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THE LAW FIRM OF PUCKETT AND FARAJ, PC

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September 22, 2010

**VIA email Pete.houtz@usmc.mil**

Commander  
Marine Corps Recruit Depot  
MCRD  
San Diego, CA 92140

*Re: United States v. Major Carlos O. Rowe; PTA*

Dear General,

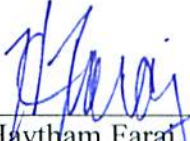
I am submitting two NJP PTA's for your consideration on behalf of Major Rowe. One includes language that you will not order Major Rowe to show cause. The other does not include that language.

Major Rowe will complete nineteen years of honorable service this October. During his previous nineteen years he had one alcohol related liberty incident while deployed in support of an exercise in Korea. He now faces a court-martial for some alleged misconduct during a Marine Corps Ball last year. As you know, investigations never quite collect all the facts or discover the entire story. You have one side of the story told by investigators who normally approach such matters with a prosecutorial mindset, as they are expected to. There is a yet untold story by Maj Rowe. That side of the story will not be told, not because Maj Rowe does not desire to be heard but because it takes the full military justice process to sometimes get the full story out. Maj Rowe has no desire to put his family or the command through the full process to get his story out. And he is thankful that you have agreed not to put him through it.

Maj Rowe understands that his conduct did not conform to the standards expected of officers. And he is well aware that you have the discretion to refuse either PTA and require he go through the full military justice process. Given your considerable discretion, and the authority vested in you by statutes and the President as the Convening Authority in this case, Major Rowe respectfully requests that you not order him to show cause. He recognizes that your decision is not binding on any higher commander. Nonetheless, he believes that your decision may be persuasive. He requests that you not order show cause because a discharge after nineteen years of honorable service is a harsh punishment in light of the facts of this case. And although he will have an opportunity to present his facts before a BOI, if a BOI is ordered, a BOI is not always merited when the facts do not support it. Moreover, BOI panels sometimes get it wrong. He fears such an outcome. He, therefore, requests that you not order him to show cause.

The two attached PTAs leave the choice to you. Maj Rowe sincerely desires that you allow him to accept responsibility for his actions without a request to show cause. That option will remain available to you in the event of any future professional failures. Even if you chose to reject the no show cause PTA, it remains entirely up to your discretion to order a show cause hearing. Maj Rowe requests that you withhold on that recommendation and provide him the opportunity to take the remedial actions necessary to correct his deficiencies.

Very respectfully submitted  
for and on behalf of  
Major Carlos O. Rowe,

  
\_\_\_\_\_  
Haytham Faraj, Esq.  
Major, USMC (ret.)

Enclosures

- (1) NJP PTA show cause will not be ordered
- (2) NJP PTA

Copy to:

SJA  
Detailed defense counsel  
Client  
File