Steidl Capt Kirsten L; Arritt CIV Sheila A; Gordon CIV Maurice C; Wilson Maj Andrew B; Yetter LtCol Gregg A
Subject: Retirement Information - Maj Faraj

Attachments reflect information held by MMSR. Maj Farah was not subject to mandatory retirement provisions of law, thus there is no record here of any retire/retain requests.

Steven M. Hanscom
Head, Separation and Retirement Branch
Manpower Management Division, HQMC

(703) 784-9304/05; DSN 278
steven.hanscom@usmc.mil

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-----Original Message-----

From: Arritt CIV Sheila A
Sent: Friday, September 10, 2010 11:55 AM
To: Hanscom CIV Steven M
Cc: Steidl Capt Kirsten L; Gordon CIV Maurice C
Subject: Maj Faraj

Mr. Hanscom,

Per your request. No PII.

Mrs. Sheila Arritt
Asst Supervisor
Active Duty Officer Retirement Section
MMSR HQMC
Comm (703) 784-9324/5/6
DSN 278-9324/5/6
email: sheila.arritt@usmc.mil

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unauthorized access/disclosure. When retention of this document is no longer required, it must be properly destroyed by shredding or burning, and will not be disposed of in trash or recycling containers.

History Comments

Eric M Mellinger/MM/MANPOWER - 03/18/2007 10:15:59 AM-MMOA LtCol Grnd
Sect Head - Approved - Approved as requested.
Robert Baczkowski/MP/MANPOWER - 03/13/2007 03:34:10 PM - MP - Recommend
Approval - MPP-30: SNC is not under ISEDS Obligation.
Desiree K Butts/MR/MANPOWER - 03/13/2007 11:15:13 AM - MR - Forward for
Action - No TA repayment due.
Ethiyn J Quass/MM/MANPOWER - 03/13/2007 11:00:49 AM - MMSR - 20
Supervisor - Recommend Approval - SNC meets TIG and TOS requirements for
retirement. SNC has 55.5 days leave as of Feb 07 and never sold any
leave back in his career. SNC is not on JAM's 12 Mar 07 legal list.
Richard A DeGise/MM/MANPOWER - 03/12/2007 09:52:00 AM - New Action - Lv
Bal 2007 Feb - 55.5 No Lv sold.

Carlos A Vallejo/MM/MANPOWER - 03/17/2007 04:32:46 PM - MMOA Monitor -
Recommend Approval - SNO is requesting to retire from MCB Pendleton MCC
014, on 1 May 2008. His DCTB is 3 Dec 2005. SNO does not have any
further service obligations. Recommend approval.

Anthony P Kennick/MM/MANPOWER - 03/13/2007 03:52:27 PM - MMOA-3 Retn Off
- Recommend Approval -

RETIREMENT-FMCR WORKSHEET

Application Date: 3/5/2007

Maj Faraj H

/4402

Component: 11

PRR Date: 5/1/2008

PGRD: 04

TR OB DT:

PMOS: 4402

Future MCC :

FUT EDA:

REF FLAG: 5

DU LIM CD: 0

PDD: 1/31/2008

DOB:

HI GRADE:

DOR COMM: 5/31/1995

SEL GRD STAT CODE DOR: 2/1/2005

PEBD: 7/29/1986

OFF SVC:

AFABD: 7/29/1986

INACT SVC: 0

DOEAF: 8/1/1985

ECC:

ACT SVC: 210902

EAS:

ACT CON SVC: 0

RTD:

TOTAL MIL SVC: 210902

DCTB: 12/3/2005

Former MCC: K66

GLCDCTB: 200512

MO EXT ENL: 0

DUPREF1: Y67

HEADQUARTERS AND SUPPORT BATTALION
 MCB BOX 555031
 CAMP PENDLETON CA
 92055

	APPROVAL	RECOMMENDATIONS DISAPPROVAL	REMARKS
MMSR-2	_____	_____	_____
MMSR-2	_____	_____	_____

History comments

Eric M Mellinger/MM/MANPOWER - 02/18/2008 04:43:46 AM-MMOA LtCol Grnd
Sect Head - Approved - Approved as requested.

Sheila Arritt/MM/MANPOWER - 02/08/2008 11:24:35 AM - MMSR - 20 Supervisor
- Recommend Approval - SNO is a Maj requesting mod PRR to 1 Jun 08 vice 1
May 08. SNO is lawyer currently involved in court case due to end 1 May
08. Mod will allow time for transition.

Richard A DeGise/MM/MANPOWER - 02/07/2008 02:07:49 PM - New Action - Lv
Bal 2008 Jan - 56 No Lv sold.

MMOA Comments

Robert E James/MM/MANPOWER - 02/16/2008 04:16:30 PM - MMOA LtCol Grnd
Asst Sect Head - Recommend Approval - Concur with Maj Vallejo's
recommendation to approve Maj Faraj's request for mod of retirement date
by one month to complete trial he is currently working.

