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Wuterich lead attorney on Haditha trial

- To: writemalkin@gmail.com
 - Subject: Wuterich lead attorney on Haditha trial
 - From: Neal A. Puckett <neal@puckettfaraj.com>
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 - Delivered-to: haytham@puckettfaraj.com
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Hi, Michelle,

I'm the lead attorney in the Wuterich case you so graciously covered last week. I also represented LTC Allen West during his Art 32 investigation in Iraq in 2003. I would appreciate a chance to bring something to your attention, not for attribution to me since we're in trial. I have an interest in Americans knowing the truth about Haditha, and this past week we saw a patently biased report from a San Diego Union Tribune reporter who was actually in the press room during the trial, but who chose to mischaracterize the testimony of Sgt Sanick Dela Cruz. No aspect of his testimony has ever been corroborated by any other witness or by the forensic evidence in the case, and the prosecution knows that. The problem with U-T report was that it left the impression in the minds of the readers that the perjured testimony was true (that Wuterich "planned" to go on a rampage days earlier and that he shot innocent men for no reason). Dela Cruz admitted during his testimony that he had repeatedly lied to investigators to get his charges dismissed with prejudice, but was now telling the truth. He also revealed that he had failed an NCIS polygraph on his story about Frank Wuterich firing first and he not firing at all. The only way to believe his current testimony, would be to believe that he perjured himself during the Article 32 investigation hearing for SSgt Wuterich. There he said he fired directly down into the fallen bodies of the men who were running from the car right after the IED exploded (claiming he thought they were already dead). Later that day on 19 Nov 2005, he admitted to urinating into the open skull of one of his shooting victims. Interesting timing, don't you think? And yet, even though the Marine Corps is certainly going to rightfully discipline and possibly prosecute the Marines from the video made in Afghanistan, with Sgt Dela Cruz, they ignored that action and gave him immunity from prosecution for it. He is now beyond the Statute of Limitations for prosecution. A quote from the transcript: Q: "Are you telling the truth today?" A: "I don't understand the question." We know from jurors' expressions and gestures and barely concealed amusement that none of them believed him. So it seems that Gretel Kovach decided that she wanted a narrative to portray her preconceived opinion about the character of Frank Wuterich and what must have happened, choosing not to report that the witness had been completely discredited.

Thanks for your excellent work in the interests of our American service members.

V/r,

Neal

Neal A. Puckett, Esq

LTCOL, USMC (RET)
PUCKETT & FARAJ, PC
1800 DIAGONAL RD, SUITE 210
ALEXANDRIA, VA 22314
703.706.9566
WWW.PUCKETTFARAJ.COM
WWW.TWITTER.COM/PUCKETTFARAJ

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