From: Averhart CWO4 James T
Sent: Monday, January 24, 2011 7:30 AM
To: Blenis GySgt Craig M
Subject: FW: Article 138 Complaint
Attachments: Article 138 Complaint - Manning.pdf; RESPONSE TO REQUEST FOR REDRESS ART 138 COMPLAINT FOR MANNING.docx

Categories: Green Category

GySgt Blenis,

Over the next week I need to formulate the responses for the Manning Art 138 complaint. As the respondent, I have the opportunity to explain why I made the decision in this case re: his assignment to MAX and his POI status. The response need not be lengthy but I would appreciate you assisting in drafting a reasoning for MAX and POI.

Under Art 138, he is arguing that I abused my discretion in making these decisions. I am not justifying, I am explaining my decision. Please use the attached document and change as you see fit. This piece is talking about the suicide watch

Thanks,

CWO4 James T. Averhart, Jr. USMC
Security Battalion
Brig Officer
3247 Elrod, Ave.
MCB, Quantico VA 22134-5035
(b) (6) [redacted]

-----Original Message-----
From: Averhart CWO4 James T
Sent: Thursday, January 20, 2011 7:09 AM
To: Greer LtCol Christopher M
Cc: Oltman Col Robert G
Subject: Fw: Article 138 Complaint

Sir,
I am forwarding this to you per Col Oltmans guidance.

Respectfully,

From: coombs@armycourtmartialdefense.com <coombs@armycourtmartialdefense.com>
To: Choike Col Daniel J
Cc: Averhart CWO4 James T; Ashden Fein (b) (6) [redacted] Morrow
(b) (6) [redacted] ; m
>;
ou
Sent: Wed Jan 19 21:16:33 2011

APPELLATE EXHIBIT 440 p
PAGE REFERENCED: _____
PAGE ___ OF ___ PAGES

Subject: Article 138 Complaint

Sir,

Please see the attached Article 138 complaint. The defense requests that you address this issue as soon as possible. If you have any questions, feel free to call me at (b) (6) [redacted]-[redacted]

Respectfully,

David

David E. Coombs, Esq.
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