Carlos A Vallejo/MM/MANPOWER - 02/12/2008 10:01:01 PM - MMOA Monitor -
Recommend Approval - SNOs command is requesting modification of
retirement date from 1 May 08 to 1 June 08. SNO is a lawyer still trying
a case scheduled to end in May. Recommend approval.

Michael X Motley/MM/MANPOWER - 02/11/2008 04:21:41 PM - MMOA-3 Retn Off -
Recommend Approval - Requested by Cmd to complete court case. Request
received via DMS message.

Arroyo GS06 Tammy C

From: ACC Quantico Va DMDS One [Quantico.DMDS.One@dms.quantico.usmc.mil]
Posted At: Wednesday, February 06, 2008 1:20 PM
Conversation: MODIFICATION OF RETIREMENT DATE CASE OF MAJOR FARAJ H
Posted To: CMC WASHINGTON DC MMSR2
Subject: MODIFICATION OF RETIREMENT DATE CASE OF MAJOR FARAJ H
Importance: Low



Dis_Adde.txt (405 B) ProHit.txt (252 B)

UNCLASSIFIED//

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R 061821Z FEB 08
FM ACS MANPOWER(UC)
TO CMC WASHINGTON DC MRA MM MMSR2(uc)
INFO ACS MANPOWER(UC)
BT

UNCLAS
FM CO MCB PENDLETON//IPAC//
TO CMC WASHINGTON DC//MMSR-2//
INFO CO MCB CAMP PENDLETON//
HQSPBEN MCB CAMPEN//
UNCLAS

MSGID/GENADMIN/CO MCB PENDLETON
SUBJ/MODIFICATION OF RETIREMENT DATE CASE OF MAJOR FARAJ H REF/MCO P1900.16F/PHONECON WITH
MRS ARRITT OFFICER RETIERMENTS BRANCH POC MR. A. ROBINSON/SEPS CHIEF/IPAC MCB CAMPEN/-/TEL
DSN 361-5071// RMKS/1. REQUEST MODIFICATION OF RETIREMENT DATE CASE OF MAJOR H
FARAJ /0402. PER THE REF, REQUEST RETIREMENT DATE OF 080501 BE MODIFIED TO
REFLECT 080601. SNO IS CURRENTLY INVOLVED IN A COURT CASE SCHEDULED TO END 080501,
MODIFICATION WILL ALLOW SNO TRASITION TIME AFTER COMPLETION DATE// BT.

BT
#0001
NNNN

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=CO CPENDMS ACS MPWR V3

ENCL 3 P. 27

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History Comments

Michael T Dowling/MM/MANPOWER - 05/14/2008 11:31:08 AM-MMOA LtCol Grnd Sect Head - Approved - Approved per LtCol Mellinger. He did not have the buttons available to approve. MMOA tracking history shows he approved request on 13 May 08.

Maurice C Gordon/MM/MANPOWER - 05/07/2008 06:02:11 PM - MMSR - 20 Supervisor - Recommend Approval - SNO is a Maj requesting mod PRR to 1 Aug 08 vice 1 Jun 08. SNO is lawyer currently involved in court case that has been appealed. Mod will allow time for transition.

Joshua R Holland/MM/MANPOWER - 05/07/2008 01:25:35 PM - New Action - SNO has 60.5 days of Lv and 0 sold

NMCA Comments

Eric M Mellinger/MM/MANPOWER - 05/13/2008 03:04:01 PM - MMOA LtCol Grnd
Sect Head - Request Additional Information - See Below.

Eric M Mellinger/MM/MANPOWER - 05/13/2008 02:53:41 PM - MMOA LtCol Grnd
Sect Head - Request Additional Information - Please push this out of my
box. Thanks. s/f LtCol Mellinger

Eric M Mellinger/MM/MANPOWER - 05/13/2008 02:41:47 PM - MMOA LtCol Grnd
Sect Head - Recommend Approval - Approved as requested.

Michael Y. Motley/MM/MANPOWER - 05/09/2008 10:59:14 AM - MMOA-3 Retn Off -
Recommend Approval - 1 month extension, SNO currently participating in
high level court case. No impact on obligated service.



UNITED STATES MARINE CORPS
MARINE CORPS BASE
BOX 555010
CAMP PENDLETON, CALIFORNIA 92055-5010

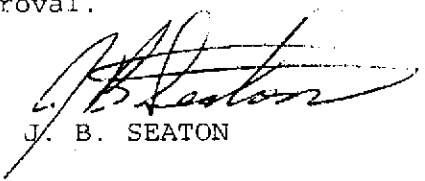
1900
CO
APR 30 2008

SECOND ENDORSEMENT on Maj Faraj's ltr 5800 SDC/hf of 15 Apr 08

From: Commanding Officer
To: Commandant of the Marine Corps, Headquarters U.S. Marine Corps (MMSR-2), 3280 Russell Road, Quantico, VA 22134-5103

Subj: REQUEST FOR THE MODIFICATION OF THE RETIREMENT DATE OF
MAJOR H FARAJ /4402 USMC

1. Forwarded, recommending approval.


J. B. SEATON

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UNITED STATES MARINE CORPS
HEADQUARTERS AND SUPPORT BATTALION
MARINE CORPS BASE
BOX 555031
CAMP PENDLETON, CALIFORNIA 92055-5031

