

IN THE UNITED STATES COURT OF APPEALS
FOR THE ARMED FORCES

UNITED STATES,

Appellee

v.

TIMOTHY B. HENNIS
Master Sergeant (E-8)
United States Army,

Appellant

UNITED STATES' RESPONSE TO
THIS COURT'S JUNE 26, 2017,
ORDER TO SHOW CAUSE WHY
IT HAS NOT PROVIDED
APPELLANT WITH CERTAIN
DEFENSE ASSISTANCE

Crim. App. Dkt. No. 20100304

USCA Dkt. No. 17-0623/AR

**TO THE JUDGES OF THE UNITED STATES COURT OF APPEALS
FOR THE ARMED FORCES**

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Statement of the Case

A panel with enlisted representation sitting as a general court-martial convicted Appellant, contrary to his pleas, of three specifications of premeditated murder in violation of Article 118, Uniform Code of Military Justice, 10 U.S.C. § 911 (2012) [hereinafter UCMJ]. The court sentenced Appellant to a reduction to E-1, forfeiture of all pay and allowances, a dishonorable discharge, and death. The convening authority approved the sentence. The Army Court of Criminal Appeals (ACCA) affirmed the findings and sentence. *United States v. Hennis*, 75 M.J. 796, 855-56 (A. Ct. Crim. App. 2016). On June 26, 2017, this Court ordered the United States to “show cause why it has not provided Appellant with defense assistance that comports with the qualifications suggested by paragraph 28-6(c) of [Dep’t of the Army, Reg. 27-10, Legal Services, Military Justice (May 11, 2016)]” [hereinafter AR 27-10]. This is the United States’ response.

Statement of Facts

In the Army, The Judge Advocate General (TJAG) provides appellants with appellate defense counsel under Article 70, UCMJ, through the Defense Appellate Division (DAD). AR 27-10, app. C, para. C-3(a)(1). To ensure the independence of DAD’s provision of counsel, the DAD is supervised and provided technical guidance by the Commander, The Judge Advocate General’s Legal Center and School (TJAGLCS), while government appellate counsel are supervised and provided technical guidance by the Assistant Judge Advocate General for Military

Law and Operations. Dep't of the Army, Reg. 27-1, Legal Services, Judge Advocate Legal Services (January 24, 2017) [AR 27-1] paras. 2-4(b), 2-5(g). The commander of the US Army Legal Services Agency (USALSA) is charged with guaranteeing the independence of the defense appellate counsel assigned to the DAD. AR 27-1 para. 2-3(b).

The DAD is led by a chief, who is responsible for detailing, supervising, and training appellate defense counsel. *See* AR 27-10, app. C, para. C-3(a)(1). Subject to the supervision and technical guidance provided by the commander of TJAGLCS, and supported by the independence guaranteed by the commander of USALSA, the Chief, DAD, makes detailing decisions in particular cases independent of the government writ large. The Government does not influence the chief of DAD's detailing decisions. Rather, she considers her office's mission as a whole and the needs of a given case and determines, from the pool of counsel available to her, which counsel and how many counsel to detail to the case. In no circumstance would the Government require the Chief, DAD, to detail a particular counsel to a particular case, nor would it require her to decline to detail a particular counsel to a particular case or class of cases.

The number of counsel and the rank of the counsel assigned to the DAD is determined by the larger Army in consultation with TJAG, and the particular counsel to be assigned to the DAD is determined by TJAG with the advice of the

