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From: LT Elisabeth Pennix, JAGC, USN, Trial Counsel
To: LT Charles Gough, JAGC, USN, Defense Counsel
Subj: GOVERNMENT RESPONSE TO DEFENSE DISCOVERY REQUEST ICO IC1
NIKKIA WOFFORD, USN, XXX-XX-0867

Ref: (a) Defense Counsel Discovery Request ICO IC1 Nikkia
Wofford dtd 17 Aug 2010
(b) R.C.M. 701, M.C.M. (2008 ed.)
(c) R.C.M. 703, M.C.M. (2008 ed.)

Encl: (1) Witness Contact List, Excel Spreadsheet format

The government, through Trial Counsel, responds to reference (a) as follows and in accordance with the numbering of the items as requested by the defense.

With respect to item 1:

The government has previously produced to the defense as of 19 July 2010, under R.C.M. 703 (f)(4)(B), all documents requested by the defense as prepared by the law enforcement investigators from Recruit Training Command. No other law enforcement organization has been involved to date in the investigation of the charges levied against IC1 Wofford and therefore, no other documents from law enforcement are available. Finally, a copy of the accused military service record should be arriving today, 25 August 2010, and a copy will immediately be provided to the defense upon trial counsel receipt.

With respect to items 2 and 3:

Enclosure (1) attached to this response, is an Excel Spreadsheet arranged with the names and all known contact information for each witness that the defense requests, including, if available, their current address/location, telephone numbers, including cell phone numbers, and electronic mail addresses. This information is still being

discovered and will be produced as soon as we receive more or updated information.

With respect to item 4:

At this time, the Government is not aware of any information or evidence that may be exculpatory in nature for ICl Wofford. If any such information should be discovered or uncovered throughout the course of this court-martial preparation, the government will assuredly let the defense for the accused know as soon as possible.

With respect to item 5:

The government is aware of its ongoing obligation to produce documents requested by the defense in their original discovery request and will do so under the rules for courts-martial.

/s/

E. H. PENNIX
LT, JAGC, USN
Trial Counsel

CERTIFICATE OF SERVICE

I hereby certify that on 25 August 2010, a copy of this response was electronically and physically served on the appointed military counsel and civilian counsel for the accused, LT Charles Gough, JAGC, USN and Mr. Haytham Faraj.

/s/

E. H. PENNIX
LT, JAGC, USN
Trial Counsel