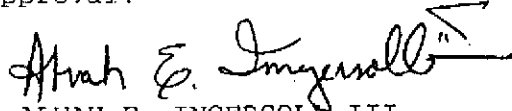
IN REPLY REFER TO
1900
HADJ
16 Apr 08

FIRST ENDORSEMENT on Maj Faraj's ltr 5800 SDC/hf of 15 Apr 08

From: Commanding Officer, Headquarters and Support Battalion
To: Commandant of the Marine Corps (MMSR-2)
Via: Commanding Officer, Marine Corps Base, Camp Pendleton,
California

Subj: REQUEST FOR THE MODIFICATION OF THE RETIREMENT DATE OF MAJOR
H. FARAJ 4402 USMC

1. Forwarded, recommending approval.


ALVAH E. INGERSOLL III



UNITED STATES MARINE CORPS

LEGAL SERVICES SUPPORT TEAM (LSS)
LEGAL SERVICES SUPPORT SECTION
Marine Corps Base
MCB 33557
CAMP PENDLETON, CALIFORNIA 92025
PHONE: 760-725-4114 FAX: 760-725-4112

INTEL Y REF ID:
5800
SDC hf
15 April 2008

From: Major H. Faraj,
To: CMC (MMSR-2)
Via: (1) Commanding Officer, Headquarters and Support Battalion, Marine Corps Base Camp Pendleton
(2) Commanding Officer, Marine Corps Base, Camp Pendleton

Subj: REQUEST FOR THE MODIFICATION OF THE RETIREMENT DATE OF MAJOR H. FARAJ.

Ref: Marine Corps Separations and Retirement Manual

1. Per Chapter 2 of the reference, I request a modification of my retirement date from 1 June 2008 to 1 August 2008.
2. I am a military defense counsel assigned to Legal Services Support Group, 1 MLC, 1 MEF, Camp Pendleton California. I am currently detailed to the case of U.S. v. SSgt Frank Wuterich. SSgt Wuterich is one of the Marines accused in the deaths of civilians in what has come to be known as the Haditha incident.
3. In February of 2007 I requested, and was approved for, a retirement date of 1 May 2008. I am not under any mandatory retirement provisions. In February and March of this year it became clear that the case of U.S. v. SSgt Wuterich would not be completed before 1 May 2008. I, therefore, requested a 1 month extension of my retirement date. My request was approved in early March of this year with a new retirement date set for 1 June 2008.
4. An appeal by the Government of a military judge's ruling has resulted in further delays of the case prompting the necessity of extending my time on active duty to avoid severing the attorney-client relationship and the appointing of new counsel. The appointment of new counsel would cause substantial delays because of the depth of preparation necessary to try this case.
5. A denial of this request would result in substantial delays in this very important case, a denial of SSgt Wuterich's right to counsel, and would harm the military justice process.

Subj: REQUEST FOR THE MODIFICATION OF THE RETIREMENT DATE OF MAJOR
FARAJ.

6. I am prepared to consider alternatives to modification of the retirement date, such as recall to active duty for the purpose of trying the case



J. FARAJ

Copy to:
Commander, U.S. Marine Corps Forces, Central Command
JAS
CDC



MMSR MASTER²

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Retirements Main

Separations Main

Retirement View

Name	Date of Rank	PMOS	Grade	SSN		
FARAJ,	05-02-01	4402	O4			
Date Received	08-05-06	YY-MM-DD	Passover			
Ret Pkg Out	08-05-21		TOS Waiver	1=Yes	0	
Int Man Sep Ret Date			TIG Waiver	0=No	0	
Caselocate	completed		ECFC Waiver		0	
Ret/Sep Status	R		TERA		0	
			Promotion Considered		0	
			SOS		1	

Search By SSN

Search

LAST NAME

Search

LOCATE SSN

Verify

Service Info.

Retirement Info.

Unit Info.

Other Info.

Service Information

Pay Entry Base Date	86-07-29	Armed Forces Active Duty Base Date	
Date Originally Entered Armed Forces	85-08-01	Expiration of Current Contract	08-07-31
Expiration of Active Service	08-07-31	ECC/EAS Flag	0

REMARKS

- Modified By:** arroyotc
Modified Date: 21-MAR-07
 PKT MAILED 3-21-07 TO HEADQUARTERS & SUPPORT BATTALION MCB BOX 555031 CAMP PENDLETON CA 92055
 Remark ID **57663**
- Modified By:** degisera
Modified Date: 07-FEB-08
 Req mod of ret date
 Remark ID **65255**
- Modified By:** arroyotc
Modified Date: 28-MAR-08
 PKT MAILED 3-28-08 TO HEADQUARTERS AND SUPPORT BATTALION MCB BOX 555031 CAMP PENDLETON CA 92055
 Remark ID **72167**
- Modified By:** arroyotc
Modified Date: 21-MAY-08
 Remark ID **79457**