chief of the Personnel, Plans, and Training Office (PPTO). *See* UCMJ arts. 6(a), 70(a); AR 27-1 para. 2-8. Thus, TJAG and the Army determine the size of the pool of counsel from which the Chief, DAD, can draw and which attorneys fill the pool, but the Chief, DAD, has free reign to meet appellants' needs by detailing counsel from that pool. As the Chief, PPTO, has explained in the context of this case, in practice "[t]he DAD is comprised of counsel with varied abilities and experience, many of which are highly skilled, very talented, and tremendously experienced military justice practitioners, practitioners skilled across all aspects of trial practice and with the requisite skills very well suited to represent a capital defendant on appeal." (Def. App. Ex. MM). Presently, the Army has provided the DAD with sixteen active duty appellate defense counsel, exclusive of the chief and deputy chief, and a number of reservists. (Appendix A, B).¹ The Chief, DAD, is empowered to detail any of these counsel to Appellant's case, and to decline to detail those counsel to other cases, so that Appellant's counsel can remain focused on his case exclusively or primarily. This was also the state of the chief of DAD's assets and discretion when Appellant's case was heard in the ACCA.

¹ Appendix A contains the DAD's manning document, showing the personnel the Army has authorized for the DAD. Appendix B contains a redacted excerpt of the most recent Army Judge Advocate General Corps' personnel directory, showing the rank, number, and duty description of DAD personnel actually on hand.

Among these sixteen appellate defense counsel are Appellant's counsel, Captain (CPT) Burroughs and Lieutenant Colonel (LTC) Carrier.² Consistent with PPTO's description of DAD attorneys generally, CPT Burroughs is a capable and experienced military justice practitioner, having practiced in trial-level courts-martial before being assigned to the DAD. Lieutenant Colonel Carrier is an accomplished military justice advocate. After serving in "many military justice assignments," (Appellant's Consolidated Mot. to Compel Funding for Learned Counsel etc. 14), including, most recently, as a military judge, he was assigned to the DAD as the Chief, Complex and Capital Litigation. *See* AR 27-10 para. 28-6(c). However, Appellant states that CPT Burroughs has been detailed to assist twenty-seven other clients, and that LTC Carrier's involvement in this case is "merely supervisory." (Appellant's Consolidated Mot. to Compel Funding for Learned Counsel etc. 14). That is to say, the Chief, DAD, has detailed CPT Burroughs to Appellant's case and twenty-seven others, and that she has directed that LTC Carrier's involvement in the case be "merely supervisory."

In May of 2016, the Department of the Army revised its regulation governing military justice to include a Chapter 28, outlining policy and procedures for capital litigation. AR 27-10. Among its provisions is paragraph 28-4, entitled

² Lieutenant Colonel Carrier, an O-5, fills a captain's position on the manning document so that the DAD may have a senior chief of Capital and Complex Litigation.

“Court-martial personnel.” It provides that the detailing authority for counsel in capital cases is the Chief, US Army Trial Defense Service (USATDS). AR 27-10 para. 28-4(c)(1). It also includes “suggested minimum requirements to serve as guidelines to assist the Chief, USATDS . . . in determining the appropriate personnel to assign to capital cases.” AR 27-10 para. 28-4(a). “These guidelines shall not be construed as mandatory requirements, and shall not be construed as a right to a particular counsel or as a standard for determining the effectiveness of counsel under the U.S. Constitution.” *Id.* The suggested qualifications for lead defense counsel include a number of attributes applicable to trial-level proceedings, but not appeals. *See* AR 27-10 para. 28-4(a)(1). The regulation does not adopt American Bar Association standards or those of any court, does not mention the phrase “learned counsel,” and does not even require that lead counsel have any prior experience at all with capital litigation. *Id.* Suggested qualifications for additional counsel are also provided. AR 27-10 para. 28-4(a)(2)-(3). The Chief, USATDS, may appoint counsel even if the counsel does not meet the minimum qualifications. AR 27-10 para. 28-4(a)(4).

