



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
1 Dec 10

From: Detailed Defense Counsel (Counsel for the Respondent)
To: Convening Authority
Via: Recorder

Subj: REQUEST FOR DISCOVERY ICO BOI OF MAJ CARLOS ROWE, USMC

Ref: (a) SECNAVINST 1920.6C, Enclosure 8

1. **Production request:** Regarding discovery, as provided in the references, the defense respectfully requests all documents for the following subject areas:

- a. Notes from any command or NCIS or other investigator concerning this case.
- b. Verbatim Transcripts of ALL witness recordings in this case
- c. All documents in the Government's possession concerning this case, whether it intends to introduce this material or not, at the BOI.
- d. OMPFs and civilian personnel files for all witnesses who gave statements as part of the IG investigation in this case or are listed on the charge sheet (including Maj Rowe's OMPF and files for Ms. Vinson and Ms. Ogletree). MMSB will not give the defense an OMPF, but it will give the trial counsel this material.
- e. Videos, photos or other recordings related to this investigation or case in anyway, specifically recorded NCIS/IG interviews with witnesses and alleged victims.
- f. DNA, fingerprint or other forensic examinations or results, if they exist and related to this case in anyway.
- g. The results of US v. Henthorn reviews for derogatory information for any CID, NCIS agent or investigating officer that investigated this case.
- h. Criminal background information, checks and CLEOC searches (as conducted or to be conducted by trial counsel, NCIS, or other US governmental agencies or the USMC) for all witnesses that will testify at the BOI in this case, specifically Tina Vinson and Laura Ogletree.

Subj: REQUEST FOR DISCOVERY ICO BOI OF MAJ CARLOS ROWE, USMC

i. Facebook and myspace and personal telephone records are requested for Tina Vinson and Laura Ogletree from July 2009 until present, specifically for the month of November 2009.

j. Complete psychiatric, psychological and other counseling records concerning Tina Vinson and Laura Ogletree.

k. Preliminary investigation, command investigation or other records concerning any previous complaints by Tina Vinson and Laura Ogletree against any person.

l. Contact information (address and phone numbers and emails are requested) for Tina Vinson and Laura Ogletree and any other witness that will testify at the BOI hearing.

m. Derogatory information (criminal history, NJP's, page 11's, adverse fitness reports, firings from jobs, tickets, prison time, convictions, mental disorders, etc.) for Tina Vinson and Laura Ogletree.

n. Full OMPF of Tina Vinson and Laura Ogletree. Ms. Ogletree previously served on active duty but left under adverse circumstances. Please produce the same for Ms. Vinson as appropriate.

o. All evidence that the Government intends to introduce at the BOI.

p. Government BOI exhibit list

q. Government witness list.

r. Any evidence in the government's possession concerning this case that the government does not intend to introduce.

s. GTCC statements and TAD records for Laura Ogletree (from July 2009 to present).

t. Records of complaints made by Ms. Ogletree against MSgt Hounshell in connection with this case. Any other record of complaints made by Ms. Ogletree in her current employment.

u. Time and leave records for Laura Ogletree and Tina Vinson (July 2009 to present). This will be used to impeach the witnesses.

v. Request for video surveillance (7-8 Nov 2009) from Raouls Velvet Room which is located at 7222 W. 119th St. Overland Park, KS 66213 (913) 469-0466.

2. **Special Request:** That the BOI proceedings in this case be moved from MCRD San Diego, CA to the HQ of 9th MCD. The defense will be requesting many military witnesses and the government will likely be requesting the same. It therefore makes fiscal and logical sense for this investigation to be conducted where the evidence, Maj Rowe, the accusers and the vast majority of the other witnesses are located. This will save the Government time and money.

Subj: REQUEST FOR DISCOVERY ICO BOI OF MAJ CARLOS ROWE, USMC

3. Very respectfully, please inform the defense counsel if any of the above evidence will be denied and please provide the basis for denial. The Defense also requests that the Government continue to disclose information as it is obtained in accordance with this discovery request. Thank you.

C. P. HUR