Fein, Ashden MAJ USARMY MDW (US)

From: David Coombs [coombs@armycourtmartialdefense.com]
Sent: Tuesday, February 05, 2013 4:16 PM
To: Lind, Denise R COL USARMY (US)
Cc: Hurley, Thomas F MAJ USARMY (US); Tooman, Joshua J CPT USARMY (US); Morrow, JoDean (Joe) III CPT USARMY USAMDW (US); Overgaard, Angel M CPT USARMY (US); Whyte, J Hunter CPT USARMY (US); von Elten, Alexander S (Alec) CPT USARMY (US); Ford, Arthur D Jr CW2 USARMY (US); Williams, Patricia Ann (Trisha Williams-Butler) CIV USARMY USAMDW (US); Jefferson, Dashawn MSG USARMY (US); Moore, Katrina R MSG USARMY (US); Raffel, Michael J SFC USARMY (US); Fein, Ashden MAJ USARMY MDW (US)
Subject: RE: Government Filing (UNCLASSIFIED)

Ma'am,

The Defense objects to an extension of time for the Government to prepare its filing. Originally, the Court wanted both parties to submit their questions by 31 January 2013. The Government did not object to this request by the Court. At that time, the Defense proposed that it take the lead on drafting the providence inquiry questions and give the Government an additional week to submit its proposed inquiry based upon its own effort and that of the Defense. The Government supported the Defense's proposal and the Court approved of this proposal.

The Government has failed to justify any need for additional time. The length of the materials submitted by the Defense is 1) entirely appropriate and 2) something that the Government should have anticipated given the number of specifications being pled to by PFC Manning.

I have already made flight and hotel arrangements to travel to Fort Leavenworth to prepare the providence inquiry with PFC Manning on 7 and 8 February. I have also had to coordinate with the JRCF to accommodate a two-day visit. My plan was to cover the questions that I proposed on 7 February and the questions the Government proposed on 8 February. It would be difficult to reschedule this trip at this late date due to other commitments.

The Government has another two duty days to complete its filing. The Defense requests that the Court hold the Government to the agreed upon deadline.

v/r
David

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-----Original Message-----
From: Lind, Denise R COL USARMY (US) [mailto(b)(6)[redacted]
Sent: Tuesday, February 05, 2013 3:56 PM
To: Fein, Ashden MAJ USARMY MDW (US)
Cc: Hurley, Thomas F MAJ USARMY (US); David Coombs; Tooman, Joshua J CPT USARMY (US); Morrow, JoDean (Joe) III CPT USARMY USAMDW (US); Overgaard, Angel M CPT USARMY (US); Whyte, J Hunter CPT USARMY (US); von Elten, Alexander S (Alec) CPT USARMY (US); Ford, Arthur D Jr CW2 USARMY (US); Williams, Patricia Ann (Trisha Williams-Butler) CIV USARMY USAMDW (US); Jefferson, Dashawn MSG USARMY (US); Moore, Katrina R MSG USARMY (US); Raffel, Michael J SFC USARMY (US)
Subject: RE: Government Filing (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Defense,

Any objection?

D

DENISE R. LIND
COL, JA
Chief Judge, 1st Judicial Circuit

-----Original Message-----
From: Fein, Ashden MAJ USARMY MDW (US)
Sent: Tuesday, February 05, 2013 3:53 PM
To: Lind, Denise R COL USARMY (US)
Cc: Hurley, Thomas F MAJ USARMY (US); David Coombs; Tooman, Joshua J CPT USARMY (US); Morrow, JoDean (Joe) III CPT USARMY USAMDW (US); Overgaard, Angel M CPT USARMY (US); Whyte, J Hunter CPT USARMY (US); von Elten, Alexander S (Alec) CPT USARMY (US); Ford, Arthur D Jr CW2 USARMY (US); Williams, Patricia Ann (Trisha Williams-Butler) CIV USARMY USAMDW (US); Jefferson, Dashawn MSG USARMY (US); Moore, Katrina R MSG USARMY (US); Raffel, Michael J SFC USARMY (US)
Subject: Government Filing

Ma'am,

Attached is a government motion for leave to file the government's proposed providence inquiry questions and any other objections based on legal issues by 14 February 2013.

v/r
MAJ Fein

Classification: UNCLASSIFIED
Caveats: NONE