The new chapter also includes paragraph 28-6, entitled “Suggested capital litigation teams.” This paragraph “serves as a guideline” to a number of authorities, including “the detailing authority for the defense counsel” AR 27-10 para. 28-6(a). “[H]owever, every case must be analyzed and resourced

individually, based on its specific circumstances.” *Id.* This paragraph includes the caveat that “[n]othing in this paragraph is to be construed as a right to a particular counsel or staff, or as a standard for determining the effectiveness of counsel under the U.S. Constitution.” *Id.* The paragraph also provides that the members of each team “should be relieved of other duties . . . to the maximum extent practicable” *Id.* As to the defense team, the paragraph provides that it “should consist of members whose duties are substantially dedicated to the capital case and shall include at least two experienced, qualified defense counsel, detailed by the Chief, USATDS or by his or her designee, and one paralegal (GS-9 or E-6)” AR 27-10 para. 28-6(c). The paragraph provides that this suggested team is “in addition to the supervisory chain including, but not limited to the Deputy and Chief, DAD and the Chief, Capital Litigation [i.e., the DAD’s Chief, Complex and Capital Litigation].” AR 27-10 para. 28-6(c). Having established that these DAD officials are part of the defense team’s supervisory chain, the regulation mentions only two other aspects of capital appeals: it provides that continuity of counsel should be sought on appeal and that Chief, DAD, should provide specialized training to appellate counsel. *Id.* The regulation does not expressly state whether the suggested defense team guidance applies to appellate counsel.

On a number of occasions during the pendency of the proceedings below, the Chief, DAD, sought expanded resources beyond what had previously been

provided to her, pointing to this case and the new Chapter 28 as a justification for her request. On June 13, 2016, she sent a letter to the Chief, PPTO, requesting the assignment of a “[c]apitally [q]ualified” lead defense counsel, a warrant officer, and a paralegal. (Def. App. Ex. HH). In support, she attached a memorandum in which she detailed what resources she believed were necessary to the defense team in Appellant’s case. (Def. App. Ex. II). The same day, she sent a letter to the Commander of USALSA, requesting funds for non-attorney team members, attaching the same justification memorandum. (Def. App. Ex. GG).

On August 8, 2016, Chief, PPTO, denied the chief of DAD’s request in a memorandum. (Def. App. Ex. MM). That memorandum reasoned:

In support of DAD’s request for appellate support, AR 27-10, Chapter 28, Paragraph 28-6.c. is cited. The cited provision, however, is a trial team provision with limited appellate scope, limited to addressing only “continuity of counsel” during capital appeals and appellate counsel qualifications. This conclusion is supported by a review of the preceding paragraphs, Paragraphs 28-4 and 28-5 addressing “[c]ourt-martial personnel” and “[a] administrative [sic] and logistical support” respectively and by a review of Chapter 28 in its entirety. Both Paragraphs 28-4 and 28-5 are limited in scope to trial teams and silent regarding appellate litigation support or the make-up of any appellate litigation team. Furthermore, all three paragraphs, Paragraph 28-4, 28-5, and 28-6 expressly state that the guidelines contained within each creates no rights in a Soldier accused of a capital offense.

(*Id.*). As to the chief of DAD's request to USALSA for non-attorney assets, USALSA reasoned similarly that Chapter 28 is a trial-level provision, and instead directed Chief, DAD, to paragraph 6-5(d), which states that such requests should be made to the commander exercising general court-martial convening authority over the accused or an appropriate court. (Def. App. Ex. NN).

In response, Chief, DAD, forwarded her requests by letter to the commander exercising general court-martial convening authority over Appellant, the Commander of the US Army Fire Center of Excellence and Fort Sill (Commander, Fort Sill). (Def. App. Ex. OO). As to the chief of DAD's request for counsel of certain qualifications, Commander, Fort Sill, denied the request simply because he had no such counsel to provide. (Def. App. Ex. PP).

On multiple occasions, Appellant moved for relief with the ACCA, arguing that he was entitled to new counsel or other relief as a matter of law. However, the ACCA repeatedly found that Appellant did not meet his burden of showing his entitlement to such relief and denied the motions. *United States v. Hennis*, ARMY 20100304 (A. Ct. Crim. App. Feb. 5, 2013) (order); *United States v. Hennis*, ARMY 20100304 (A. Ct. Crim. App. Oct. 9, 2013) (order); *United States v. Hennis*, ARMY 20100304 (A. Ct. Crim. App. Oct. 28, 2013) (order).

Argument

As a threshold matter, Appellant is not entitled to counsel with the qualifications he describes as a matter of law. Further, the aspirational guidelines in AR 27-10 apply to trial-level defense teams, not appellate teams. Although Chapter 28's defense team provisions are inapplicable to appellate counsel, CPT Burroughs and LTC Carrier are qualified appellate defense counsel nonetheless. Finally, to the extent counsel has duties other than Appellant's case, that is the result of a decision made by and entrusted to the Chief, DAD, and the Government is in no position to second guess that decision.

I. Appellant is not entitled to counsel with particular attributes beyond those described by Article 27, UCMJ, as a matter of law.

Appellate counsel, like counsel at trial, must possess the attributes described by Article 27(b)(1), UCMJ. UCMJ art. 70(a). Beyond this requirement, there is no constitutional, congressional, or judicial requirement that counsel in capital cases have certain attributes, including those described by American Bar Association guidelines. *United States v. Akbar*, 74 M.J. 364, 399-400 (C.A.A.F. 2015). Additionally, AR 27-10 does not provide any right to counsel with certain attributes. To the contrary, nothing in Paragraph 28-6 "is to be construed as a right to a particular counsel or staff, or as a standard for determining the effectiveness of counsel under the U.S. Constitution." AR 27-10 para. 28-6(a). Instead, the capital

litigation teams are “suggested” and, to the extent it relates to appellate defense counsel at all, the paragraph provides “[g]eneral guidance” to “the detailing authority for the defense counsel,” i.e., the Chief, DAD. *See* AR 27-10 para. 28-6(a).

II. AR 27-10’s suggested capital team guidance does not apply on appeal.

Chapter 28 is directed almost entirely to trial-level proceedings. The court-martial personnel provisions are guidelines for Chief, USATDS. “The Chief, USATDS details *trial* defense counsel for [general courts-martial] and [special courts-martial].” AR 27-10 para. 6-9(a) (emphasis added); *see also* AR 27-10 para. 28-4(c)(1) (reiterating that Chief, USATDS, is the detailing authority for defense counsel in capital cases). By contrast, Chief, DAD, details appellate defense counsel. AR 27-10, app. C, para. C-3(a)(1). The Chief, USATDS, and the Chief, DAD, are co-equal officers, each exercising exclusive discretion in their respective realms, and each reporting directly to the Commander, TJAGLCS. *See* AR 27-1 paras. 2-4(b), 2-5(g). Thus, Chapter 28’s suggested guidelines for defense counsel and defense teams are guidelines relating to *trial* defense counsel only, directed to the detailing authority for trial defense counsel, and have no application to appellate defense counsel.

This conclusion is supported by the regulation’s suggested qualifications for defense counsel, which describe an able *trial* defense counsel, but say nothing

about appellate qualifications. The regulation suggests counsel have “skill in the management and conduct of complex negotiations and litigation; . . . skill in the use of expert witnesses and familiarity with common areas of forensic investigation;” and “skill in the elements of trial advocacy, such as panel selection, cross-examination of witnesses, and opening and closing statements . . .” AR 27-10 para. 28-4(a)(1). The paragraph mentions nowhere any prior experience or training in the elements of appellate advocacy. While in some sense skill in the cross-examination of witnesses, for example, may bear marginally on counsel’s ability as an appellate advocate, its primary function is in trial-level proceedings.

Finally, Chapter 28’s guidance for defense teams applies only to trial defense teams because when the regulation provides guidance for appeals it does so expressly. Chapter 28 concerns appellate matters in three respects: (1) it provides that the chief and deputy chief of DAD and the Chief, Capital Litigation are members of the defense team’s supervisory chain; (2) it provides that efforts should be made to provide continuity of appellate defense counsel; and (3) it provides that the Chief, DAD, should provide appellate defense counsel with capital training. AR 27-10 para. 28-6(c). The remainder of the chapter concerns trial matters, including the minimum-requirements provisions, and makes no mention of appeals. Thus, the suggested defense teams are suggested trial defense teams, not suggested appellate defense teams.

To the extent AR 27-10 is ambiguous in its application to appellate matters, this Court should defer to Chief, PPTO's, reasonable interpretation. Courts defer to an agency's reasonable interpretation of its own regulation. *Decker v. Northwest Environmental Defense Center*, 568 U.S. 597, 601 (citing *Auer v. Robbins*, 519 U.S. 452, 461 (1997)). The Judge Advocate General of the Army has statutory authority to manage judge advocates and is the proponent of AR 27-10. UCMJ art. 6(a); AR 27-10 at i. The Chief, PPTO, is his delegate for personnel management matters. AR 27-1 para. 2-8. In answering the chief of DAD's request for additional counsel, Chief, PPTO, considered the specific provision of AR 27-10 at issue and Chapter 28 as a whole, and provided a thoughtful and well-reasoned explanation for his conclusion that the provision on suggested defense teams has only limited application on appeal. Whether there are other or better interpretations of the regulation, this interpretation was not unreasonable. Therefore, this Court should defer to the Army's interpretation of its own regulation, and find that it has only limited application on appeal.

III. Captain Burroughs and LTC Carrier are qualified defense counsel.

In his motion, Appellant complains that CPT Burroughs and LTC Carrier do not meet the definition of "learned counsel." However, unlike for federal civilian trials and military commissions, neither this Court, Congress, nor the Army requires "learned counsel" in capital courts-martial, at trial or on appeal. *See*

Akbar, 74 M.J. at 399-400; AR 27-10 para. 28-4(a). Further, CPT Burroughs and LTC Carrier are qualified to represent Appellant. Captain Burroughs is an able trial advocate and has about a year of appellate experience, and LTC Carrier is an accomplished military justice practitioner and former military judge. Putting aside for a moment any other constraints on their time and attention, these counsel are perfectly capable of providing competent assistance of counsel to Appellant in this appeal.

IV. The Chief, DAD, has the responsibility for complying or not complying with AR 27-10's aspirational guidelines.

Assuming for the sake of argument AR 27-10's guidelines apply to appeals at all, the Chief, DAD, is vested with responsibility for choosing whether to comply with the regulation in her detailing decisions. The regulation provides "a guideline to the . . . detailing authority for the defense counsel," but recognizes that "every case must be analyzed and resourced individually, based on its specific circumstances." AR 27-10 para. 28-6(a). The Chief, DAD, is solely responsible, with the supervision and guidance of the Commander, TJAGLCS, for balancing the regulation's aspirations with the other needs of her office. Of course, if she provides substantial resources to Appellant, she may sacrifice resources that could be devoted to other cases. But that is the decision she is charged with making. Nothing in the record suggests that the resources available to her are insufficient to provide Appellant with adequate assistance. She could detail LTC Carrier, the

Chief, Complex and Capital Litigation, as lead counsel instead of limiting his role to a “merely supervisory” one. She could choose not to detail CPT Burroughs to twenty-seven other cases. However, the decision is hers alone, and she is empowered to comply with the regulation’s aspirations or not.


In almost no circumstance would the Government interfere with the discretion of the Chief, DAD. Her independence from the government writ large is by design and meant to ensure her zealous representation of appellants and the integrity of the appellate system in the Army. If the Government were to interfere with her detailing decisions, the appellants, families, and interested public in the other twenty-seven cases to which CPT Burroughs is detailed may lose faith in the integrity of the appellate military justice system. Likewise, if the Government were to influence LTC Carrier’s level of involvement in this case, it would compromise his ability to provide a supervisory role in other appellants’ cases. Fairness demands that the Government not attempt to influence or second guess the detailing decisions of the Chief, DAD.

To be sure, the larger Army determines what resources are available to the Chief, DAD, and has declined to provide her with more on the basis of her obligations in this case. However, Appellant has made no showing that she could not provide him with greater or more attorney resources with the personnel she has already. Among the sixteen active duty counsel and the collection of reservists


exists a team that can adequately represent Appellant in this appeal. The Chief, DAD, is provided an O-5 chief of Complex and Capital Litigation and has detailed him to this case. Whether the other cases for which Chief, DAD, is responsible should suffer in favor of this case, and to what degree, is a decision committed to the sound discretion of Chief, DAD. Surely, TJAG does not take lightly the selection of a designee to fulfill his duties under Article 70, UCMJ, and the Chief, DAD, is empowered to make such difficult management decisions.

Conclusion


For the reasons stated above, this Court should find that the Government has provided Appellant with adequate defense assistance.




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(Bar application pending)

Appendix A

UICOD W0KEAA EDATE 01-OCT-2018

DOCNO SEW0KEAA CCNUM 0119

DOCUMENT STATUS - APPROVED

CUASC SEOA REPCO M

SECTION II - PERSONNEL

| | | | | | | | | | | | | | | | | | | | | | | | |
|-------|---------------------|----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|---|
| P | A | R | N | O | G | S | A | A | A | A | L | L | B | C | I | P | P | P | P | T | C | T | S |
| E | R | L | N | N | R | Q | I | I | I | I | I | I | N | V | E | S | I | S | R | R | R | D | |
| D | UICDR/ | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | C | N | S | R | R | REQ | AUTH | K | K | K | |
| PSNTL | POS | CO | STR | STR | STR | STR | STR | STR | STR | STR | STR | STR | STR | STR | STR | STR | STR | STR | STR | STR | STR | STR | |
| 160B | TOTAL FOR PARA 160B | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | 5 | |

170 REG IAW/INTEL PROP

| | | | | | | | | | | | | | | | | | |
|----|------------------------|----|-------|----|---|---|---|---|---|---|----------|------|------|---|-----|----------|----|
| 01 | CH, REG IAW/INTEL PROP | 15 | 00905 | GS | C | F | A | G | 1 | 1 | 43609900 | FAUA | Y415 | E | 101 | A0003749 | 56 |
| 02 | GEN ATTY | 15 | 00905 | GS | C | F | A | G | 1 | 1 | 43609900 | FAUA | Y415 | E | 101 | A0003750 | 56 |
| 03 | GEN ATTY | 15 | 00905 | GS | C | F | A | G | 1 | 1 | 43609900 | FAUA | Y415 | E | 101 | A0003751 | 56 |
| 04 | GEN ATTY | 15 | 00905 | GS | C | F | A | G | 1 | 1 | 43609900 | FAUA | Y415 | E | 101 | A0003752 | 56 |
| 05 | GEN ATTY | 15 | 00905 | GS | C | F | A | G | 1 | 1 | 43609900 | FAUA | Y415 | E | 101 | A0003753 | 56 |
| 06 | GEN ATTY | 15 | 00905 | GS | C | F | A | G | 1 | 1 | 43609900 | FAUA | Y415 | E | 101 | A0003754 | 56 |
| 07 | SR PAT ATTY | 15 | 01222 | GS | C | D | E | G | 1 | 1 | 43609900 | FAUA | Y415 | E | 101 | A0003755 | 56 |
| 08 | ACCOUNTANT | 14 | 00510 | GS | C | F | A | G | 1 | 1 | 43609900 | FAUA | Y415 | H | 101 | A0003757 | 11 |
| 09 | PATENT ATTY | 14 | 01222 | GS | C | F | A | G | 1 | 1 | 43609900 | FAUA | Y415 | H | 101 | A0003756 | 56 |
| 10 | PARALEGAL SPEC | 11 | 00950 | GS | C | F | A | G | 1 | 1 | 43609900 | FAUA | Y415 | H | 101 | A0003758 | 56 |
| | TOTAL FOR PARA 170 | 10 | 10 | | | | | | | | | | | | | | |

210 DEF APPELLATE DIVISION

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|--------------------|-----------------------|----|-------|----|---|---|---|---|---|---|----------|------|------|-------|----------|----|
| 01 | CH, DEF APPELLATE DIV | 06 | 27A00 | JA | K | D | E | 7 | 1 | 1 | 43521200 | FAUA | Y415 | F | A0003440 | |
| 02 | SR APPELLATE ATTORNEY | 05 | 27A00 | JA | K | D | E | 7 | 1 | 1 | 43521200 | FAUA | Y415 | F | A0003441 | |
| 03 | SR PARALEGAL NCO | E7 | 27D40 | NC | I | F | D | 7 | 1 | 1 | 43521200 | FAUA | Y415 | F | A0003442 | |
| 04 | LEGAL TECH | 05 | 00986 | GS | C | F | A | G | 1 | 1 | 43521200 | FAUA | Y415 | K 101 | A0003443 | 56 |
| TOTAL FOR PARA 210 | | | | | | | | | | | | | | | | |

210A DAD BRANCH 1

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|---------------------|-----------------|----|-------|----|---|---|---|---|---|---|----------|------|------|---|----------|----------|----|
| 01 | CHIEF, BRANCH 1 | 04 | 27A00 | JA | K | D | E | 7 | 1 | 1 | 43521200 | FAUA | Y415 | F | A0003444 | | |
| 02 | APPELLATE ATTY | 03 | 27A00 | JA | K | F | D | 7 | 1 | 1 | 43521200 | FAUA | Y415 | F | A0003445 | | |
| 03 | APPELLATE ATTY | 03 | 27A00 | JA | K | F | D | 7 | 1 | 1 | 43521200 | FAUA | Y415 | F | A0003446 | | |
| 04 | APPELLATE ATTY | 03 | 27A00 | JA | K | F | D | 7 | 1 | 1 | 43521200 | FAUA | Y415 | F | A0003447 | | |
| 05 | APPELLATE ATTY | 03 | 27A00 | JA | K | F | D | 7 | 1 | 1 | 43521200 | FAUA | Y415 | F | A0003448 | | |
| 06 | APPELLATE ATTY | 03 | 27A00 | JA | K | F | D | 7 | 1 | 1 | 43521200 | FAUA | Y415 | F | A0003449 | | |
| 07 | APPELLATE ATTY | 03 | 27A00 | JA | K | F | D | 7 | 1 | 1 | 43521200 | FAUA | Y415 | F | A0003450 | | |
| 08 | APPELLATE ATTY | 03 | 27A00 | JA | K | F | D | 7 | 1 | 1 | 43521200 | FAUA | Y415 | F | A0003451 | | |
| 09 | PARALEGAL SPEC | 09 | 00950 | GS | C | F | A | G | 9 | 9 | 43521200 | FAUA | Y415 | K | 101 | A0003452 | 56 |
| TOTAL FOR PARA 210A | | | | | | | | | | | | | | | | | |

210B DAD BRANCH 2

| | | | | | | | | | | | | | | | | |
|---------------------|------------------|----|-------|----|---|---|---|---|---|---|----------|------|------|---|----------|----------|
| 01 | CHIEF, BRANCH II | 04 | 27A00 | JA | K | D | E | 7 | 1 | 1 | 43521200 | FAUA | Y415 | F | A0003453 | |
| 02 | APPELLATE ATTY | 03 | 27A00 | JA | K | F | D | 7 | 1 | 1 | 43521200 | FAUA | Y415 | F | A0003454 | |
| 03 | APPELLATE ATTY | 03 | 27A00 | JA | K | F | D | 7 | 1 | 1 | 43521200 | FAUA | Y415 | F | A0003455 | |
| 04 | APPELLATE ATTY | 03 | 27A00 | JA | K | F | D | 7 | 1 | 1 | 43521200 | FAUA | Y415 | F | A0003456 | |
| 05 | APPELLATE ATTY | 03 | 27A00 | JA | K | F | D | 7 | 1 | 1 | 43521200 | FAUA | Y415 | F | A0003457 | |
| 06 | APPELLATE ATTY | 03 | 27A00 | JA | K | F | D | 7 | 1 | 1 | 43521200 | FAUA | Y415 | F | A0003458 | |
| 07 | APPELLATE ATTY | 03 | 27A00 | JA | K | F | D | 7 | 1 | 1 | 43521200 | FAUA | Y415 | F | A0003459 | |
| 08 | APPELLATE ATTY | 03 | 27A00 | JA | K | F | D | 7 | 1 | 1 | 43521200 | FAUA | Y415 | F | A0003460 | |
| 09 | PARALEGAL SPEC | 11 | 00950 | GS | C | F | A | G | 9 | 9 | 43521200 | FAUA | Y415 | H | 101 | A0003461 |
| TOTAL FOR PARA 210B | | | | | | | | | | | | | | | | |

220 TRIAL DEFENSE SERVICE

Appendix B

2016-2017

JAGC

PERSONNEL

DIRECTORY

19 September 2016



PREFACE AND AUTHENTICATION

This Directory is compiled from information provided directly by the listed commands and offices. This JAGC Personnel Directory is current as of 1 October 2016, based upon information provided in August 2016.

FOR THE JUDGE ADVOCATE GENERAL:

//S//
WILLIAM R. MARTIN
COL, JA
Chief, Personnel, Plans, and
Training Office

| | | |
|------------|------------|------------|
| [REDACTED] | [REDACTED] | |
| [REDACTED] | [REDACTED] | [REDACTED] |
| [REDACTED] | | |
| [REDACTED] | [REDACTED] | |
| [REDACTED] | [REDACTED] | |
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Defense Appellate Division
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DSN [REDACTED]
 COMM [REDACTED]

COL [REDACTED]
 LTC [REDACTED]
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Division Chief
 Senior Appellate Attorney
 Paralegal NCOIC

Defense Appellate Division (Branch I)

DSN [REDACTED]
 COMM [REDACTED]

MAJ [REDACTED]
 CPT [REDACTED]
 CPT [REDACTED]
 CPT [REDACTED]
 CPT [REDACTED]
 CPT [REDACTED]
 CPT [REDACTED]
 CIV [REDACTED]

Branch Chief
 Appellate Attorney
 Appellate Attorney
 Appellate Attorney
 Appellate Attorney
 Appellate Attorney
 Appellate Attorney
 Paralegal Specialist

Defense Appellate Division (Branch II)

DSN [REDACTED]
 COMM [REDACTED]

MAJ [REDACTED]
 CPT Burroughs, Timothy
 CPT [REDACTED]
 CPT [REDACTED]
 CPT [REDACTED]
 CPT [REDACTED]
 CPT [REDACTED]
 CIV [REDACTED]

Branch Chief
 Appellate Attorney
 Appellate Attorney
 Appellate Attorney
 Appellate Attorney
 Appellate Attorney
 Appellate Attorney
 Paralegal Specialist

Defense Appellate Division (Defense Complex and Capital Litigation Branch)

DSN [REDACTED]

COMM [REDACTED]

LTC Carrier, Christopher
LTC [REDACTED]
CPT [REDACTED]

Branch Chief
Appellate Specialist
Appellate Attorney

Defense Appellate Division (Docket Management)

DSN [REDACTED]
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CIV [REDACTED]

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[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
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[REDACTED] [REDACTED] [REDACTED]

[REDACTED]

Certificate of Filing and Service

I certify that the foregoing answer to the Court's order to show cause in the case of *United States v. Hennis*, Crim. App. Dkt. No. 20100304, USCA Dkt. No. 17-0623/AR, was electronically filed with the Court (efiling@armfor.uscourts.gov) on 26 July 2017 and contemporaneously served on the Defense Appellate Division.


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